

LAPP.INSP.04 22.6.18 Letter from the Inspector to Nottingham City Council with regard to impact upon examination timescales as a result of further work required on HRA

‘The Inspector notes that the Council has sought legal advice on the matter raised in her Initial Observations and Questions regarding the compliance of the Nottingham City Land and Planning Policies Development Plan Document (Local Plan Part 2) with the Habitat Regulations in the light of recent case law on the matter of Habitats Regulations Assessment (HRA) and that the legal advice is unequivocal about the need to undertake further work on the HRA in the light of these cases. She also notes that the Council has sought the views of Natural England about the scope of the additional work required and that the conclusion of these discussions is that a full review of the HRA is required to support the Plan.

The Council indicates that its preferred approach would be to use the same consultant that undertook the previous HRA, both for consistency reasons and because they have the benefit of significant local knowledge and background, and that the consultant has indicated they would be available to commence the work in September. The Inspector agrees that this would seem a sensible way forward.

In order to assist in firming up on a date for the Hearing sessions to commence it would be helpful if the Council would provide a detailed timeline for the review of the HRA outlining not only the timescales for the preparation of the report but also consultation including, initially with Natural England and then formally with relevant public bodies, stakeholders and the general public. It would also be helpful if the Council consider and provide a view on the implications on this timeline if an Appropriate Assessment is required.

In the meantime the Inspector will continue to prepare for the hearings at a time to be agreed.’