

Townley, Sam

From: Bulmer, Kevin
Sent: 08 August 2018 14:09
To: Townley, Sam
Subject: Re: Revised Habitats Regulations Assessment (HRA) for Goring Neighbourhood Plan

Follow Up Flag: Follow up
Flag Status: Flagged

No comment except let's get on with it, it's all form rather than substance.

Best Regards

Cllr Kevin Bulmer
South Oxfordshire District Council

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On 7 Aug 2018, at 12:49, Townley, Sam <Sam.Townley@southandvale.gov.uk> wrote:

Dear Sir/Madam

I am writing to you as you were consulted and/or submitted representations during the regulation 16 publicity period for the [Goring Neighbourhood Development Plan](#) (the plan).

South Oxfordshire District Council has commissioned LUC to carry out a Habitats Regulations Assessment (HRA) of the plan, which I attach. The report presents the methodology and findings of the revised HRA screening, which has also been updated to assess the most recent version of the Neighbourhood Plan, being the submission version.

The report was originally published in April 2018. However, a recent judgment from the Court of Justice of the European Union 'People over Wind, Peter Sweetman v Coillte Teoranta (Case C-323/17)' ruled that Article 6(3) of the Habitats Directive should be interpreted as meaning that mitigation measures should be assessed as part of an Appropriate Assessment, and should not be taken into account at the screening stage.

As a result of this judgment, it has been necessary to update the HRA screening of the plan to ensure that it complies with the ruling. It is worth noting that the independent examination of the plan is ongoing, and being carried out by Timothy Jones of No5 Chambers. The examiner's role is to consider whether the plan is compatible with EU obligations when determining whether the plan should proceed to referendum.

Whilst the changes to the attached report are arguably largely changes of form rather than substance, we have decided to seek your views on the report during a four-week consultation.

I would be grateful if you could review the attached report and provide any response as soon as possible and by noon Wednesday 5 September 2018.

Please note this is not an opportunity to further comment on the neighbourhood plan or the independent examination.

Yours sincerely

Mr Sam Townley
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<HRA Screening Goring NDP - July 2018 update.pdf>