

## INDEPENDENT EXAMINATION OF THE HATFIELD PEVEREL NEIGHBOURHOOD PLAN

EXAMINER: Mary O'Rourke BA (Hons) DipTP MRTPI

To:

Our Ref: 07/MOR/HPNP

Alan Massow  
Braintree District Council

23 October 2018

Dear Mr Massow

### **Hatfield Peverel Neighbourhood Development Plan (HPNP)**

I refer to your emails of 1 and 16 October 2018 and also the attached correspondence from Natural England (NE) of the same dates.

I have noted the comments made by NE. It is unfortunate that NE has not published any formal advice to assist qualifying bodies and others involved in neighbourhood planning following the People Over Wind and Sweetman judgement, now some 6 months ago. Similarly, I note that the Government's recent updates to the Planning Practice Guidance in September 2018 do not include revisions to advice on *Strategic environmental assessment requirements for neighbourhood plans*, notably PPG Reference ID: 11-047-20150209. Nevertheless, on a precautionary basis, it is my view that the examination of the HPNP would be best served by the District Council now proceeding to consultation on the Appropriate Assessment that has been carried out for the HPNP, in the light of the judgement. That consultation should take the form which I set out in my letter to you of 28 August 2018, in that it should be akin to that carried out under Regulation 16 in terms of its scope and length. The purpose of the consultation is to provide an opportunity for comment and so it is important that it is transparent and it is clear to all those interested in the Plan as to what has happened, the reason why additional consultation is taking place, what is being consulted on and what is being proposed to change. To that end, I advise against the Appropriate Assessment being described as 'Non-Statutory'.

As set out in my August letter, the District Council with the Parish Council should comply and make available, as part of the consultation exercise, a comprehensive note on what amendments are proposed to the Plan with full justification. Furthermore, I advise that an amended document should be prepared comprising the submitted HPNP with clearly annotated revisions so that anyone reading it can clearly see what is proposed to be changed.

Please advise me on what the timescale would be to carry out consultation as described above. Following provision of this information, please notify me upon the commencement and completion of each stage. However, I must make it clear that I retain the discretion to come to my own view on these matters, as part of the examination, when consideration of the Plan against the Basic Conditions and other legal requirements resumes.

Yours sincerely

*Mary O'Rourke*

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Examiner