

From: Samantha Cheater
Sent: 22 October 2019 11:17
To: Louisa Slator
Cc: Catherine Wright; Neil Davidson
Subject: Re: Ilmington NDP

Morning Louisa,

Thank you for your email and forwarding on the Examiners questions. Our advice in relation to the following question is set out below and as such I have updated Catherine's memo to include Ilmington in the list of NDPs – attached FYI.

Question: Taking the above into account, please can Stratford on Avon District Council confirm that it is satisfied (or is not satisfied) that the Neighbourhood Plan is compatible with European obligations.

The Ilmington Screening Report¹ screened out issues in relation to biodiversity, flora and fauna – this included a consideration of impacts on the conservation objectives of European sites, as designated under the Habitats² and Birds³ Directives. No Likely Significant Impacts (LSE) were concluded as there are no European sites located within a zone of impact from the NDP boundary – further assessment under the Habitats Regulations⁴ was therefore not required. For information, the closest European site designation is Bredon Hill Special Area of Conservation (SAC) which is located approximately 20.1km to the west of the Neighbourhood Plan boundary. Mitigation in terms of European sites was therefore not required, or applied, at the screening stage and as such the screening decision is considered to be compliant with the Sweetman ("People over Wind") ruling. Lepus is therefore satisfied that the Neighbourhood Plan is compatible with European obligations.

Footnotes:

- 1 Lepus Consulting (July 2018). SEA of the Ilmington NDP: Screening Report. Document Reference: LC-365_Ilmington_SEA_HRA_Screening_8_190718JE.docx.
2. Official Journal of the European Communities (1992). Directive 92/43/EEC of May 1992 on the conservation of natural habitats and of wild fauna and flora.
3. Official Journal of the European Communities (2009). Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds.
4. The Conservation of Habitats and Species Regulations 2017. (2017) SI no. 2017/1012, TSO (The Stationary Office), London.

Do not hesitate to contact me should you wish to discuss this in more detail.

Many thanks

Sam

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