

**Bassetlaw District Council**

# **Bassetlaw Local Plan Main Modifications: Habitats Regulations Assessment Screening and Appropriate Assessment**

**Final report**

Prepared by LUC

August 2023



**Bassetlaw District Council**

**Bassetlaw Local Plan Main Modifications: Habitats Regulations Assessment Screening and Appropriate Assessment**

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August 2023

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# Chapter 1

## Introduction

**1.1** LUC was commissioned by Bassetlaw District Council (BDC) to carry out a Habitats Regulations Assessment (HRA) of its Local Plan. Several iterations of the HRA Report have been prepared and published alongside draft versions of the Local Plan throughout its preparation. The Local Plan was submitted for Examination in July 2022, accompanied by the final HRA Report (May 2022) along with other evidence documents such as the Sustainability Appraisal.

**1.2** This current report is an update to the May 2022 HRA, which has been prepared to address the implications of the Main Modifications to the Local Plan which have been proposed following the Examination hearings that were held in November-December 2022 and January 2023.

### Background to the preparation of the Local Plan

**1.3** BDC began work on its new Local Plan in 2015. The new Local Plan will provide the long-term approach to development in the District up to the year 2038 and, once adopted, will replace the existing Core Strategy and Development Management Policies Development Plan Document (DPD) which was adopted in December 2011.

**1.4** The Initial Draft Bassetlaw Local Plan was published for consultation in October 2016 and set out a Vision and a list of Strategic Objectives for the Local Plan, as well as Strategic Proposals which detailed the spatial hierarchy for the District and a proposed planning approach and development principles for each tier of the hierarchy. The Initial Draft Bassetlaw Local Plan also set out proposed thematic policy approaches relating to various topics including housing growth; economic development; town and service centres; the historic environment; the natural environment and design amongst others. These proposed policy approaches were high level indications of the likely direction of the Local Plan policy and did not comprise detailed draft policy wording.

**1.5** BDC then prepared the first version of the Draft Bassetlaw Local Plan in January 2020, which included revised strategic policies, site allocations and more detailed policies. This was subject to HRA and published for consultation between January and February 2020. BDC then prepared a revised version of the Draft Bassetlaw Local Plan in November 2020 which was subject to HRA and a further round of consultation. Natural England commented on the HRAs of both versions of the Draft Bassetlaw Local Plan. A record of

these comments and how they have since been fully addressed is set out in **Appendix D**.

**1.6** The Draft Bassetlaw Local Plan November 2020 included strategic policies, thematic policies and site allocation policies and was consulted on from November 2020 to January 2021. The consultation responses that were received by the Council informed further changes to several of the policies contained in the Draft Plan. A selected number of substantial changes were published and subject to a Focussed Consultation from June 2021 to July 2021. No HRA work was undertaken in relation to that Focussed Consultation; however the policy changes that were carried through into the Publication version of the Local Plan were assessed in the August 2021 HRA Report. Following each public consultation, the Council has reviewed all comments received and the evidence which informs and justifies the policies and sites selected for allocation.

**1.7** A further HRA report was prepared in August 2021 to reflect the Publication (Regulation 19) version of the Local Plan and was published alongside that document during the consultation period.

**1.8** The next iteration of the HRA, in January 2022, was an updated version of that previous report and was prepared to take into account of the Publication Version Addendum January 2022, which updated a number of the Local Plan policies. The May 2022 HRA report, which was submitted for Examination alongside the Local Plan, was an updated version of the January 2022 HRA report, and was prepared to take account of the Bassetlaw Local Plan 2020-2038 Publication Version Second Addendum.

**1.9** This current HRA Report has been prepared to update the conclusions from the May 2022 HRA Report, taking into account the Main Modifications which BDC now proposes to make to the Local Plan following the Examination hearings.

**1.10** References to 'the Local Plan', or 'the plan' should hereafter be taken to refer to the submitted Local Plan as proposed to be modified through the schedule of Main Modifications.

**1.11** The HRA of the Bassetlaw Local Plan considers whether the plan could have adverse effects on the integrity of internationally important wildlife sites, either alone or in combination with other plans and projects.

## The requirement to undertake Habitats Regulations Assessment of Development Plans

**1.12** The requirement to undertake HRA of development plans was confirmed by the amendments to the Habitats Regulations published for England and Wales in 2007<sup>1</sup>; the currently applicable version is the Habitats Regulations 2017<sup>2</sup>, as amended. When preparing the development plans, Bassetlaw District Council is therefore required by law to carry out an HRA. The Council can commission consultants to undertake HRA work on its behalf and this (the work documented in this report) is then reported to and considered by Bassetlaw District Council as the 'competent authority'. The Council will consider this work and would usually only progress a Plan if it considers that the Plan will not adversely affect the integrity<sup>3</sup> of any 'European site', as defined below. The requirement for authorities to comply with the Habitats Regulations when preparing a Plan is also noted in the Government's online Planning Practice Guidance<sup>4</sup> (PPG).

**1.13** HRA refers to the assessment of the potential effects of a development plan on one or more sites afforded the highest level of protection in the UK: SPAs and SACs. These were classified under European Union (EU) legislation but, since 1<sup>st</sup> January 2021, are protected in the UK by the Habitats Regulations 2017<sup>2</sup> (as amended). Although the EU Directives from which the UK's Habitats Regulations originally derived are no longer binding, the Regulations still make reference to the lists of habitats and species that the sites were designated for, which are listed in annexes to the EU Directives:

- SACs are designated for particular habitat types (specified in Annex 1 of the EU Habitats Directive<sup>5</sup>) and species (Annex II). The listed habitat types and species (excluding birds) are those considered to be most in need of conservation at a European level. Designation of SACs also has regard to the threats of degradation or destruction to which the sites are exposed and, before EU exit day, to the coherence of the 'Natura 2000' network of European sites. After EU exit day, regard is had to the importance of such sites for the coherence of the UK's 'national site network'.
- SPAs are classified for rare and vulnerable birds (Annex I of the EU Birds Directive<sup>6</sup>), and for regularly occurring migratory species not listed in Annex I.

<sup>1</sup> The Conservation (Natural Habitats, &c.) (Amendment) Regulations 2007 (2007) SI No. 2007/1843. TSO (The Stationery Office), London.

<sup>2</sup> The Conservation of Habitats and Species Regulations 2017 (2017) SI No. 2017/1012, as amended by The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 (SI 2019/579), TSO (The Stationery Office), London.

<sup>3</sup> The integrity of a site is the coherence of its ecological structure and function, across its whole area, that enables it to sustain the habitat, complex of habitats

and/or the levels of populations of the species for which it was designated. (Source: UK Government Planning Practice Guidance)

<sup>4</sup> <https://www.gov.uk/guidance/appropriate-assessment>

<sup>5</sup> Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (the 'Habitats Directive')

<sup>6</sup> Directive 2009/147/EC of 30 November 2009 on the conservation of wild birds (the 'Birds Directive')

**1.14** The term 'European sites' was previously commonly used in HRA to refer to 'Natura 2000' sites<sup>7</sup> and Ramsar sites (international designated under the Ramsar Convention). However, a Government Policy Paper<sup>8</sup> on changes to the Habitats Regulations 2017 post-Brexit states that:

- Any references to Natura 2000 in the 2017 Regulations and in guidance now refers to the new 'national site network'.
- The national site network includes existing SACs and SPAs; and new SACs and SPAs designated under these Regulations.
- Designated Wetlands of International Importance (known as Ramsar sites) do not form part of the national site network. Many Ramsar sites overlap with SACs and SPAs and may be designated for the same or different species and habitats.

**1.15** Although Ramsar sites do not form part of the new national site network, the Government guidance<sup>9</sup> states that:

"Any proposals affecting the following sites would also require an HRA because these are protected by government policy:

- proposed SACs
- potential SPAs
- Ramsar sites - wetlands of international importance (both listed and proposed)
- areas secured as sites compensating for damage to a European site."

**1.16** Furthermore, the NPPF<sup>10</sup> and practice guidance<sup>11</sup> currently state that competent authorities responsible for carrying out HRA should treat Ramsar sites in the same way as SACs and SPAs. The legislative requirement for HRA does not apply to other nationally designated wildlife sites such as Sites of Special Scientific Interest or National Nature Reserves.

**1.17** For simplicity, this report uses the term 'European site' to refer to all types of designated site for which Government guidance<sup>12</sup> requires an HRA.

**1.18** The overall purpose of an HRA is to conclude whether or not a proposal or policy, or a whole development plan would

adversely affect the integrity of the European site in question. This is judged in terms of the implications of the plan for a site's 'qualifying features' (i.e. those Annex I habitats, Annex II species, and Annex I bird populations for which it has been designated). Significantly, HRA is based on the precautionary principle. Where uncertainty or doubt remains, an adverse effect should be assumed.

## Stages of HRA

**1.19** The HRA of development plans is undertaken in stages (as described below) and should conclude whether or not a proposal would adversely affect the integrity of the European site in question.

**1.20** LUC has been commissioned by Bassetlaw District Council to carry out HRA work on the Council's behalf, and the outputs will be reported to and considered by Bassetlaw District Council, as the competent authority, before adopting the Plan.

**1.21** The HRA also requires close working with Natural England as the statutory nature conservation body<sup>13</sup> in order to obtain the necessary information, agree the process, outcomes and mitigation proposals. The Environment Agency, while not a statutory consultee for the HRA, is also in a strong position to provide advice and information throughout the process as it is required to undertake HRA for its existing licences and future licensing of activities.

## Requirements of the Habitats Regulations

**1.22** In assessing the effects of a Local Plan in accordance with Regulation 105 of the Conservation of Habitats and Species Regulations 2017 (as amended) (the 'Habitats Regulations'), there are potentially two tests to be applied by the competent authority: a 'Significance Test', followed if necessary by an Appropriate Assessment which would inform the 'Integrity Test'. The relevant sequence of questions is as follows:

- Step 1: Under Reg. 105(1)(b), consider whether the plan is directly connected with or necessary to the management of the sites. If not, proceed to Step 2.
- Step 2: Under Reg. 105(1)(a) consider whether the plan is likely to have a significant effect on a European site, either alone or in combination with other plans or

<sup>7</sup> The network of protected areas identified by the EU: [https://ec.europa.eu/environment/nature/natura2000/index\\_en.htm](https://ec.europa.eu/environment/nature/natura2000/index_en.htm)

<sup>8</sup> <https://www.gov.uk/government/publications/changes-to-the-habitats-regulations-2017/changes-to-the-habitats-regulations-2017>

<sup>9</sup> Defra and Natural England (2021) Guidance - Habitats regulations assessments: protecting a European site, <https://www.gov.uk/guidance/habitats-regulations-assessments-protecting-a-european-site>

<sup>10</sup> NPPF para 176, available from <https://www.gov.uk/guidance/national-planning-policy-framework>

<sup>11</sup> The HRA Handbook, Section A3. David Tyldesley & Associates, a subscription based online guidance document: <https://www.dtapublications.co.uk/handbook/European>

<sup>12</sup> Defra and Natural England (2021) Guidance - Habitats regulations assessments: protecting a European site, <https://www.gov.uk/guidance/habitats-regulations-assessments-protecting-a-european-site>

<sup>13</sup> Regulation 5 of the Habitats Regulations 2017.

projects (the 'Significance Test'). If yes, proceed to Step 3.

