WEST SUFFOLK COUNCIL NEWS RELEASE

Special status should stop RAF Barnham development minister told

Proposals to house asylum seekers at the RAF Barnham Camp should be prevented under national Habitat Regulations ministers have been told.

Cllr Cliff Waterman, Leader of West Suffolk Council, has written to Alex Norris MP, Minister of State for Border Security and Asylum, explaining how the council believes the legally binding ecological constraints will rule out the development at Barnham Camp.

The letter also points out that the Habitat Regulations would need to be met no matter what planning powers were being used, including by the Government.

The constraints placed by the Habitats Regulation on development has prevented in the past additional homes, due to the impact on protected wildlife. Extensive investigations and conversations with Natural England have so far concluded that the restraints imposed by the regulations cannot be overcome.

As a consequence of these constraints, West Suffolk Council has been required to adopt local plan policies that significantly restrict development across parts of the district.

Cllr Cliff Waterman, Leader of West Suffolk Council, said: "The exceptionally high legal threshold imposed by the Habitats Regulations, together with our extensive experience as a competent authority working alongside Natural England and other partners on these matters, leads us to conclude that development here will not be possible.

"Guidance and case law has ensured the protection of this special habitat from human activity and prevented development happening in the past. Indeed, extensive efforts and investigations to try and overcome these regulations have all failed previously. It also means Government cannot give itself permission without meeting the requirements of the Habitats Regulations.

"In light of the significant environmental and legal constraints affecting Barnham Camp, I have strongly advised the minister to reconsider Barnham as a potential site for asylum accommodation. This would enable efforts and resources to be focused on alternative locations that are less constrained and more capable of supporting the delivery of asylum accommodation.

"The Council remains willing to engage constructively with officials and would be pleased to discuss the matters raised in this letter should that be helpful."

Barnham Camp is within the Breckland Special Protection area (SPA) and Special Area of Conservation (SAC) and their necessary protection buffer zones.

These internationally designated wildlife sites cover parts of Norfolk and Suffolk and are of particular importance for the conservation of Stone Curlew, supporting one of the largest breeding populations in Europe.

Given their international conservation status, any proposal for development within or near the SPA and SAC must be assessed in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended) ("the Habitats Regulations").

Consent can only be granted for the plan or project where the competent authority has ascertained that the proposal will not adversely affect the integrity of the European site. Case law has also established that this conclusion must be reached beyond reasonable scientific doubt and therefore the precautionary principle applies.

Therefore, where uncertainty remains regarding potential impacts on the qualifying features of the Breckland SPA, including Stone Curlew populations and their supporting habitats, permission cannot lawfully be granted unless the requirements of the Habitats Regulations are satisfied.

It has previously been established that housing, roads, recreational uses, and increased levels of human activity can disturb Stone Curlew. The species is particularly sensitive to human presence. As a result, development proposals within this area are considered likely to have significant effects on the Breckland SPA and SAC and therefore require a project-level Habitats Regulations Assessment to determine whether any adverse effects on site integrity can be ruled out.

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