

Planning and Strategic Housing

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WEST OXFORDSHIRE
DISTRICT COUNCIL

Malcolm Rivett BA (Hons) MSc MRTPI

Your Ref :
Our Ref :
Date : 15 June 2018

Dear Sir

West Oxfordshire Local Plan Examination

The Council has been reviewing its Habitats Regulations Assessment following a number of recent developments in this area, including the latest consultation response from Natural England and the decision of the European Court of Justice in *People Over Wind & Sweetman v Coillte Teoranta* (c-323/17).

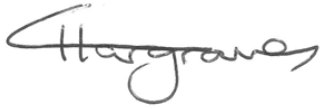
In light of the decision in *People Over Wind*, the Council considers that it is necessary to undertake some further HRA work, which will include an appropriate assessment of the potential adverse air quality effects on the Oxford Meadows SAC. This additional work will also include an update to the assessment of 'in combination' effects to ensure that this takes into account the most recent information that is available for other plans and projects.

It is not anticipated that this additional work will take a significant amount of time, and the Council therefore suggests the following timetable to enable it to undertake this work:

- i. The Council will instruct its HRA consultants to carry out the additional work, which is expected to take 3/4 weeks;
- ii. Once the updated HRA has been produced, the Council will consult on this for a period of four weeks. There is no statutory duty to consult the general public (*R (Devon Wildlife Trust) v Teignbridge DC* [2015] EWHC 2159 (Admin)). However, in addition to consulting with Natural England, as required by the Habitats Regulations, the Council will also give consideration to whether a wider consultation exercise would be appropriate after reviewing the additional work. The Council currently anticipates that this could be done by making a copy of the updated HRA available on its website for wider comment during the consultation period;
- iii. Following closure of this four week consultation period, the Council will consider any representations received and decide whether it is necessary to make any further changes to the plan;
- iv. The Council will then submit the additional documents to the examination along with a position note setting out its position.

I trust this sets out the Council's position clearly but if you require any additional information please let me know.

Yours sincerely

A handwritten signature in black ink that reads "Hargraves". The signature is written in a cursive style with a large initial 'H' and a long, sweeping tail.

Chris Hargraves
Planning Policy Manager