**1.23** [Steps 1 and 2 are undertaken as part of Stage 1: HRA Screening, shown in **Table 1.1**.]

- Step 3: Under Reg. 105(1), make an Appropriate Assessment of the implications for the European site in view of its current conservation objectives (the 'Integrity Test'). In so doing, it is mandatory under Reg. 105(2) to consult Natural England, and optional under Reg. 105(3) to take the opinion of the general public.

**1.24** [This step is undertaken during Stage 2: Appropriate Assessment, shown in **Table 1.1**.]

- Step 4: In accordance with Reg. 105(4), but subject to Reg. 107, give effect to the land use plan only after having ascertained that the plan would not adversely affect the integrity of a European site.

**1.25** [This step follows Stage 2 where a finding of 'no adverse effect' is concluded. If it cannot be it proceeds to Step 5 as part of Stage 3 of the HRA process]

- Step 5: Under Reg. 107, if Step 4 is unable to rule out adverse effects on the integrity of a European site and no alternative solutions exist then the competent authority may nevertheless agree to the plan or project if it must be carried out for 'imperative reasons of overriding public interest' (IROPI).

**1.26** [This step is undertaken during Stage 3: Assessment where no alternatives exist and adverse impacts remain taking into account mitigation shown in **Table 1.1**]

### Typical stages

**1.27** **Table 1.1** summarises the stages and associated tasks and outcomes typically involved in carrying out a full HRA of a development plan, based on various guidance documents<sup>14,15,16</sup>.

Table 1.1: Stages in HRA

Stage	Task	Outcome
<b>Stage 1: HRA Screening</b>	<p>Description of the development plan and confirmation that it is not directly connected with or necessary to the management of European sites.</p> <p>Identification of potentially affected European sites and their conservation objectives<sup>17</sup>.</p> <p>Review of other plans and projects.</p> <p>Assessment of likely significant effects of the development plan alone or in combination with other plans and projects, prior to consideration of avoidance or reduction ('mitigation') measures<sup>18</sup>.</p>	<p>Where effects are unlikely, prepare a 'finding of no significant effect report'.</p> <p>Where effects judged likely, or lack of information to prove otherwise, proceed to Stage 2.</p>
<b>Stage 2: Appropriate Assessment (where Stage 1 does not rule out likely significant effects)</b>	<p>Information gathering (development plan and data on European sites<sup>19</sup>).</p> <p>Impact prediction.</p> <p>Evaluation of development plan impacts in view of conservation objectives of European sites.</p>	<p>Appropriate Assessment report describing the plan, European site baseline conditions, the adverse effects of the plan on the European site, how these effects will be avoided through, firstly, avoidance, and secondly, mitigation including the</p>

<sup>14</sup> UK Government Planning Practice Guidance, available from <https://www.gov.uk/guidance/appropriate-assessment>

<sup>15</sup> European Commission (2001) Assessment of plans and projects significantly affecting European Sites. Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC.

<sup>16</sup> The HRA Handbook. David Tyldesley & Associates, a subscription based online guidance document:

<https://www.dtapublications.co.uk/handbook/European>

<sup>17</sup> Conservation objectives are published by Natural England for SACs and SPAs:

<sup>18</sup> In line with the CJEU judgment in Case C-323/17 People Over Wind v Coillte Teoranta, mitigation must only be taken into consideration at this stage and not during Stage 1: HRA Screening.

<sup>19</sup> In addition to SAC and SPA citations and conservation objectives, key information sources for understanding factors contributing to the integrity of the sites include (where available) conservation objectives supplementary advice and Site Improvement Plans prepared by Natural England: <http://publications.naturalengland.org.uk/category/5458594975711232>

Stage	Task	Outcome
	Where impacts are considered to directly or indirectly affect qualifying features of European sites, identify how these effects will be avoided or reduced ('mitigation').	mechanisms and timescale for these mitigation measures.  If effects remain after all alternatives and mitigation measures have been considered proceed to Stage 3.
Stage 3: Assessment where no alternatives exist and adverse impacts remain taking into account mitigation	Identify and demonstrate 'imperative reasons of overriding public interest' (IROPI).  Demonstrate no alternatives exist.  Identify potential compensatory measures.	This stage should be avoided if at all possible. The test of IROPI and the requirements for compensation are extremely onerous.

**1.28** It is normally anticipated that an emphasis on Stages 1 and 2 of this process will, through a series of iterations, help ensure that potential adverse effects are identified and eliminated through the inclusion of mitigation measures designed to avoid or reduce effects. The need to consider alternatives could imply more onerous changes to a plan document. It is generally understood that so called 'imperative reasons of overriding public interest' (IROPI) are likely to be justified only very occasionally and would involve engagement with the Government.

### Case law

**1.29** This HRA has been prepared in accordance with relevant case law findings, including most notably the 'People over Wind' and 'Holohan' rulings from the Court of Justice for the European Union (CJEU).

**1.30** The *People over Wind, Peter Sweetman v Coillte Teoranta* (April 2018) judgment ruled that Article 6(3) of the Habitats Directive should be interpreted as meaning that mitigation measures should be assessed as part of an Appropriate Assessment and should not be taken into account at the screening stage. The precise wording of the ruling is as follows:

"Article 6(3) .....must be interpreted as meaning that, in order to determine whether it is necessary to carry out, subsequently, an appropriate assessment of the implications, for a site concerned, of a plan or project, it is not appropriate, at the screening stage, to take account of measures intended to avoid or reduce the harmful effects of the plan or project on that site."

**1.31** In light of the above, the HRA screening stage does not rely upon avoidance or mitigation measures to draw conclusions as to whether the Local Plan could result in likely significant effects on European sites, with any such measures

being considered at the Appropriate Assessment stage as relevant.

**1.32** This HRA also fully considers the *Holohan v An Bord Pleanala* (November 2018) judgement which stated that:

Article 6(3) of Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora must be interpreted as meaning that an 'appropriate assessment' must, on the one hand, catalogue the entirety of habitat types and species for which a site is protected, and, on the other, identify and examine both the implications of the proposed project for the species present on that site, and for which that site has not been listed, and the implications for habitat types and species to be found outside the boundaries of that site, provided that those implications are liable to affect the conservation objectives of the site.

**1.33** In undertaking this HRA, LUC has fully considered the potential for effects on species and habitats, including those not listed as qualifying features, to result in secondary effects upon the qualifying features of European sites, including the potential for complex interactions and dependencies. In addition, the potential for offsite impacts, such as through impacts to functionally linked land, and or species and habitats located beyond the boundaries of European site, but which may be important in supporting the ecological processes of the qualifying features, has also been fully considered in this HRA.

**1.34** In addition to this, the HRA takes into consideration the 'Wealden' judgement from the CJEU.

**1.35** *Wealden District Council v Secretary of State for Communities and Local Government, Lewes District Council and South Downs National Park Authority* (2017) ruled that it was not appropriate to scope out the need for a detailed assessment for an individual plan or project based on the



annual average daily traffic (AADT) figures detailed in the Design Manual for Roads and Bridges or the critical loads used by Defra or Environmental Agency without considering the in-combination impacts with other plans and projects.

**1.36** In light of this judgement, the HRA therefore considers traffic growth based on the effects of development from the Local Plan in combination with other drivers of growth such as development proposed in neighbouring districts and demographic change.

**1.37** The HRA also takes into account the Grace and Sweetman (July 2018) judgement from the CJEU which stated that:

“there is a distinction to be drawn between protective measures forming part of a project and intended avoid or reduce any direct adverse effects that may be caused by the project in order to ensure that the project does not adversely affect the integrity of the area, which are covered by Article 6(3), and measures which, in accordance with Article 6(4), are aimed at compensating for the negative effects of the project on a protected area and cannot be taken into account in the assessment of the implications of the project”.

“As a general rule, any positive effects of the future creation of a new habitat, which is aimed at compensating for the loss of area and quality of that habitat type in a protected area, are highly difficult to forecast with any degree of certainty or will be visible only in the future”

“A mitigation strategy may only be taken into account at AA (a.6(3)) where the competent authority is “sufficiently certain that a measure will make an effective contribution to avoiding harm, guaranteeing beyond all reasonable doubt that the project will not adversely affect the integrity of the area”

• Otherwise it falls to be considered to be a compensatory measure to be considered under a.6(4) only where there are “imperative reasons of overriding public interest”

**1.38** The Appropriate Assessment of the Local Plan therefore only considers the existence of measures to avoid or reduce its direct adverse effects (mitigation) if the expected benefits of those measures are beyond reasonable doubt at the time of the assessment.

**1.39**

## Structure of this report

**1.40** This chapter has introduced the requirement to undertake HRA of the Local Plan. The remainder of the report is structured as follows:

- **Chapter 2: Bassetlaw Local Plan** summarises the content of the Local Plan as proposed to be modified, which is the subject of this report.
- **Chapter 3: Methodology** sets out the approach used and the specific tasks undertaken during the HRA for the Bassetlaw Local Plan.
- **Chapter 4: HRA Screening Assessment** describes the findings of the screening stage of the HRA.
- **Chapter 5: Appropriate Assessment** describes the findings of the Appropriate Assessment stage of the HRA.
- **Chapter 6: Conclusions** summarises the HRA conclusions and describes the next steps to be undertaken.
- **Appendix A** sets out details of the European sites within 15km of Bassetlaw, including their qualifying features and conservation objectives.
- **Appendix B** presents the screening matrix.
- **Appendix C** sets out details of the plans with potential for in-combination effects with the Bassetlaw Local Plan.
- **Appendix D** sets out consultation comments received in response to earlier iterations of the HRA.

## Chapter 2

### Bassetlaw Local Plan

**2.1** This HRA report relates to the submitted Bassetlaw Local Plan as proposed to be modified via the schedule of Main Modifications. As well as the Vision and Strategic Objectives, the Local Plan as proposed to be modified sets out a total of 56 proposed strategic policies, site allocation policies and thematic policies, which are focused on various topics for development management purposes. These policies set out the requirements that development within the District should meet. The Local Plan contains the following sections:

1. Introduction.
2. Structure of the Bassetlaw Local Plan.
3. Context.
4. Bassetlaw Vision and Objectives.
5. A Spatial Strategy for Bassetlaw.
6. Delivering Economic Prosperity.
7. Living Communities.
8. Local Character and Distinctiveness.
9. Healthy Communities.
10. Greening Bassetlaw.
11. Transport and Connectivity.
12. Infrastructure and Delivery.
13. Implementation and Monitoring.
14. Monitoring Framework.

#### Potential impacts of the Local Plan on European sites

**2.2** All potential impacts that development in general and related activities may have on European sites have been considered to inform this HRA. Impacts considered include a broad range of physical, non-physical, direct and indirect impacts, drawing on LUC's experience of HRA, the professional judgement of assessors, impacts noted specifically for those European sites included within the HRA and comments previously provided by Natural England relating to the potential impacts and activities that could affect European sites. Further information regarding the types of impacts that the Local Plan could have, and which therefore need to be considered in this HRA, is provided in **Chapter 4**.

## Chapter 3

### Methodology

**3.1** HRA screening of the Bassetlaw Local Plan has been undertaken in line with current available guidance and seeks to meet the requirements of the Habitats Regulations, taking into account the 'People over Wind' judgment and Holohan CJEU rulings. The tasks that have been undertaken during the screening and Appropriate Assessment stages of the HRA are described in detail below.

