MATTER 1 – LEGAL AND PROCEDURAL REQUIREMENTS

Representor: Toni Gay
Representor No.: 1372719
Questions: 1.1, 1.4, 1.5, 1.6, 1.7, 1.8 and 1.11

Response

My concern is whether environmental impacts have been sufficiently assessed and whether the Plan translates those assessments into effective safeguards and mitigation when development subsequently occurs.

Question 1.1 is relevant because it expressly asks how mitigation measures arising from Sustainability Appraisal have been dealt with.

Questions 1.4–1.8 concern the Habitats Regulations Assessment, relevant designated sites and impacts, the conclusions reached, Natural England's involvement and project-level mitigation. Question 1.11 separately concerns climate-change mitigation and adaptation. These matters form part of the Inspectors' legal and procedural examination.

My concern is not that the strategic HRA should determine every individual ecological issue. It is that the assessment process must result in an effective policy framework capable of ensuring that environmental constraints identified at strategic level are properly addressed when individual developments come forward.

Change sought

The Plan should make clear that environmental constraints identified through Sustainability Appraisal, HRA or other appropriate evidence must translate into effective development requirements.

Where project-level assessment or mitigation is required, it should occur sufficiently early to influence the design and implementation of development and before works capable of causing the relevant environmental harm take place.