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Inspector's preliminary observations to the Council

Following my initial review of the Employment and Industry Document and the supporting documents there is a preliminary matter that I wish to raise. The Council have determined that HRA scoping is not required and provide correspondence with Natural England (NE) to confirm that NE support this position (SD017 HRA correspondence with Natural England – Formal opinion). I require some clarification around that correspondence and any further actions undertaken by the Council.

NE's letter appears to limit its consideration to the impact arising from possible residential development resultant from the Employment and Industry review; have NE considered wider implications elsewhere or agreed that this is the main effect on the potentially affected sites? is there evidence of that?.

The letter refers to a short Habitats Regulations screening document can you confirm that this is the document in SD017 entitled "Email to Natural England" dated Wednesday 19 April 2017? Within the preceding email chain there is an email dated 19 April with the person 'from' redacted. In that email it states there are a number of attachments to the 'Habitats Regulations' screening email, can you confirm what these documents were and that I have copies of them within the evidence base, as this is not clear from the correspondence.

In terms of the substance of NE's letter it accepts that the short Habitats Regulation screening document provides an acceptable level of assessment on the basis that the Local Plan has been recently adopted and has its own full HRA in support of allocations. This acceptance however is caveated by the following paragraph drawing attention to the recent Wealden decision and the necessity to ensure any assessment covers the in combination effects satisfactorily. Can you confirm what action the Council has taken to satisfy itself on the issue of in combination effects and whether legal advice was sought? If so what was the outcome of that work and any legal advice?

NE also suggest that it would be prudent to ensure that any of the new sites potentially allowing residential are screened themselves to ensure appropriate avoidance and mitigation is in place. Can you confirm how this matter has been taken forward and is addressed?

I would be pleased to receive the Council's comments on these matters by **Wednesday 22 November 2017**.

Kenneth Stone

INSPECTOR

8 November 2017