#### Identification of European sites that may be affected by the Local Plan

**3.2** In order to initiate the search of European sites that could potentially be affected by a Local Plan, it is established practice in HRAs to consider European sites within the local planning authority area covered by the Local Plan, and other sites that may be affected beyond this area.

**3.3** The neighbouring Borough of Doncaster Metropolitan Council (MBC) was appointed in 2010 by BDC to prepare a methodology that future development plans and documents can use to undertake the HRA process. This methodology<sup>20</sup> used a 15km area of search outside the District boundary to identify European sites that may be affected by plans and projects within Bassetlaw, which is common practice in HRAs of English Local Plans.

**3.4** Although there are no European Sites within Bassetlaw, four sites have been identified that lie within 15km of the District boundary:

- Birklands and Bilhaugh SAC.
- Hatfield Moor SAC.
- Thorne Moor SAC.
- Thorne and Hatfield Moors SPA.

**3.5** The Doncaster MBC methodology also recognises that European sites outside this 15km zone may need to be considered in exceptional circumstances and therefore each plan subject to HRA should consider whether there are any pathways by which effects could occur on more distant European sites. The Humber Estuary SAC, SPA and Ramsar lies north of Bassetlaw District and there is hydrological connectivity via the River Trent which forms the eastern

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<sup>20</sup> <https://www.bassetlaw.gov.uk/planning-and-building/planning-services/planning-policy/core-strategy-and-development-policies/background-studies/habitat-regulations-assessment/>

boundary of the District. Therefore, these European sites have also been considered in this HRA.

### Shadow HRA

**3.6** As explained in **Chapter 1**, it is necessary for potential SPAs (pSPAs) to be included in the HRA. Although not formally a pSPA, Natural England has advised that there is a possibility of a Sherwood Forest pSPA being designated in the future on account of supporting populations of breeding nightjar and woodlark. In an Advice Note to Local Planning Authorities dated March 2014<sup>21</sup>, Natural England advocates a precautionary approach to any plans or projects which could affect such a site and identifies Core Breeding Areas and Important Bird Areas (IBAs), which together would be likely to constitute component sites of any Sherwood Forest 'prospective potential' SPA (ppSPA). Natural England has clarified (personal communication) that the most up to date Sherwood Forest IBA boundaries differ from those in the 2014 advice note, and that these should be used when considering the potential extent of the ppSPA.

**3.7** Natural England's 2014 advice note advises Local Planning Authorities in the vicinity of parts of Sherwood Forest to be mindful of the Secretary of State's decision in 2011, following Public Inquiry, to refuse to grant planning permission for an Energy Recovery Facility at Rainworth where the potential impacts on these birds and their supporting habitats was given significant weight. This note indicates that, with regards to planning, a risk-based approach should be taken by considering Sherwood Forest in the HRA process as a ppSPA.

**3.8** While no conclusion has been reached, or progress published about the possible future classification of a Sherwood Forest pSPA, Natural England recommend that the ppSPA should be considered as part of any relevant HRA, in line with the precautionary principle and to ensure that any planning proposals are adequately future proofed. In responding to the consultation on the HRA of the Draft Bassetlaw Local Plan (January 2020), Natural England suggested that assessment of the Sherwood Forest ppSPA should be undertaken separately, as a 'shadow HRA'. This shadow HRA is presented in this report, and the approach taken (this chapter) and results (in **Chapter 4** and **Chapter 5**) are presented separately from the main HRA through the use of sub-headings.

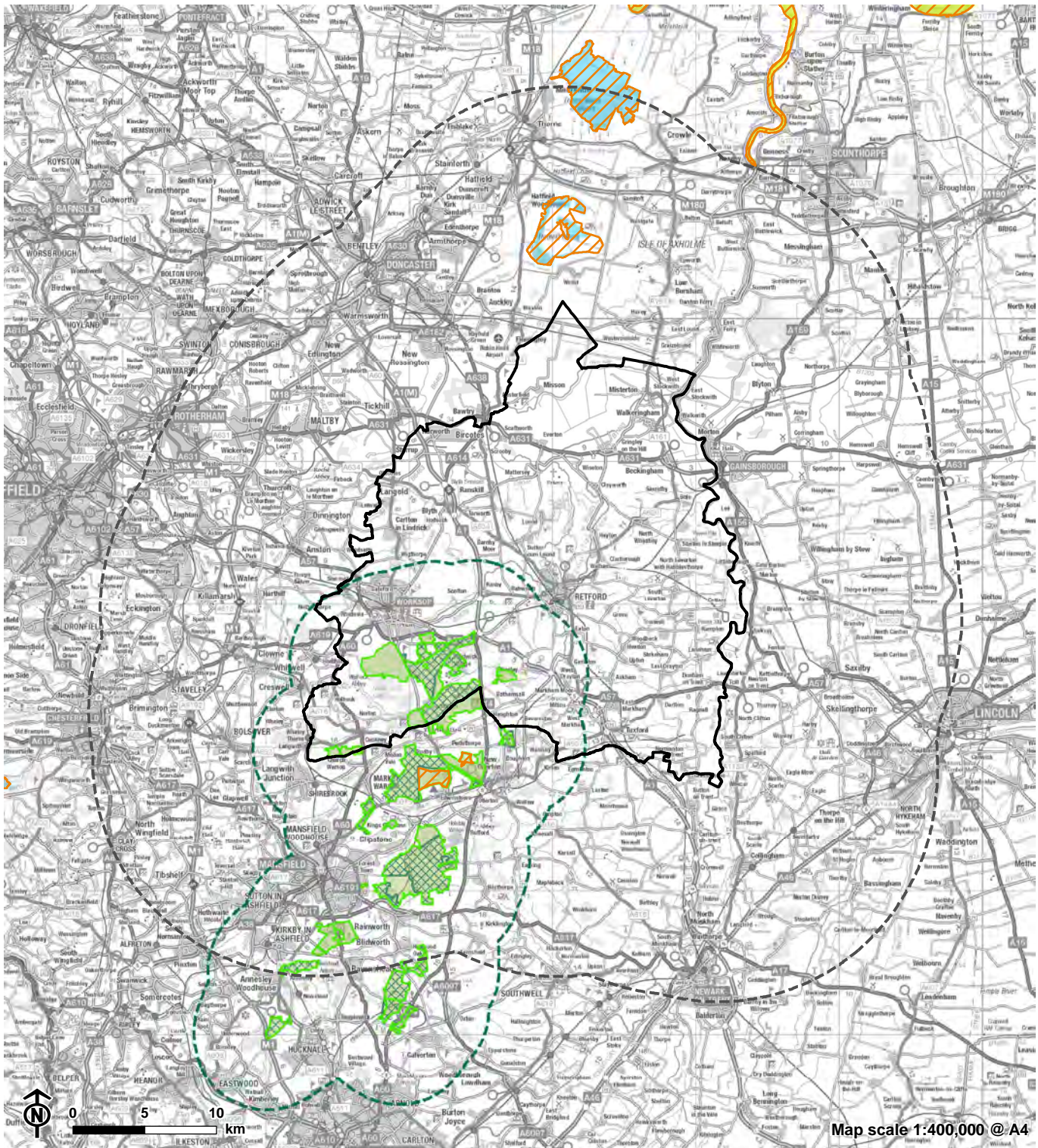
### Location of European sites

**3.9** The locations of the European sites around Bassetlaw District are mapped in **Figure 3.1**. As the status of Sherwood

Forest is still uncertain and there are no boundaries for the ppSPA, a possible boundary for the purposes of this assessment has been based upon the information provided within the Natural England advice note, as described above. This indicative area is shown in **Figure 3.1**.

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<sup>21</sup><https://www.mansfield.gov.uk/downloads/file/482/natural-england-s-advice-notes-on-the-sherwood-ppspa-2014>



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CB:CB EB:Bean\_C LUC FIG3\_1\_10327\_r2\_NatDesig\_2020\_A4P 26/10/2020  
Source: NE, NWT, OS

**Figure 3.1: European Sites within 15km of Bassetlaw District**

- Bassetlaw District Council
- 15km from Council boundary
- Special Area of Conservation
- Ramsar
- Special Protection Area
- Sherwood Forest Important Bird Area\*
- Sherwood Forest Important Bird Area 5km buffer
- Indicative core area of breeding of Nightjar and Woodlark
- Indicative prospective potential Special Protection Area (ppSPA)

\* IBA boundary from 2018 is shown. IBAs outside of Sherwood Forest are not shown on this map as they have not been considered in the Habitats Regulation Assessment (HRA) Screening.

### Ecological attributes of the European sites

**3.10** Detailed information about the location, qualifying features and vulnerabilities of the European sites included in the assessment is presented in **Appendix A**. The attributes that contribute to and define the integrity of the European sites considered in this HRA have been identified using the Conservation Objectives for each site, Standard Data Forms for SACs and SPAs<sup>22</sup> and Information Sheets for Ramsar Wetlands<sup>23</sup>, as well as Natural England’s Site Improvement Plans<sup>24</sup> (SIPs). This analysis enabled European site interest features to be identified, along with the features of each site that determine site integrity and the specific sensitivities and threats facing the site. This information was then used to inform an assessment of how the potential impacts of the Local Plan may affect the integrity of each site.

**3.11** This approach has also been useful for informing the inter-dependencies of non-qualifying species and habitats which the qualifying species depend, as highlighted as a requirement by the 'Holohan' ruling.

### Shadow HRA: Ecological attributes of the European sites

**3.12** As the Sherwood Forest ppSPA is not currently designated as a European site, there is no Standard Data form or SIP for it. However, information about other comparable SPAs within the UK, such as the Thames Basin Heaths SPA, which is designated for nesting nightjar and woodlark (and Dartford Warbler), has been used to understand likely pressures and threats, and factors contributing to the coherence and function of the site’s qualifying features.

### Assessment of ‘likely significant effects (LSEs)’ of the Local Plan

**3.13** As required under Regulation 105 of the Conservation of Habitats and Species Regulations 2017<sup>25</sup> (the ‘Habitats Regulations’), an assessment has been undertaken of the ‘likely significant effects’ of the Local Plan. A risk-based approach involving the application of the precautionary principle has been adopted in the assessment, such that a conclusion of ‘no significant effect’ has only been reached where it is considered very unlikely, based on current knowledge and the information available, that a proposal in the Local Plan would have a significant effect on the integrity of a European site.

**3.14** A screening matrix has been prepared (**Appendix B**), which considers the potential for likely significant effects resulting from each policy and site allocation in the submitted Local Plan as proposed to be modified. A ‘traffic light’ approach has been used in the screening matrix to record the likely effects of the policies and site allocations on European sites and their qualifying habitats and species, using the colour categories shown in **Table 3.1**. The findings of the screening assessment are described in **Chapter 4**.

Table 3.1: Interpretation of ‘likely significant effect’

Red	There are likely to be significant effects (Appropriate Assessment required).
Amber	There may be significant effects, but this is currently uncertain (Appropriate Assessment required).
Green	There are unlikely to be significant effects (Appropriate Assessment <b>not</b> required).

**3.15** Relevant case law helps to interpret when effects should be considered as a likely significant effect, when carrying out HRA of a land use plan.

