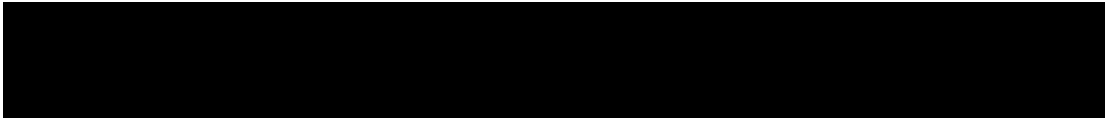


## Comment



**Address** RSPB  
 Unit 1, Brantham Mill Industrial Estate  
 Brantham, Manningtree,  
 CO11 1QT

**Event Name** Consultation on the Schedule of Main Modifications  
 May 2019



**Comment ID** 1

**Response Date** 09/07/19 12:02

**Consultation Point** Response Form ([View](#))

**Status** Processed

**Submission Type** Web

**Version** 0.5

**To which proposed Main Modification does your representation relate? Please state the relevant reference number that you are commenting on from the Schedule of Proposed Main Modifications e.g. MM1**

MM4

**Do you consider the proposed modification is:** . Legally compliant?  
 (please mark the appropriate box)

**If you consider the proposed Main Modification to be UNSOUND, please identify which test of soundness your representation relates to?** . Is it consistent with national policy?

**Please give us details as to why you think the Local Plan with proposed modifications is NOT legally compliant or sound?**

The opening line of Paragraph 170 of the NPPF sets out that plans and policies should "contribute to and enhance the natural and local environment". It does not limit its positive intentions by stating "where possible". The NPPF also does not use the term "where possible" in relation to the built or historic environment.

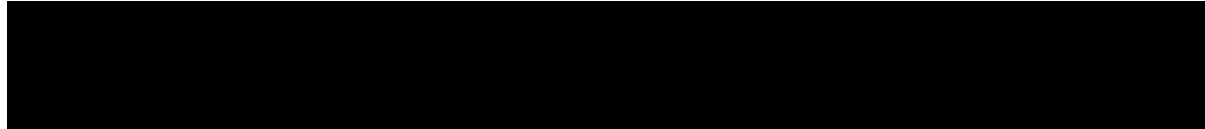
**Please set out what changes you consider necessary to make the proposed main modifications to the Local Plan legally compliant or sound.**

The plan will be consistent with national policy if the second bullet says "Protect and enhance the natural, built and historic environment"

**Would you like to be notified of future stages of the Local Plan?** Yes

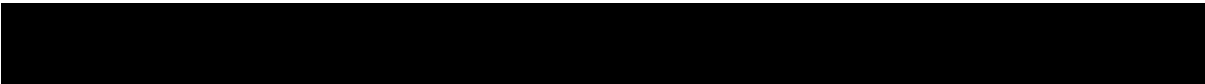
**How would you like to be notified?** . By email to my email address

## Comment



**Address** RSPB  
Unit 1, Brantham Mill Industrial Estate  
Brantham, Manningtree,  
CO11 1QT

**Event Name** Consultation on the Schedule of Main  
Modifications May 2019



**Comment ID** 2

**Response Date** 09/07/19 12:02

**Consultation Point** Response Form ([View](#))

**Status** Processed

**Submission Type** Web

**Version** 0.3

**To which proposed Main Modification does your representation relate? Please state the relevant reference number that you are commenting on from the Schedule of Proposed Main Modifications e.g. MM1**

MM117 - the RSPB supports the amended text in paragraph 5.18.

**Do you consider the proposed modification is: (please mark the appropriate box)** . Sound?

**If you consider the proposed Main Modification to be UNSOUND, please identify which test of soundness your representation relates to?**

**Would you like to be notified of future stages of the Local Plan?** Yes

**How would you like to be notified?** . By email to my email address

## Comment



**Address**

RSPB  
Unit 1, Brantham Mill Industrial Estate  
Brantham, Manningtree,  
CO11 1QT

**Event Name**

Consultation on the Schedule of Main Modifications  
May 2019



**Comment ID**

3

**Response Date**

09/07/19 12:03

**Consultation Point**

Response Form ([View](#))

**Status**

Processed

**Submission Type**

Web

**Version**

0.3

**To which proposed Main Modification does your representation relate? Please state the relevant reference number that you are commenting on from the Schedule of Proposed Main Modifications e.g. MM1**

MM118 - the RSPB supports the wording in this main modification. In particular we welcome the headline intention to "protect and enhance" biodiversity. This would accord with our comments on MM4 in relation to Policy GEN1.

