

Ian Kemp

Plan:MK

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By Email Only

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Dear Mr Cheston,

As the Council may have seen, there has been a recent Court of Justice of the European Union ruling on 12 April 2018 regarding how Article 6(3) of the Habitats Directive must be interpreted. From all that I have read to date I am not persuaded that the judgement applies for the Plan:MK HRA. HRA remains, however, a live issue during the examination including any consideration of possible likely significant effects stemming from any main modifications, where appropriate. In revisiting the HRA documentation and in advance of the first round of hearings I would be grateful if the following could be actioned please:

Is it possible for a Plan to be produced and submitted into the examination which shows the Upper Nene SPA/Ramsar sites relative to the Borough boundary? Appendix A of the HRA (which is described as 'draft') also refers to Chiltern Beechwoods SAC (in relation to Policy L8). If this remains valid (despite the main body of the report discounting a relationship to this SAC) should the Plan also show the location of this site?

Is it also possible for the HRA document to be re-issued without reference to the Harborough Local Plan in the header and citations to Epping Forest SAC (footnote 8, page 9), and including reference to the correct citation to the Upper Nene SPA?

I have set out in my initial observations of 9 May 2018 as to whether or not there has been any engagement with Natural England on the HRA. I note from re-reading Natural England's representation dated 19 December 2017 that they have no further comments to make on the HRA. If there is any earlier dialogue with Natural England on HRA which the LPA considers would provide useful context I would be happy to see that submitted into the examination.

David Spencer
Inspector