**3.16** In the Waddenzee case<sup>26</sup>, the European Court of Justice ruled on the interpretation of Article 6(3) of the Habitats Directive (translated into Reg. 105 in the Habitats Regulations), including that:

- An effect should be considered ‘likely’, “if it cannot be excluded, on the basis of objective information, that it will have a significant effect on the site” (para 44);
- An effect should be considered ‘significant’, “if it undermines the conservation objectives” (para 48); and
- Where a plan or project has an effect on a site “but is not likely to undermine its conservation objectives, it cannot be considered likely to have a significant effect on the site concerned” (para 47).

**3.17** A relevant opinion delivered to the Court of Justice of the European Union<sup>27</sup> commented that:

*“The requirement that an effect in question be ‘significant’ exists in order to lay down a de minimis threshold. Plans or projects that have no appreciable effect on the site are thereby excluded. If all plans or projects capable of having any effect*

<sup>22</sup> These were obtained from the Joint Nature Conservation Committee and Natural England websites (www.jncc.gov.uk and www.naturalengland.org.uk)

<sup>23</sup> These were obtained from the Joint Nature Conservation Committee website (www.jncc.defra.gov.uk)

<sup>24</sup> Natural England is in the process of compiling Site Improvement Plans for all Natura 2000 sites in England as part of the Improvement Programme for England’s Natura 2000 sites (IPENS).

<sup>25</sup> SI No. 2017/2012

<sup>26</sup> ECJ Case C-127/02 “Waddenzee” Jan 2004.

<sup>27</sup> Advocate General’s Opinion to CJEU in Case C-258/11 Sweetman and others v An Bord Pleanala 22nd Nov 2012.

*whatsoever on the site were to be caught by Article 6(3), activities on or near the site would risk being impossible by reason of legislative overkill.”*

**3.18** This opinion (the ‘Sweetman’ case) therefore allows for the authorisation of plans and projects whose possible effects, alone or in-combination, can be considered ‘trivial’ or de minimis; referring to such cases as those “*that have no appreciable effect on the site*”. In practice such effects could be screened out as having no likely significant effect; they would be ‘insignificant’.

### Mitigation at the screening stage

**3.19** As explained in **Chapter 1**, the Court of Justice of the European Union judgement in relation to the *People over Wind, Peter Sweetman v Coillte Teoranta* case ruled that Article 6(3) of the Habitats Directive should be interpreted as meaning that mitigation measures should be assessed as part of an Appropriate Assessment, and should not be taken into account at the screening stage.

**3.20** It is possible that many of the potential effects identified through the screening exercise as set out in **Appendix B** and the **Chapter 4** could be mitigated through the implementation of policies within the Local Plan itself. These may include policies such as those relating to the provision of improved sustainable transport links which could help to mitigate potential increases in air pollution associated with increased vehicle traffic, and the provision of green infrastructure within new developments which may help to relieve increases in visitor pressure at European sites.

**3.21** Potential avoidance and mitigation included in the plan itself has not therefore been considered at the screening stage, but has, if required, been considered during the Appropriate Assessment, thereby ensuring compliance with the ‘People over Wind’ judgment.

### Appropriate Assessment

**3.22** The Appropriate Assessment stage of HRA focuses on those impacts judged likely at the screening stage to have a significant effect, and seeks to conclude whether, in light of mitigation and avoidance measures, they would result in an adverse effect on the on the integrity of the qualifying features of a European site(s), or where insufficient certainty regarding this remains.

### Assessing the effects on site integrity

**3.23** The integrity of a site depends on the site being able to sustain its ‘qualifying features’ (i.e. those Annex I habitats, Annex II species, and Annex I bird populations for which it has been designated) across the whole of the site and ensure their continued viability. As explained in **Chapter 1**, The Holohan judgement also clarifies that the effects on species and habitats not listed as qualifying features, but which could result in secondary effects upon the qualifying features of European sites also need to be considered. The Appropriate Assessment refers to the information set out in **Appendix A** of this report, to consider the characteristics of supporting habitats and species that could be affected by impacts identified at the screening stage.

**3.24** A high degree of integrity at a site is considered to exist where the potential to meet a site’s conservation objectives is realised and where the site is capable of self-repair and renewal with a minimum of external management support.

**3.25** A conclusion needs to be reached as to whether or not the Local Plan would adversely affect the integrity of a European site. Assessing the effects on the site(s) integrity involves considering whether the predicted impacts of the Local Plan policies and/or site allocations (either alone or in combination) have the potential to<sup>28</sup>:

- Cause delays to the achievement of conservation objectives for the site.
- Interrupt progress towards the achievement of conservation objectives for the site.
- Disrupt those factors that help to maintain the favourable conditions of the site.
- Interfere with the balance, distribution and density of key species that are the indicators of the favourable condition of the site.
- Cause changes to the vital defining aspects (e.g. nutrient balance) that determine how the site functions as a habitat or ecosystem.
- Change the dynamics of relationships that define the structure or function of the site (e.g. relationships between soil and water, or animals and plants).
- Interfere with anticipated natural changes to the site.
- Reduce the extent of key habitats or the population of key species.
- Reduce the diversity of the site.

<sup>28</sup> Assessment of plans and projects significantly affecting European sites. Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC. European Commission Environment DG, November 2001.

- Result in disturbance that could affect the population, density or balance between key species.
- Result in fragmentation.
- Result in the loss of key features.

**3.26** The conservation objectives for each SAC and SPA (**Appendix A**) are generally to maintain the qualifying features in favourable condition. There are no defined conservation objectives for the Sherwood Forest ppSPA, but it is assumed they would be similar to those of other SPAs. The Site Improvement Plans for each site provide a high level overview of the issues (both current and predicted) affecting the condition of the designated features on the site(s) and outline the priority measures required to improve the condition of the features. An Appropriate Assessment draws on these to help to understand what is needed to maintain the integrity of the European sites.

**3.27** For each European site where an uncertain or likely significant effect is identified in relation to the Local Plan, the potential impacts are set out and judgements made (based on the information available) regarding whether the impact will have an adverse effect on the integrity of the site. A further in-combination assessment needs to be carried out for any likely significant effects identified where following Appropriate Assessment it is considered that the Local Plan will not on its own adversely affect the integrity of the European site. Consideration will be given to the potential for mitigation measures to be implemented that could reduce the likelihood or severity of the potential impacts such that there would not be an adverse effect on the integrity of the site.

**3.28** The findings of the Appropriate Assessment (and Shadow Appropriate Assessment for the Sherwood Forest ppSPA) are described in **Chapter 5**.



## Chapter 4

# HRA Screening Assessment

**4.1** This chapter sets out the findings of the screening stage of the HRA.

**4.2** For some types of impacts, screening for likely significant effects has been determined on a proximity basis, using GIS data to determine the proximity of potential development locations to the European sites that are the subject of the assessment. Where an impact pathway from the proposals in the Local Plan to a European site cannot be identified, such impacts can be screened out of further assessment. The detailed screening matrix is presented in **Appendix B**, and the findings are described below in relation to each broad type of potential impact that the Local Plan could give rise to.

### Physical damage/loss of habitat

**4.3** Any development resulting from the Local Plan will be located within Bassetlaw District. Therefore, loss of habitat from within the boundaries of a European site can be ruled out in relation to all European sites as they all lie entirely outside of Bassetlaw.

**4.4** Loss of habitat from outside the boundaries of a European site could still result in likely significant effects if that habitat supports qualifying species from within the European sites, for example habitat that is used for foraging by birds (usually referred to as 'functionally linked' habitat).

**4.5** All of the European sites lying entirely beyond the boundary of Bassetlaw have no notable ecological/functional connectivity to the District and/or are of a distance that loss or damage to habitats within the district is unlikely to impact upon them. For example, Thorne and Hatfield Moors SPA is sensitive to impacts of damage or loss of off-site habitat due to its qualifying feature being nightjar, a mobile bird species which will forage within off-site habitat. However, given the distance of the European site being over 20km from development allocations in the Local Plan and the presence of existing infrastructure in between, it would not be expected for SPA birds to be dependent on the habitat within the allocations in Bassetlaw District.

**4.6** It is noted that the plan area is hydrologically linked to the Humber Estuary SAC, SPA and Ramsar site. This is considered under 'water quality and quantity below'.

**Likely significant effects on all European sites can therefore be screened out in relation to physical damage or loss of on and off-site habitat.**

#### Shadow HRA: Physical damage/loss of habitat

**4.7** Part of the ppSPA lies within Bassetlaw District. However, none of the policies will result in development within the likely boundary of Sherwood Forest ppSPA itself; therefore impacts from physical damage or loss of onsite habitat can be screened out.

**4.8** With regards to physical damage or loss of functionally linked land, the following policies allocate housing or development on sites which comprise potentially suitable foraging and/or breeding habitat for the ppSPA bird species:

- ST6: Cottam Priority Regeneration Area.
- 9: Site SEM1 – Apleyhead Junction.
- ST14: Management of Town Centres.
- 16: HS1 - Peaks Hill Farm.
- 18: HS3 – Radford Street.
- 20: HS5 - Talbot Road.
- 21: HS7 - Trinity Farm.
- 23: HS9 – Former Elizabethan School.
- 25: HS11 – Fairygrove.
- 27: HS13 – Ordsall South.
- 28: NP04 - Ollerton Road.

**4.9** Sherwood Forest ppSPA has been identified as being important for woodlark and nightjar. The preferred habitat types for these species during the breeding season are heathland and rotational coniferous plantation habitats. Nightjar do not over-winter in the UK and will utilise a much broader range of habitat types for nocturnal foraging including open grasslands, woodlands and wetland habitats. Woodlark typically have large territories which incorporate early successional stage habitat that provides the low vegetation sward preferred for nesting, but usually within woodland clearings. Woodlark also overwinter in the UK when they often forage in arable habitats.

**4.10** A review of aerial imagery indicates that woodland, arable and pasture/grassland habitats within the Local Plan site allocations at HS1 - Peaks Hill Farm (Policy 16), Site SEM1 – Apleyhead Junction (Policy 9) and Site HB001/LAA538: Harworth and Bircotes Town Centre extension, Scrooby Road (Policy ST14) are suitable for foraging woodlark and nightjar. Although the woodland

habitats within these sites are unlikely to support breeding woodlark and nightjar as the areas are generally small and do not have the clearings which would be required for these species to breed, effects as a result of development at these sites is uncertain. Additionally, the site allocation at Site SEM1 – Apleyhead Junction, Worksop (Policy 9) supports a large area of woodland in close proximity to the ppSPA. Therefore, impacts resulting from the loss of off-site foraging and breeding habitat should be considered at the Appropriate Assessment stage.

**4.11** The site allocation policies ST6: Cottam Priority Regeneration Area; 18: HS3 - Radford Street; 20: HS5 - Talbot Road; 21: HS7 - Trinity Farm; 25: HS11 Fairygrove; and 28: NP04 - Ollerton Road all include either arable habitat suitable for foraging woodlark over-winter and/or pasture/meadow and/or wetland habitat, which has potential to provide suitable habitat for foraging nightjar. No potential breeding habitat is present within these sites. Although in most cases due to the small sizes of the sites which surround urban landscapes, the distance from the Sherwood Forest ppSPA and/or the presence of sufficient and optimal foraging habitat in the wider landscape, it is considered unlikely that these species would rely upon these sites for foraging. However, taking a precautionary approach, impacts resulting from the loss of off-site foraging habitat should be considered at the Appropriate Assessment stage for these sites.

