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Mr Stephen Pointer,  
Team Manager, Planning Policy  
Nottinghamshire County Council  
County Hall  
West Bridgford  
Nottingham  
NG2 7QP

28 February 2020

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Dear Mr Pointer

**Examination of Nottinghamshire Minerals Local Plan**

Thank you for your response to my previous letter.

Although the latest Habitats Regulations Assessment (HRA) has screened out the need for appropriate assessment, the previous HRA indicated a need for an assessment, leading the Council to include requirements in the site allocation development briefs. The Habitats Regulations require that where a land use plan is likely to have a significant effect on a European site, the plan-making authority must make an appropriate assessment of the implications for the site. In deciding whether or not a significant effect is likely, case law has established that a precautionary approach must be taken. It can only be concluded that a plan would be unlikely to have a significant effect if such a risk can be excluded on the basis of objective information.

The information that you have provided, taken as a whole, indicates that a risk of a significant effect on European sites cannot be excluded. On this basis an appropriate assessment of the Plan is required. However, to enable me to reach a conclusion on this matter I would be grateful for any further information you are able to provide to justify the approach taken.

On the basis that the need for appropriate assessment has been screened out, there would be no need to include any requirement for such assessment in the development briefs. However, it is necessary for me to establish the need for appropriate assessment at this stage before deciding on the information to be included in the development briefs.

Yours sincerely

*Nick Palmer*

INSPECTOR