

Kippax Neighbourhood Development Plan

Response to Examiner's Initial Letter – 21.08.2018.

5. Habitats Regulations Assessment Screening Report

I have noted the Strategic Environmental Assessment and Habitats Regulations Assessment Screening Report is dated November 2016. The Screening Report was prepared prior to the EU Court of Justice ruling in People Over Wind and Sweetman v Coillte Teoranta. (Judgement of the Court Seventh Chamber 12 April 2018) and the Court of Justice (Second Chamber) judgement of 25 July 2018 Grace, Sweetman, and National Planning Appeals Board Ireland (ECLI:EU:C2018:593). I request the Screening Report in respect to Habitats Regulations Assessment is reviewed in the context of these EU Court rulings and that the City Council confirms, in consultation with Natural England, that the Screening Report is considered to be compliant with the identified EU Court rulings, or alternatively states what actions are proposed to rectify the situation.

Leeds City Council's Initial Response

The Council has re-screened the Kippax Neighbourhood Plan for the purposes of the Habitats Regulations Assessment (HRA) in light of the Judgements and has sent the updated screening to Natural England for their consideration and comment. The Council has requested that Natural England respond within 10 working days. The Council will then finalise the updated HRA screening and send the update to the Examiner.