**4.12** The remaining housing and employment site allocations do not comprise habitat that is suitable for nightjar or woodlark, therefore these site allocations will not result in effects associated with the loss or damage of off-site habitat and have been screened out.

It is not possible to screen out likely significant effects on the Sherwood Forest ppSPA as a result of physical damage/loss of off-site habitat within some of the Local Plan site allocations. As a result, this issue requires further consideration at the Appropriate Assessment stage to determine whether the Local Plan would result in adverse effects on site integrity, either alone or in combination.

#### Non-physical disturbance (noise, vibration and light)

**4.13** Noise and vibration effects, e.g. during the construction of new housing or employment development, are most likely to disturb bird species and are thus a key consideration with respect to European sites where birds are the qualifying features, although such effects may also impact upon some mammals and fish species. Artificial lighting at night (e.g. from street lamps, flood lighting and security lights) is most likely to affect bat populations and other nocturnal animals, and

therefore have an adverse effect on the integrity of European sites where bats or nocturnal animals are a qualifying feature.

**4.14** It has been assumed that the effects of noise, vibration and light are most likely to be significant within a distance of 500m from a European site. There is also evidence of 300m being used as a distance up to which certain bird species can be disturbed by the effects of noise<sup>29</sup>; however, it has been assumed (on a precautionary basis) that the effects of noise, vibration and light pollution are most likely to cause an adverse effect if development takes place within 500m of a European site with qualifying features sensitive to these disturbances, or within 500m of known off-site breeding, foraging or roosting areas.

**4.15** There are no European sites within the District boundary and the nearest sites are well over 500m from new development allocations. Non-physical disturbance has the potential to affect the qualifying species of European sites while they are using functionally linked habitat outside of the designated site(s). As noted above, there is not likely to be any land in Bassetlaw that is functionally linked to European sites, therefore there is no impact pathway associated with the Local Plan development.

**Likely significant effects are not expected to occur as a result of non-physical disturbance.**

#### Shadow HRA: Non-physical disturbance (noise, vibration and light)

**4.16** The site allocation policy 9: Site SEM1 – Apleyhead Junction includes provision for employment development within 500m of the likely boundary of the Sherwood Forest ppSPA. Therefore, development at this site has the potential to displace, disturb and reduce the survival or productivity of breeding birds through non-physical disturbance such as from noise, vibration and light pollution.

**4.17** The remaining site allocations in the Local Plan lie more than 500m from the Sherwood Forest ppSPA, and are also generally either within or on the other side of intervening urban settlements or large infrastructure such as A roads or motorways. It is therefore considered unlikely that there will be an increase in non-physical disturbance as a result of development at these locations.

Likely significant effects on the Sherwood Forest ppSPA associated with non-physical disturbance as a result of the site allocation policy 9: Site SEM1 – Apleyhead

Junction cannot be ruled out and will therefore need to be considered further at the Appropriate Assessment stage.

#### Air pollution

**4.18** Air pollution is most likely to affect European sites where plant, soil and water habitats are the qualifying features, but some qualifying animal species may also be affected, either directly or indirectly, by any deterioration in habitat as a result of air pollution. Deposition of pollutants to the ground and vegetation can alter the characteristics of the soil, affecting the pH and nitrogen availability that can then affect plant health, productivity and species composition.

**4.19** In terms of vehicle traffic, nitrogen oxides (NOx, i.e. NO and NO<sub>2</sub>) are considered to be the key pollutants. Subsequent deposition of nitrogen compounds may lead to both soil and freshwater acidification, and eutrophication of soils and water.

**4.20** Based on the Highways Agency Design Manual for Road and Bridges (DMRB) Manual Document LA105: Air Quality<sup>30</sup> (which was produced to provide advice regarding the design, assessment and operation of trunk roads (including motorways)), it is assumed that air pollution from roads is unlikely to be significant beyond 200m from the road itself. Where increases in traffic volumes are forecast, this 200m buffer needs to be applied to the relevant roads in order to make a judgement about the likely geographical extent of air pollution impacts.

**4.21** The DMRB Guidance for the assessment of local air quality in relation to highways developments provides criteria that should be applied at the screening stage of an assessment of a plan or project, to ascertain whether there are likely to be significant impacts associated with routes or corridors. Based on the DMRB guidance, affected roads which should be assessed are those where:

- Daily traffic flows will change by 1,000 AADT (Annual Average Daily Traffic) or more; or
- Heavy duty vehicle (HDV) flows will change by 200 AADT or more; or
- A change in speed band; or
- Road alignment will change by 5 m or more.

**4.22** It has been assumed that only those roads forming part of the primary road network (motorways and primary 'A' roads) are likely to experience any significant increases in vehicle traffic as a result of development (i.e. greater than 1,000

<sup>29</sup> British Wildlife Magazine. October 2007.

<sup>30</sup> Design Manual for Road and Bridges: LA105, Air Quality. Highways Agency (2019). <https://www.standardsforhighways.co.uk/dmrb/search/10191621-07df-44a3-892e-c1d5c7a28d90>

AADT) as these are the roads new residents are most likely to take e.g. for commuting. As such, where a site is within 200m of only minor roads, no significant effect from traffic-related air pollution is considered to be the likely outcome.

**4.23** A small section of the A1(M) motorway lies within Bassetlaw, from the Blyth North junction, northwards towards Doncaster. Five A roads pass through the District, they are the:

- A631 from Bawtry to Beckingham/Gainsborough.
- A57 from Shireoaks to Dunham on Trent.
- A1 from Tuxford to Harworth.
- A60 from Medan Vale to Oldcotes.
- A614 from Hardwick to Bawtry.

**4.24** All the European sites which lie outside of the District boundary are located more than 200m from major roads which also pass through Bassetlaw. In its response to the HRA of the Draft Bassetlaw Local Plan (January 2020), Natural England raised concerns about increased air pollution affecting the Birklands and Bilhaugh SAC, particularly near the Sherwood Forest National Nature Reserve (NNR). However, there are no motorways or A roads within 200m of this site.

**There is no impact pathway in relation to air pollution effects and therefore likely significant effects have been screened out in relation to air pollution (both alone and in-combination).**

#### Shadow HRA: air pollution

**4.25** The A60, A1, A57 and A614 all pass through and/or are within 200m of the Sherwood Forest ppSPA. Therefore, an increase in population and traffic on the road network associated with residential and employment development has the potential to lead to increased air pollution on roads within 200m of the Sherwood Forest ppSPA.

**4.26** Given the habitats within Sherwood Forest ppSPA are plant communities which thrive in nutrient poor conditions, the site is particularly sensitive to nutrient enrichment, which can result in increased competition by dominant grasses and scrub and changes in habitat composition. These habitat changes lead to faster succession of habitat and reduce the availability of early stage successional phases favoured by the bird species that the site would be designated for (i.e. reducing the extent of nesting habitat). These habitat changes could also

lead to a potential change in prey abundance and diversity and a likely significant effect on the ppSPA birds.

**4.27** Case law, known as the Wealden judgement<sup>31</sup>, has revised the method by which Natural England expects to see in-combination air pollution effects assessed. The implication of the judgment is that, where the road traffic effects of other plans or projects are known or can be reasonably estimated (including those of adopted plans or consented projects), then these should be included in road traffic modelling by the local authority whose local plan or project is being assessed. The screening criteria of 1,000 AADT should then be applied to the traffic flows of the plans in-combination.

**4.28** The Local Plan policies that allocate housing and employment sites are likely to result in an increase in population and therefore result in an increase in traffic flows on roads throughout the district and beyond. These policies could have an air pollution effect in-combination with growth proposed in neighbouring plans. Therefore, this should be considered further at the Appropriate Assessment stage.

The potential for the Local Plan to result in likely significant effects on the Sherwood Forest ppSPA as a result of air pollution cannot be ruled out, either alone or in-combination, and therefore this will require further consideration at the Appropriate Assessment stage to determine assessment of likely impacts either alone or in-combination.

#### Impacts of recreation

**4.29** Recreational activities can result in likely significant effects on European sites as a result of erosion, trampling and nutrient enrichment of habitats, and disturbance of species by humans or dogs resulting in a compromised ability to breed or survive. Where Local Plan policies are likely to result in an increase in the local population, or where an increase in visitor numbers to the European site is considered likely, there may be potential for associated recreational impacts.

**4.30** The potential for the Local Plan to result in recreational impacts was initially considered based on a 7km distance. This was based on a well-established approach to avoiding recreational pressures, which was developed as part of planning decisions that involve the Thames Basin Heaths (TBH) SPA. The TBH SPA, located in southern England, is designated for ground nesting heathland birds including nightjar and woodlark. To ensure adverse effects on the TBH SPA are avoided, a Joint Strategic Partnership involving Natural England and relevant planning authorities was

<sup>31</sup> Wealden District Council v. (1) Secretary of State for Communities and Local Government; (2) Lewes District Council; (3) South Downs National Park Authority and Natural England

established. The Partnership produced a Delivery Framework which uses a 'zone' system based on distance from the SPA to identify the likely significance of effects resulting from recreational pressures and also to inform development and mitigation requirements within each zone.

**4.31** Even where European sites are not similar in nature, the use of a 7km distance to identify the potential for significant effects from recreational disturbance is considered reasonable and precautionary in most circumstances. All of the European sites considered in this HRA are more than 7km from the allocated sites in the Bassetlaw Local Plan.

**4.32** However, in its response to the HRA of the Draft Bassetlaw Local Plan (January 2020), Natural England highlighted that the Sherwood Forest Visitor Centre and nearby forest (including the Birklands and Bilhaugh SAC) is a regional recreational resource, drawing visitors from a wide area (see **Appendix D**). The visitor centre lies in the north of Edwinstowe, around 150m from the Birklands and Bilhaugh SAC.

**4.33** The visitor centre lies around 5km from the Bassetlaw District boundary and around 11.8km from the nearest residential site allocation (HS4: Former Manton Primary School). Earlier iterations of this HRA drew on visitor survey information provided by the RSPB, which manages the Sherwood Forest Visitor Centre. The 2019/2020 visitor survey established that around 60% of visitors live within a 60 minute drive of the visitor centre (all response choices were based on drive times). The 2018/19 survey found that over 90% visitors drove to the visitor centre (equivalent information was not available for 2019/2020). This suggests a large catchment of around 65km, based on an average driving speed of 40mph. This would cover the whole of Bassetlaw District and a substantial area beyond this as well.

**4.34** Since preparation of earlier iterations of the HRA, a Recreation Impact Assessment has been prepared for Birklands and Bilhaugh SAC<sup>32</sup>. This establishes a zone of influence of 8.9km from Sherwood Forest National Nature Reserve (NNR), which overlaps substantially with the Birklands and Bilhaugh SAC. Within this zone of influence, housing allocations have potential to result in increased recreational pressure at the SAC. This zone of influence includes an area in the south west of Bassetlaw District, as shown in **Figure 4.1**. This includes residential allocations in Policies 18: HS3 – Radford Street and 19: HS4 – Former Manton Primary School. In addition, sites allocated in Policies 17: HS2 – Former Pupil Referral Centre and 20: HS5 – Talbot

Road are just outside the zone of influence, at around 9km from the NNR.

