

Inspector Paul Griffiths  
c/o Carmel Edwards  
Programme Officer  
Newark & Sherwood District Council

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Your ref: INS09\_NSCSR Post Hearings Note 5  
Our ref: Ltr –Inspector-HRA Issue-16-05-18

*Sent via email*

17 May 2018

Dear Sir

**POST HEARING NOTE 5 re HRA – People over Wind, Peter Sweetman v Coillte Teoranta (Case C-323/17)**

Having reviewed the above legal judgement, and held discussions with our ecological consultants, the Council has concluded that in order to ensure that the plan meets the outcome of the ruling an Appropriate Assessment (AA) document will be prepared.

The ruling states that screening reports should not contain mitigation to offset identified likely significant effects. The July 2017 HRA screening report includes mitigation; on this basis the Council have decided to prepare an AA report.

Since the screening report was prepared, we believe that new information about breeding birds is available for the study area. The Council will take this opportunity to include the most recent data in the AA.

The Council has commissioned its consultants to carry out the work as a matter of urgency and subject to the securing of the new bird data it is likely that the process will be undertaken over the next few weeks. Once the assessment has been finalised we will be in a position to set out with certainty whether additional main modifications will be required. Given this I think that your suggestion of submission of all the main modifications together would be most appropriate route to take.

Yours Faithfully,



Matthew Norton MA (Hons) MRTPI  
Business Manager – Planning Policy