

**Advice to applicants where a development site is located within Breckland Special Protection Area (SPA) or the 1500 metre (m) buffer zone.**

**The following applies to any planning application for development that is located within Breckland SPA or the 1.5 kilometre (km) buffer around components of Breckland SPA which support Stone Curlew as follows:**

- **Residential developments in the countryside with a total net gain in residential units.**
- **Residential development within the housing settlement boundary of Brandon, Red Lodge or Mildenhall of more than 10 units.**
- **Residential development within the housing settlement boundary of any other settlement of more than one unit.**
- **Non-residential development outside of existing urban areas where net additional gross internal floorspace following development is 30 square metres (m<sup>2</sup>) or more.**

The 1.5km buffer zone around Breckland Special Protection Area (SPA) was put in place to protect Stone Curlew, a qualifying species of the SPA; see policy CS2 of the core strategies for the former St Edmundsbury (1) and Forest Heath (2) areas of West Suffolk.

Natural England's Site of Special Scientific Impact Risk Zones (SSS IRZ) (3) (as defined on Magic) within this buffer zone indicate that any 'residential developments with a total net gain in residential units **or** non-residential development outside of existing urban areas where net additional gross internal floorspace following development is 30m<sup>2</sup>' or more could potentially have an adverse impact.

The Brecks SPA European Site Conservation Objectives: Supplementary advice on conserving and restoring features (4) notes that 'Nesting Stone Curlews can be affected by disturbance that occurs within 1500m of them. The cumulative effect of new housing within the 1.5km constraints zone therefore has the potential to lead to an increase in urban pressures on parts of the SPA with a risk of harmful effects to stone curlew'. There is currently no strategic solution or approach to addressing the in-combination effects of increasing levels of development across Breckland SPA and the 1.5km zone. The main barrier to such a solution is that because the underlying reason that Stone Curlew avoid nesting close to residential development is not fully understood, the measures designed to reduce those effects (for example, mitigation measures) can themselves not be clearly labelled as such and distinguished from measures to compensate for negative effects.

Whilst it might be possible to rule out adverse effects on Breckland SPA when considering projects alone, the concern is that the effects of built development, in particular residential development, on Stone Curlew nesting, in-combination with

other projects across the 1.5 kilometre (km) zone, cannot be excluded. This is relevant when undertaking a habitats regulations assessment (HRA), as required by The Conservation of Habitats and Species Regulations 2017 (as amended). This being the case, the local planning authority, as the competent authority, cannot with any certainty exclude the potential for an impact on the integrity of Breckland Special Protection Area (SPA).

Planning policy CS2 of the core strategies (2010) for the former St Edmundsbury and Forest Heath areas of West Suffolk states that only development that will not adversely affect the integrity of Breckland SPA will be permitted.

Planning policy DM10 of the Joint Development Management Policies Document (2015) (5) is clear that proposals for development which would adversely affect the integrity of areas of international importance will be determined in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended).

The National Planning Policy Framework (6) gives further guidance. Paragraph 177 states that the "presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site".

Natural England has been consulted on this advice note and is supportive of this approach. Natural England may be able to provide advice under its paid Discretionary Advice Service (DAS) on developments either falling outside of the 1.5km or those within the current guidance (See Natural England guidance on ruling out impacts of small-scale development to Breckland Special Protection Area)

## References and notes

- (1) [St Edmundsbury Core Strategy \(December 2010\)](#)
- (2) [Forest Heath Local Development Framework, Core Strategy Development Plan Document, 2001-2026 \(with housing projected to 2031\) Adopted May 2010](#)
- (3) The site of special scientific interest impact risk zones (IRZs) are a geographic information system (GIS) tool developed by Natural England to make a rapid initial assessment of the potential risks posed by development proposals to: sites of special scientific interest (SSSIs), special areas of conservation (SACs), special protection areas (SPAs) and ramsar sites. They define zones around each site which reflect the sensitivities of the features for which it is notified and indicate the types of development proposal which could potentially have adverse impacts. [Magic Map Application \(defra.gov.uk\)](#)
- (4) Breckland SPA, [European Site Conservation Objectives: Supplementary advice on conserving and restoring features](#),
- (5) [Joint Development Management Policies Document \(2015\)](#)
- (6) [The National Planning Policy Framework - 15. Conserving and enhancing the natural environment](#)