**4.35** Policy ST12 - Visitor Economy could also contribute to increased visitor numbers at Sherwood Forest, including the Bilhaugh and Birklands SAC, as this promotes an increase in the number of visitors to the District in general.

**Due to the potential of this visitor centre to draw people from further afield, and in order to be precautionary, potential impacts of recreational disturbance at Birklands and Bilhaugh SAC require further consideration through Appropriate Assessment.**

#### Shadow HRA: impacts of recreation

**4.36** As the Sherwood Forest ppSPA lies partly within Bassetlaw, there is potential for likely significant effects on the site to arise as a result of increased recreation pressure from population growth. The Sherwood Forest ppSPA is similar to the TBH SPA, as it comprises a mosaic of plantation coniferous and broadleaved woodlands, open heathland and grassland habitats, and is of importance for ground nesting birds. As such, it is reasonable to make comparisons between the TBH SPA and Sherwood Forest ppSPA. The TBH SPA is particularly susceptible to recreational pressures because the qualifying bird species nest on the ground and are therefore vulnerable to disturbance, displacement and predation, for example associated with dog walking. The habitats are also susceptible to nutrient enrichment (e.g. through dog excretion) and direct disturbance resulting in degradation through erosion and trampling. These issues may also arise within the ppSPA, particularly where public rights of way cross through the ppSPA.

**4.37** Earlier iterations of HRA drew on visitor data for Clumber Park, which partly overlaps the ppSPA, which was provided by the National Trust. This data showed that a substantial proportion of their visitors (25%) come from the S81, S80 and DN22 postal districts, which cover most of Bassetlaw. The majority of other visits were from Sheffield, Doncaster and Nottingham postcodes, with 88% of visitors coming from within an hour's drive.

**4.38** In addition, the Sherwood Forest Visitor Centre and nearby forest (including the ppSPA) is a regional recreational resource, drawing visitors from a wide area (see **Appendix D**). The visitor centre lies in the north of Edwinstowe, around 150m from the ppSPA.

<sup>32</sup> Footprint Ecology (2021) Birklands and Bilhaugh SAC Recreation Impact Assessment – a report prepared for Bassetlaw District Council in conjunction with Newark and Sherwood District Council. Available at:

<https://www.bassetlaw.gov.uk/media/6691/cd-016-birklandsbilhaugh-sac-draft-recreation-impact-assessment-report.pdf>

**4.39** The visitor centre lies around 5km from the district boundary and around 11.8km from the nearest residential site allocation (HS4: Former Manton Primary School). As noted above, earlier iterations of the HRA drew on visitor survey information provided by the RSPB, which established a potential visitor catchment of 65km from the visitor centre.

**4.40** Since preparation of earlier iterations of the HRA, Recreation Impact Assessments have been prepared for Birklands and Bilhaugh SAC<sup>33</sup> and for Clumber Park SSSI<sup>34</sup>. This establishes a zone of influence of 8.9km from Sherwood Forest National Nature Reserve (NNR), which overlaps substantially with the Birklands and Bilhaugh SAC / ppSPA and a zone of influence of 24.7km for Clumber Park SSSI (see **Figure 4.1**). Within these zones of influence, housing allocations have potential to result in increased recreational pressure at the SAC. The zone of influence for Clumber Park SSSI covers the whole of the District; therefore it is considered that all of the residential site allocations in the Local Plan could contribute, either alone or in-combination, to likely significant effects associated with increases in recreational pressures.

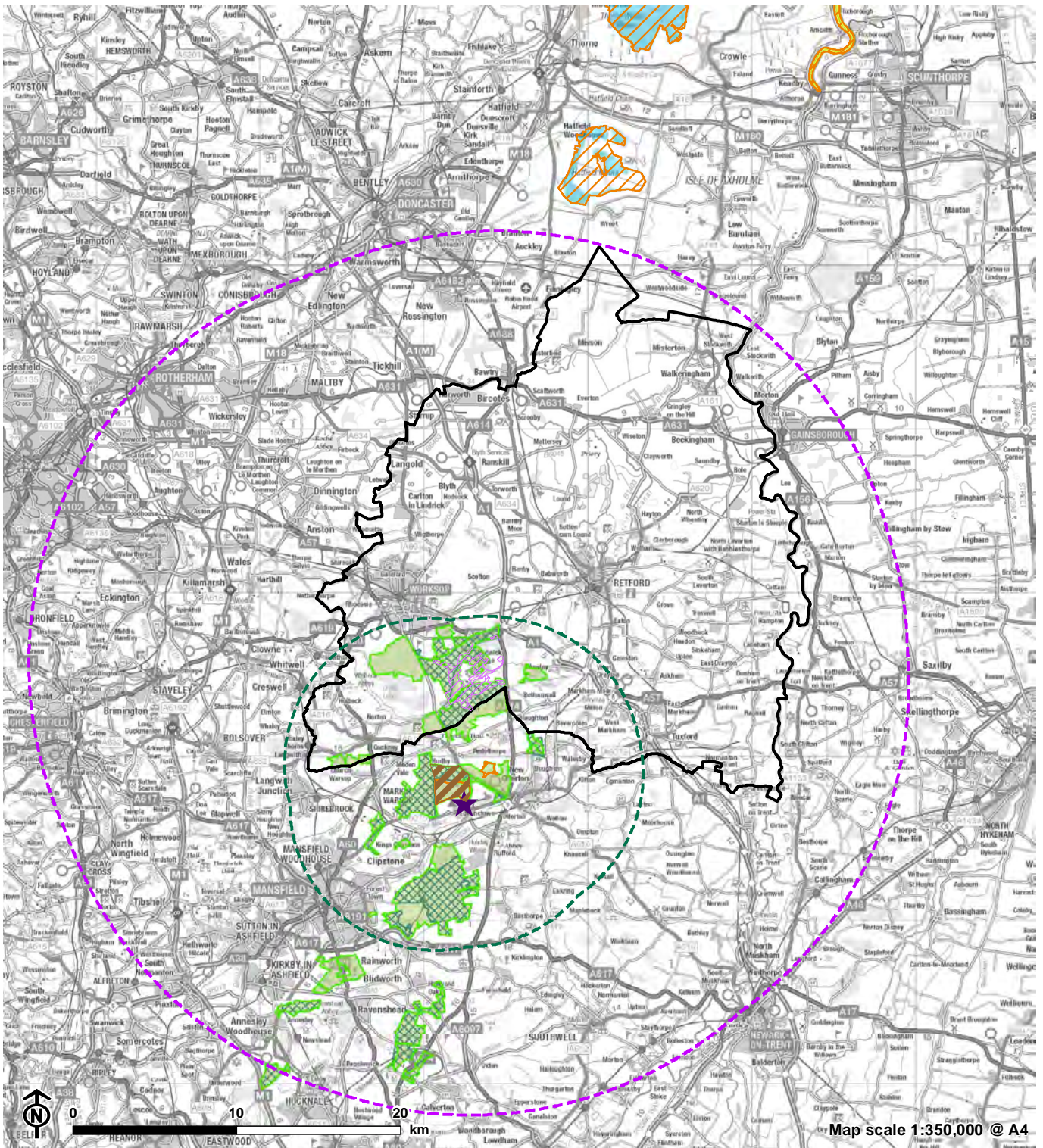
**4.41** Avoidance and mitigation safeguards, like those described for the TBH SPA, are likely to be required but cannot be relied upon at this screening stage.

**4.42** Additionally, policy ST12 - Visitor Economy promotes an increase in the number of visitors to the District in general, and therefore this policy along with the residential site allocations requires further consideration at the Appropriate Assessment stage.

The Local Plan has the potential to result in likely significant effects on the Sherwood Forest ppSPA as a result of increases in recreational pressure, both alone and in-combination with other plans and projects and will therefore require further consideration at the Appropriate Assessment stage.

<sup>33</sup> Footprint Ecology (2021) Birklands and Bilhaugh SAC Recreation Impact Assessment – a report prepared for Bassetlaw District Council in conjunction with Newark and Sherwood District Council. Available at: <https://www.bassetlaw.gov.uk/media/6691/cd-016-birklandsbilhaugh-sac-draft-recreation-impact-assessment-report.pdf>

<sup>34</sup> Footprint Ecology (2021) Clumber Park SSSI Recreation Impact Assessment – a report for Bassetlaw District Council in conjunction with Newark and Sherwood District Council [DRAFT v.1]



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CB:CB EB:nunn\_j LUC FIG4\_1\_10327\_r1\_VisitorCentre\_A4P 08/04/2022  
Source: NE, NWT, OS

**Figure 4.1: Zones of influence for recreational impacts**

- |                                |   |  |
|--------------------------------|---|--|
| Bassetlaw District Council     | Sherwood Forest NNR   | Indicative core area of breeding of Nightjar and Woodlark        |
| Sherwood Forest Visitor Centre | 24.7km zone of influence from Clumber Park SSSI                               | Indicative prospective potential Special Protection Area (ppSPA) |
| Special Area of Conservation   | 8.9km zone of influence from Birklands and Bilhaugh SAC / Sherwood Forest NNR |  |
| Ramsar                         | Sherwood Forest Important Bird Area*  |  |
| Special Protection Area        |   |  |
| Clumber Park SSSI              |   |  |

\* IBA boundary from 2018 is shown. IBAs outside of Sherwood Forest are not shown on this map as they have not been considered in the Habitats Regulation Assessment (HRA) Screening.

## Cat predation

**4.43** Cat predation due to an increase in residential populations and cat ownership can result in likely significant effects on European sites where ground nesting bird species are the qualifying features and the new residential development is in close proximity. The European sites included within this HRA are outside the District boundary and/or do not contain ground nesting birds as their qualifying features and can therefore be screened out, given the lack of impact pathways.

**Likely significant effects are not expected to occur due to cat predation.**

### Shadow HRA: cat predation

**4.44** Nightjar and woodlark (for which the Sherwood Forest ppSPA is likely to be designated) are ground nesting species, and therefore these birds and their nests are vulnerable to predation by domestic cats.

**4.45** The increased risk of cat predation associated with residential schemes in relation to the TBH SPA resulted in the adoption of a 400m development exclusion zone within the Delivery Framework. Natural England specifies that at distances of less than 400m, avoidance measures are likely to be ineffective at reducing the risks associated with predation. As described above, it is considered reasonable to apply a similar approach to the Sherwood Forest ppSPA given the similarities in habitat types and qualifying species. None of the housing allocations in the Local Plan are within 400m of the likely boundary of the Sherwood Forest ppSPA. As such, likely significant effects on Sherwood Forest ppSPA as a result of cat predation can be ruled out.

**Likely significant effects are not expected to occur due to cat predation.**

## Water quantity and quality

**4.46** An increase in demand for water abstraction and treatment resulting from the growth proposed in the Local Plan could result in changes in hydrology at European sites, specifically a decrease in water quality or changes to water levels. Depending on the qualifying features and particular vulnerabilities of the European sites, this could lead to likely significant effects on the sites qualifying features.

**4.47** The Humber Estuary SAC, SPA and Ramsar site lie north of Bassetlaw District and have hydrological connectivity via the River Trent which forms the eastern boundary of the District. However, the SAC and Ramsar site are more than

15km away and the SPA is over 25km north. In addition, the River Trent is a main river with several large settlements along it. In addition, it is noted that Natural England did not raise any concerns about hydrological impacts in response to consultations on both the HRA of the January 2020 Draft Bassetlaw Plan or the November 2020 Draft Bassetlaw Plan. Therefore, it is not considered likely that the Local Plan alone will result in likely significant effects on these European sites; however it is not possible to rule out likely significant effects in combination with other plans at this point.

