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Attention: Mark Dakeyne
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14th June 2018

Please ask for: Kevin Owen
Planning Policy Team
Directorate of Place
Direct Line: (01903) 737853

Dear Mr Dakeyne

Arun Local Plan Examination - Court of Justice of the European Union – People over Wind, Peter Sweetman v Coillete Teoranta (Case C-323/17)

Thank you for your letter to Karl Roberts dated 31 May re above, seeking Arun District Council's response to the High Court Judgment and whether there are any implications for the Arun Local Plan. The Council has reviewed the judgment against the approach taken through the Arun Local Plan Habitats Regulation Assessment (HRA) at both the screening and later appropriate assessment stages and conclude that:-

- No European/national sites were screened out on the basis of avoidance or mitigation measures and so there are no implications arising from the High Court Judgment for the Arun Local Plan;
- The HRA is legally compliant and therefore no further work on is required to either the screening or appropriate assessment of the Arun Local Plan 2011-2031.

This position is set out in the accompanying documents:-

- Urban Edge Environmental Consulting 'Technical Note - Arun Local Plan Habitats Regulations Assessment June 2018'
- Legal opinion by Rob A Jameson (Town & Country Planning Solicitor): 'Habitats Regulation Assessment for the Arun Local Plan – Impact of the High Court of Justice of the European Union Case, "People Over Wind"'

I trust that this clarifies the position. Please let me know if you require any further assistance.

Yours sincerely,

Kevin Owen (Planning Policy Team Leader)

Arun District Council