**Do you consider the proposed modification is:**  
(please mark the appropriate box)

. Legally compliant?  
. Sound?

**If you consider the proposed Main Modification to be UNSOUND, please identify which test of soundness your representation relates to?**

**Would you like to be notified of future stages of the Local Plan?** Yes

**How would you like to be notified?**

. By email to my email address

## Comment



**Address** RSPB  
Unit 1, Brantham Mill Industrial Estate  
Brantham, Manningtree,  
CO11 1QT

**Event Name** Consultation on the Schedule of Main Modifications  
May 2019



**Comment ID** 4

**Response Date** 09/07/19 12:03

**Consultation Point** Response Form ([View](#))

**Status** Processed

**Submission Type** Web

**Version** 0.3

**To which proposed Main Modification does your representation relate? Please state the relevant reference number that you are commenting on from the Schedule of Proposed Main Modifications e.g. MM1**

MM119

**Do you consider the proposed modification is:** . Legally compliant?  
(please mark the appropriate box)

**If you consider the proposed Main Modification to be UNSOUND, please identify which test of soundness your representation relates to?** . Is it justified?

**Please give us details as to why you think the Local Plan with proposed modifications is NOT legally compliant or sound?**

The RSPB supports the additions made to this policy. However, there is one important proposed deletion that we do not support and without it being amended accordingly, we do not consider that the plan can be considered justified based on the established peer-reviewed evidence regarding the effects of trunk roads on Stone Curlews. This is the same evidence-base that has shaped the inclusion of the 1500m buffer around the Breckland SPA.

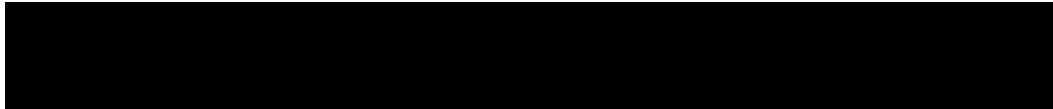
**Please set out what changes you consider necessary to make the proposed main modifications to the Local Plan legally compliant or sound.**

On page 105, paragraph 4 has "and roads" struck out. This has to be reinstated and written as "...and trunk roads..." in accordance with the research that highlights the negative associations Stone Curlews show with main arterial routes.

**Would you like to be notified of future stages of the Local Plan?** Yes

**How would you like to be notified?** . By email to my email address

## Comment



**Address** RSPB  
Unit 1, Brantham Mill Industrial Estate  
Brantham, Manningtree,  
CO11 1QT

**Event Name** Consultation on the Schedule of Main Modifications  
May 2019



**Comment ID** 5

**Response Date** 09/07/19 12:03

**Consultation Point** Response Form ([View](#))

**Status** Processed

**Submission Type** Web

**Version** 0.3

**To which proposed Main Modification does your representation relate? Please state the relevant reference number that you are commenting on from the Schedule of Proposed Main Modifications e.g. MM1**

MM120

**Do you consider the proposed modification is:** . Legally compliant?  
(please mark the appropriate box)

**If you consider the proposed Main Modification to be UNSOUND, please identify which test of soundness your representation relates to?** . Is it justified?

**Please give us details as to why you think the Local Plan with proposed modifications is NOT legally compliant or sound?**

The two new paragraphs suggested for insertion on pages 109 and 110 respectively are contradictory. The former states that LSE can be concluded beyond the 1500m buffer, whilst the latter suggests that a project level assessment may be necessary for large developments.

In order to be considered justified, the formation of these two paragraphs should be reset to provide clarity for the plan-user.

**Please set out what changes you consider necessary to make the proposed main modifications to the Local Plan legally compliant or sound.**

We suggest that "can" is altered to "may probably" in the first line of the 3rd para on page 109:

"A conclusion of no likely significant effect may probably be met where the proposed building is located further than the 1500m away from the SPA boundary (red primary buffer) or the identified (blue secondary buffer) or possible (orange square cells) areas that have a functional link (see Map 5.1)."

It should not be definitive that LSE can be concluded. Leaving the wording as presented will not be in keeping with the overall spirit of the policy which is so positively set to conserve and enhance biodiversity. To say that LSE can be concluded for any projects just outside the buffer will, by implication, potentially limit the expansion and recovery of Stone Curlew populations around the Brecks and abrogate any responsibility for an applicant to consider conducting an HRA in the future should the population have increased.

**Would you like to be notified of future stages of the Local Plan?** Yes

**How would you like to be notified?** . By email to my email address