**Likely significant effects are not expected to occur in relation to water quality and quantity as a result of the Local Plan alone.**

### Shadow HRA: water quantity and quality

**4.48** Although Sherwood Forest ppSPA lies within the District and in proximity to waterways, the habitats within the ppSPA which the birds rely upon are not vulnerable to changes in hydrology. Therefore, the qualifying bird species would nest and continue to breed, hence this would not be expected to affect the European site or its qualifying features.

The potential for the Local Plan alone to result in likely significant effects on any European site as a result of changes in water quality and quantity can be ruled out, and does not need consideration at Appropriate Assessment.

## Identification of other plans and projects which may have 'in-combination' effects

**4.49** Regulation 105 of the Amended Habitats Regulations 2017 requires an Appropriate Assessment where “a land use plan is likely to have a significant effect on a European site (either alone or in-combination with other plans or projects) and is not directly connected with or necessary to the management of the site”. Therefore, it is necessary to consider whether there may be significant effects from the Bassetlaw Local Plan in-combination with other plans or projects.

**4.50** Where the Local Plan is likely to have an effect on its own (due to impact pathways being present), whether significant or not, there may also be the same types of effects from other plans or projects that could combine with the Local Plan to produce adverse effects on integrity, and therefore these need to be considered through the Appropriate Assessment stage. Where the screening assessment has concluded that there is no impact pathway between development proposed in the Local Plan and the conditions



necessary to maintain qualifying features of a European site, then there will be no in-combination effects to assess.

**4.51** As part of helping to identify what other 'in-combination' effects could arise from other plans and projects in addition to the Bassetlaw Local Plan, a review has been undertaken focusing on planned spatial growth within the authorities adjacent to the District, as these are the ones most likely to give rise to in-combination effects on the European sites within 15km of the District boundary. **Appendix C** lists the plans that were considered, outlining the components of each plan that could have an impact on nearby European sites and considering the findings of the accompanying HRA work (where available). There is inevitably some uncertainty with regards to new plans that are in the early stages of development.

**4.52** The screening assessment has concluded that the Bassetlaw Local Plan will not result in any effects upon the European sites outside its boundary (i.e. Birklands and Bilhaugh SAC, Hatfield Moor SAC, Thorne Moor SAC, Thorne and Hatfield Moors SPA and the Humber Estuary SAC, SPA and Ramsar site) due to a lack of impact pathway in relation to the following impacts; therefore, in-combination assessment is not required for these sites in relation to:

- Physical damage and loss of habitat.
- Non-physical disturbance.
- Air quality.
- Cat predation.

**4.53** The screening assessment has identified potential effects arising in relation to recreational disturbance at Birklands and Bilhaugh SAC. Significant effects could potentially occur as a result of the plan alone. However, it is also possible that the plan could give rise to small, but not significant effects alone, but that significant effects could come forward in-combination with other, neighbouring plans, particularly the Newark and Sherwood Local Plan.

**4.54** The screening assessment has also concluded that the Bassetlaw Local Plan will not result in any effects (significant or not) in relation to water quality upon any of the European sites, with exception of the Humber Estuary SAC, SPA and Ramsar site. This is due to a lack of impact pathway, and therefore in-combination effects are not predicted. However, although there are no significant effects as a result of the Local Plan alone upon the Humber Estuary SAC, SPA and Ramsar site, given there is an impact pathway via hydrological connectivity, impacts upon this site resulting from changes in water quality and quantity cannot be ruled out in-combination with other plans and projects. Therefore in-combination effects upon the Humber Estuary SAC, SPA and Ramsar have been

considered in the Appropriate Assessment for water quality and quantity.

**The potential for in-combination effects from changes to water quality need to be considered at the Appropriate Assessment stage in relation to the Humber Estuary SAC, SPA and Ramsar site.**

**The potential for in-combination effects from recreational disturbance also need to be considered in relation to Birklands and Bilhaugh SAC.**

#### Shadow HRA: in-combination effects

**4.55** Sherwood Forest ppSPA has been assessed as having likely significant effects from the Local Plan on its own in relation to:

- Physical damage and loss of off-site habitat.
- Non-physical disturbance.
- Air quality.
- Recreational pressure.

**4.56** Given that there are assumed distances at which effects could be significant for impacts resulting from non-physical disturbance (500m from the ppSPA boundary) in combination effects from these impacts are unlikely, as the area of the ppSPA potentially affected is not within 500m of any development proposed in other plans. However, close distances are not a limiting factor for the other impact types:

- Physical damage and loss of off-site habitat.
- Air quality.
- Recreational pressure.

**4.57** Therefore the potential for in-combination effects for these impacts has been assessed in the Shadow Appropriate Assessment in relation to the ppSPA.

Taking a precautionary approach, the potential for in-combination effects relating to physical damage and loss of off-site habitat; air quality; and recreational pressure is considered in the Shadow Appropriate Assessment for Sherwood Forest ppSPA.

## Screening Conclusions

### Summary of screening outcomes

**4.58** **Table 4.1** summarises the HRA screening conclusions regarding whether likely significant effects (LSEs) in relation to each broad impact type would occur for each European site as

a result of the Bassetlaw Local Plan as proposed to be modified.

**4.59** The screening assessment concluded that the Bassetlaw Local Plan alone may result in likely significant

effects on Birklands and Bilhaugh SAC as a result of increased recreation pressure. In addition, likely significant effects in-combination with other Local Plans on water quality in relation to Humber Estuary SAC, SPA and Ramsar cannot be ruled out.

Table 4.1: Summary of screening conclusions

European site	Physical damage/loss of habitat	Non-physical disturbance (noise, vibration and light pollution)	Air pollution	Impacts of recreation	Cat predation	Water quantity and quality
Birklands and Bilhaugh SAC	No LSE	No LSE	No LSE	LSE uncertain	No LSE	No LSE
Hatfield Moor SAC	No LSE	No LSE	No LSE	No LSE	No LSE	No LSE
Thorne Moor SAC	No LSE	No LSE	No LSE	No LSE	No LSE	No LSE
Thorne and Hatfield Moors SPA	No LSE	No LSE	No LSE	No LSE	No LSE	No LSE
The Humber Estuary SAC, SPA and Ramsar site	No LSE	No LSE	No LSE	No LSE	No LSE	LSE uncertain (in-combination)

**Shadow HRA: screening conclusions**

**4.60** It is concluded that the Sherwood Forest ppSPA would not be affected by changes in water quantity or quality as a result of the Local Plan as proposed to be modified, either alone or in-combination. However, likely significant effects as a result of physical damage or loss of off-site habitat, disturbance from noise, vibration and light, air pollution and

recreation impacts associated with the housing and employment development proposed to be delivered through policies and site allocations in the Local Plan are uncertain and therefore require further consideration at the Appropriate Assessment stage, as shown in **Table 4.2**.

**Chapter 4**  
HRA Screening Assessment

Bassetlaw Local Plan Main Modifications: Habitats Regulations  
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Table 4.2: Summary of screening conclusions for shadow HRA

European site	Physical damage/loss of habitat	Non-physical disturbance (noise, vibration and light pollution)	Air pollution	Impacts of recreation	Cat predation	Water quantity and quality
Sherwood Forest ppSPA	LSE uncertain (off-site) – alone and in-combination	LSE uncertain (off-site)	LSE uncertain – alone and in-combination	LSE uncertain – alone and in-combination	No LSE	No LSE

## Chapter 5

### Appropriate Assessment

**5.1** Following the screening stage, the plan-making authority is required under Regulation 105 of the Habitats Regulations 2017 (as amended) to make an 'Appropriate Assessment' of the implications of the plan for European sites, in view of their conservation objectives.

**5.2** European Commission Guidance<sup>35</sup> states that the Appropriate Assessment should consider the impacts of the plan (either alone or in-combination with other projects or plans) on the integrity of European sites with respect to their conservation objectives and to their structure and function.

**5.3** This stage seeks to determine whether implementation of the Bassetlaw Local Plan will result in an adverse effect on the integrity of the whole European site in question (many European sites are made up of a number of fragments of habitat). It also considers the potential for in-combination effects from development proposed in neighbouring authorities' Local Plans. Consideration is given to mitigation measures that may be included in the Local Plan to reduce the likelihood and significance of effects on European sites. The screening assessment determined that it is uncertain if in-combination effects as a result of changes in water quality and quantity could occur in relation to the Humber Estuary SAC, SPA and Ramsar site, and whether recreational impacts could occur at Birklands and Bilhaugh SAC (see **Table 4.1**). The Appropriate Assessment for these European sites is set out below. The Shadow HRA Appropriate Assessment for the Sherwood Forest ppSPA follows from **paragraph 5.15**.

#### Birklands and Bilhaugh SAC

**5.4** The screening assessment identified that residential site allocations within 8.9km of the SAC / Sherwood Forest NNR have the potential to result in recreational disturbance effects upon Birklands and Bilhaugh SAC (specifically in the vicinity of the Sherwood Forest Visitor Centre), either alone or in-combination. This includes the following residential allocations:

- 18: Site HS3 – Radford Street.
- 19: Site HS4 – Former Manton Primary School.

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<sup>35</sup> *Assessment of plans and projects significantly affecting European sites. Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC.* European Commission Environment DG, November 2001.

**5.5** In addition, sites allocated in Policies 17: HS2 – Former Pupil Referral Centre and 20: HS5 – Talbot Road are just outside the zone of influence, at around 9km from the NNR.

**5.6** In addition to housing allocations, the policies listed below were assessed as having an uncertain likely significant effect in relation to recreational disturbance upon Birklands and Bilhaugh SAC, due to their general provision for an increase in housing and therefore population in the local areas, or due to their support for an increase in visitors to the District in general:

- ST1 - Bassetlaw Spatial Strategy (9,720 total dwellings within the District as a whole for the lifetime of the Local Plan 2020-2038).
- ST2 – Housing Growth in Rural Bassetlaw.
- ST5 – Worksop Central.
- ST12 - Visitor Economy.

**5.7** Given the increase in population described above, these policies have the potential to increase recreational pressure on the SAC. The SAC is designated for old acidophilous oak woods. The Site Improvement Plan<sup>36</sup> (SIP) recognises public access/disturbance as an issue and specifically relates this to the presence of the Sherwood Forest Visitor Centre. Potential effects on the qualifying habitat of the SAC arising from visitor pressure include:

- Soil compaction.
- Nutrient enrichment.
- Direct loss of trees (vandalism/ health and safety).
- Non-native species.
- Altered ecological succession.

**5.8** Such impacts can affect the health of soils, tree roots and the associations with mycorrhizal fungi, which in turn can have impacts on the health of the veteran and ancient trees as well as emerging cohorts. Since preparation of the SIP, the visitor centre has been moved out of the SAC itself to Edwinstowe, in order to provide an opportunity for habitat restoration. Nevertheless, the visitor centre still represents a gateway to the forest and is only around 150m from the SAC.

**5.9** Therefore, the Local Plan could result in adverse effects on the integrity (AEoI) of the SAC habitats as a result of recreation.

