Minerals and Waste Local Plan Publication Stage Representation Form

Page 1: Suffolk Minerals and Waste Local Plan Publication Stage Representation

Q1. Please state if you are responding:

No Response

Q2. Personal Details:

Title
Mr

First Name
James

Last Name
Meyer

Address Line 1
Suffolk Wildlife Trust

Address Line 2
Brooke House

Address Line 3 (if this is not required, please write N/A)
The Green

Address Line 4 (if this is not required, please write N/A)
Ashbocking

Post Code
IP6 9JY

Telephone Number (if you do not wish to provide this information, please write N/A)

Email address (If you do not wish to provide this information, please write N/A)

Q3. Agent's Details:

No Response

Q4. To which part of the Local Plan does this representation relate?

Paragraph
Habitats Regulations Assessment

Policy
-

Policies Map
-

Q5. Do you consider the Local Plan is

<table>
<thead>
<tr>
<th></th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) Legally compliant</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>(2) Sound</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>(3) Complies with the Duty to co-operate</td>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>
**Q6.** Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

We have read the documents which form the HRA for the draft Local Plan and we note their conclusions, the documents do not appear to have been updated since the Preferred Options consultation in 2017. As set out in our response to the Preferred Options consultation, we do not consider that the approach taken in the HRA is sound, legally compliant or demonstrates a duty to co-operate, particularly in the way that proposed site allocations have been assessed. We consider that this makes the Local Plan unsound in its current form. The HRA does not appear to follow the prescribed steps required of such an assessment (screening for likely significant effect; Appropriate Assessment) and does not provide any assessment of the potential impacts of the proposed developments on the identified designated sites. Without such consideration being undertaken it is not possible determine whether the proposals, either alone or in-combination with other plans or projects (both within Suffolk and neighbouring counties), are likely to result in likely significant effects or adverse impacts on the integrity of the designated sites. It is not sufficient for the competent authority (in this case Suffolk County Council) to defer this level of assessment to the planning application stage. Also, in the absence of such assessment it is not possible to determine what mitigation measures are required to be secured as part of any site allocation policies. Without a robust HRA we do not consider that the Local Plan could be found "Sound" at examination and we therefore strongly recommend that further assessment is undertaken prior submission. Sites which are found to be likely to result in adverse impacts on the integrity of designated sites should not be adopted. We understand that the HRA is currently being revisited, however in the absence of this work being available our comments are based on the published consultation documents.

**Q7.** Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the Matter you have identified at 5 above where this relates to soundness. (NB Please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The HRA must be revisited to ensure that it complies with requirements of the relevant legislation and provides a robust assessment of the proposed plan.

**Q8.** SCC Response

*No Response*

**Q9.** If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

Yes, I wish to participate at the oral examination

**Q10.** If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

As currently presented we do not consider that the HRA has been adequately undertaken and believe that this requires addressing as part of the examination process. However, we understand that the HRA is currently being revisited and we will reconsider our current position on this based on the outcome of the revised assessment.
Q1. Please state if you are responding:
No Response

Q2. Personal Details:
Title  
Mr

First Name  
James

Last Name  
Meyer

Address Line 1  
Suffolk Wildlife Trust

Address Line 2  
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Address Line 3 (if this is not required, please write N/A)  
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Ashbocking

Post Code  
IP6 9JY

Telephone Number (if you do not wish to provide this information, please write N/A)  
01473890089

Email address (If you do not wish to provide this information, please write N/A)  
james.meyer@suffolkwildlifetr

Q3. Agent's Details:
No Response

Q4. To which part of the Local Plan does this representation relate?
Paragraph  
Habitats Regulations Assessment

Policy

Policies Map

Q5. Do you consider the Local Plan is

Yes

No

(1) Legally compliant  
X

(2) Sound  
X

(3) Complies with the Duty to co-operate  
X

Q6. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

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Q11. Your details:
Name  
James Meyer

Date  
18/07/2018