

**Examination of the Breckland District Local Plan (2011-2036)**

**Hearing Statement - RSPB**

*Matter 1 – Legal requirements*

*1.5 The HRA does not rule out the potential for likely significant effects on the Brecks Special Protection Area (SPA) from the proposed site allocations in Swaffham, Watton and Narborough. This is due to a lack of data in terms of functional land (between 1500 metres and 3 km from the SPA) for Stone Curlew. The HRA advises that the provision of project level HRAs will be required to demonstrate that there would be no significant effects. Is this an appropriate approach? Does this fulfil the requirements of the Regulations?*

We agree with this approach to the assessment of proposals on functional land between 1500m and 3km from the SPA.

The precautionary approach proposed above refers to areas within 1500m of stone curlew habitat outside the SPA (functional land). In these areas, because the impacts would be on functional land rather than the SPA itself, mitigation has already been established in principle (see Breckland Core Strategy paragraph 3.72, which states that for proposals within 1500m of such areas, '*development may also be acceptable providing alternative land outside the SPA can be secured to mitigate any potential effects*'). Therefore development in areas that may impact on functional land are acceptable in principle, subject to project level HRA work that addresses the current lack of data.

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