**5.10** Policy ST40: Biodiversity and Geodiversity seeks to protect designated biodiversity sites, including SACs, by requiring any proposals that may impact and SAC (among

other designations) to demonstrate that there will be no adverse effects on their integrity (unless IROPI applies). It is therefore assumed that this would apply to sites HS3 – Radford Street and HS4 – Former Manton Primary School, which should help to ensure that these sites do not result in adverse impacts on integrity of the Birklands and Bilhaugh SAC. In addition, it is noted that the majority of residential allocations in the Local Plan require the inclusion of open space and/or green infrastructure to meet the needs of the development, or contributions to off-site open space, including at HS2 – Former Pupil Referral Centre, HS4 – Former Manton Primary School and HS5 – Talbot Road. In addition, Policy 27: HS13 – Ordsall South includes provision of a 23ha country park. It is estimated that this new country park will be similarly accessible to residents as the Sherwood Forest NNR (both being around a 15 minute drive from southern Worksop), but the new country park may help to disperse visitors across different sites. Note that such requirements do not make specific reference to ensuring open space is designed and managed in a way to draw visitors away from the SAC. However, given the requirement for new and improved green space in the area and the relatively small size of relevant sites, the Bassetlaw Local Plan (as amended) is considered unlikely to result in adverse effects on the integrity of the SAC.

**Given the requirements of Policy ST38: Biodiversity and Geodiversity and individual site allocation policies, it can be concluded that the Local Plan would not lead to AEoI on Birklands and Bilhaugh SAC in relation to increases in recreational pressure.**

## Humber Estuary SAC, SPA and Ramsar site

**5.11** The Humber Estuary SAC, SPA and Ramsar site lie north of Bassetlaw District and have hydrological connectivity via the River Trent which forms the eastern boundary of the District. The SAC and Ramsar site lie further than 15km north of the Bassetlaw District boundary, and the SPA is over 25km north. In addition, the River Trent is a main river with several large settlements along it. The site most likely to directly affect the River Trent through pollution, for example during the construction phase, and therefore the Humber Estuary European sites, is that allocated via policies ST6: Cottam Priority Regeneration Area, as this lies in close proximity to the River Trent. This site constitutes previously developed land and therefore development should have less potential for impacts on the River Trent than greenfield sites in the same location. Policy ST6: Cottam Priority Regeneration Area requires development to protect and enhance the water quality of the River Trent. Furthermore, policy ST53: Protecting Water

<sup>36</sup> Natural England (2015) Site Improvement Plan: Birklands and Bilhaugh, Available at:

<http://publications.naturalengland.org.uk/publication/6727956374224896>, Accessed 22/10/2020

Quality and Management provides mitigation measures to protect water quality, specifically including the following:

- In line with the objectives of the Water Framework Directive, the quantity and quality of surface and groundwater bodies will be protected and where possible enhanced. Development adjacent to, over or in, a main river or ordinary watercourse will be supported where proposals consider opportunities to improve the river environment and water quality where possible by:
  - a. Actively contributing to enhancing the status of the waterbody through positive actions or ongoing projects.
  - b. Naturalising watercourse channels.
  - c. Improving the biodiversity and ecological connectivity of watercourses.
  - d. Safeguarding and enlarging river buffers with appropriate habitat.
  - e. Mitigating diffuse agricultural and urban pollution.

**5.12** Given the limited amount of development in the Local Plan in proximity to the River Trent, the brownfield nature of these sites and the water quality safeguards included in policies ST6 and ST53, the Bassetlaw Local Plan is expected to have negligible impacts on the Humber SAC, SPA and Ramsar site.

**Therefore, it is not considered the Local Plan could result in adverse effects on the integrity of this European site either alone or in-combination.**

### Identification of other plans and projects which may have 'in-combination' effects

#### Water quality and quantity

**5.13** The screening assessment identified potential water quality effects as a result of the Bassetlaw Local Plan in-combination with other plans and policies on the Humber Estuary SAC, SPA and Ramsar site. However, the Appropriate Assessment has determined that the effects of the Local Plan on water quality will be negligible, therefore no in-combination effects on water quality are likely to arise as a result of the Local Plan.

#### Recreational pressure

**5.14** The screening assessment identified potential recreational disturbance effects as a result of the Bassetlaw Local Plan in-combination with other plans and policies upon Birklands and Bilhaugh SAC. However, the Appropriate

Assessment identified no AEol as a result of recreational disturbance arising from the Bassetlaw Local Plan alone upon Birklands and Bilhaugh SAC. It is noted that the assessments of other Local Plans (see **Appendix C**) do not predict likely significant effects upon European sites including Birklands and Bilhaugh SAC from recreation. The Newark and Sherwood Local Plan HRA recommends working closely with neighbouring authorities surrounding Sherwood Forest to improve the understanding of potential visitor pressures at Sherwood Forest ppSPA and Birklands and Bilhaugh SAC, which has started through the Recreation Impact Assessment discussed above. Therefore, it is concluded that in-combination impacts in relation to this and other Local Plans should be avoided. It was recommended that Bassetlaw District Council continues to work with Newark and Sherwood District Council, as well as the RSPB and Natural England to understand and monitor recreational impacts at the SAC - BDC has committed to this in the submitted Local Plan as proposed to be modified.

**No AEol have been identified in-combination with other plans and policies upon the Birklands and Bilhaugh SAC in relation to recreational disturbance, or upon the Humber Estuary SPA, SAC and Ramsar site in relation to water quality.**

### Shadow HRA: Appropriate Assessment

**5.15** Likely significant effects arising from the Bassetlaw Local Plan were identified for Sherwood Forest ppSPA in relation to the following impact types:

- Physical damage/loss of offsite habitat.
- Air quality.
- Recreational pressure.
- Noise vibration and light pollution.

**5.16** Although the Sherwood Forest ppSPA is not currently a designated European site, in line with the Natural England Advice Note (March 2014) referred to in **Chapter 3** and the precautionary principle underpinning HRA, Appropriate Assessment has been undertaken for the Sherwood Forest ppSPA to determine whether the Local Plan will result in Adverse Effects on its Integrity (AEol). The Appropriate Assessment below seeks to reach a conclusion as to whether or not policies and site allocations in the Bassetlaw Local Plan would adversely affect the integrity of the ppSPA by

considering whether the predicted impacts of the proposals (either alone or in-combination) have the potential to<sup>37</sup>:

- Disrupt factors that help to maintain the favourable conditions of the site.
- Interfere with the balance, distribution and density of key habitats and species that are the indicators of the favourable condition of the site.

**5.17** The conservation objectives for the Sherwood Forest ppSPA are not yet defined, but are likely to be similar to other designated SPAs, i.e. to ensure that the integrity of the site is maintained or restored as appropriate, and to ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring:

- The extent and distribution of the habitats of the qualifying features.
- The structure and function of the habitats of the qualifying features.
- The supporting processes on which the habitats of the qualifying features rely.
- The population of each of the qualifying features.
- The distribution of the qualifying features within the site.

### Physical Damage/Loss of Off-site Habitat

**5.18** None of the site allocations in the Local Plan include habitat types considered suitable for supporting breeding

*Table 5.1: Desk study of site allocations with potential supporting habitat*

Site allocation	Size (ha)	Suitability of habitat to support nightjar and/or woodlark during offsite foraging
ST6: Cottam Priority Regeneration Area (mixed use regeneration)	348	The site includes areas of wetland, arable, grassland and scrub, which could be suitable for breeding and foraging habitat for woodlark and nightjar. However, most of this habitat is within Cottam Wetlands Local Wildlife Site, which the policy states should be protected and enhanced. As such, this habitat is not expected to be lost to development. Furthermore, the site may have already experienced some disturbance from the power station. The area of arable land lies outside the Local Wildlife Site, but given its relatively small size, distance from the ppSPA and extensive habitat of this type in the surrounding area, it is unlikely bird populations would rely on this site allocation to maintain their favourable status. There is a small area of grassland/scrub outside the Local Wildlife Site but given the substantial distance from the ppSPA and the fact it is not in a woodland clearing, it is unlikely to be important to maintaining the population of woodlark and nightjar in the ppSPA.
9: Site SEM1 – Apleyhead Junction (employment)	118.7	This site supports no habitat types considered suitable for nesting ppSPA birds.  Arable habitat may contribute to providing a winter foraging resource for woodlark but given the abundance and distribution of such habitats in the wider landscape, the importance of this site in contributing to maintenance of the wintering population is likely to be low.  Woodland in the site may provide some contribution towards maintaining the extent and connectivity of offsite foraging habitat for nightjar, but this contribution is likely to be insignificant at

populations of nightjar or woodlark, for which the ppSPA is likely to be designated (e.g. heathlands or felled forestry plantation). As a result, the consideration of damage and loss of off-site habitat relates solely to the potential for land within site allocations to contribute towards maintaining the extent of foraging habitats and movement corridors.

**5.19** Outside of the breeding season, woodlark will use arable land for foraging in the winter often roaming widely as part of mixed flocks. Nightjar, during the breeding season will often travel several kilometres from their breeding sites at night to feed, typically utilising habitat types which provide an abundance of invertebrate food sources, such as wetlands, woodlands, tree lines, and grasslands with high species and structural diversity.

**5.20** A detailed desk-based assessment of each site has been undertaken to inform the Appropriate Assessment. **Table 5.1** summarises each site allocation with potential supporting habitat (as identified at the screening stage, see **Appendix B**), including the size and suitability of the site to support significant numbers of nightjar and/or woodlark during offsite foraging. Amber shading shows those site allocations where it is not possible to conclude no AEoI on the basis of only the habitats present on site. Note that, since the August 2021 HRA was prepared, site HB001: Scrooby Road, has been added to **Table 5.1**.

<sup>37</sup> These points have been taken from the European Commission Environment DG (2001) Assessment of plans and projects significantly affecting European sites. Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC. This guidance also refers to consideration of whether development would delay achievement of or interrupt

progress towards achieving conservation objectives. Reference to conservation objectives has been removed as these have not been established for the ppSPA.

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Site allocation	Size (ha)	Suitability of habitat to support nightjar and/or woodlark during offsite foraging
		<p>a landscape scale. Furthermore, the policy makes commitments that the new development will protect and enhance the woodland and provide mitigation for any loss through the creation of an access from the A57.</p> <p>In line with a <b>highly precautionary approach</b>, it is recommended that as part of project level HRA, winter surveys are undertaken to determine the contribution that this site provides to supporting wintering woodlark.</p> <p>In the highly unlikely event that significant numbers of woodlark are identified, mitigation may be required through the provision of areas of optimal foraging habitat (e.g. seed-rich set aside land) either within the site, or offsite in the wider landscape.</p>
HB001: Scrooby Road (allocated via ST14: Management of Town Centres)	2	This site supports woodland, grassland and a small area of dense scrub. However, several factors limit its potential importance for foraging and breeding nightjar and woodlark, including the urban setting of the site, with Scrooby Road to the north, Howarth Primary Care Centre to the east, Persimmon Brickworks to the south and a substation and Aldi to the west. In addition, the site is over 13.5km away from the ppSPA, and there is sufficient, more suitable habitat in the more immediate landscape around the ppSPA.
16: HS1 - Peaks Hill Farm  (around 655 new dwellings within plan period, at least 5ha employment land within the plan period)	54	The site supports a mixture of arable fields with several areas of woodland. However, several factors limit its potential importance for foraging and breeding nightjar and woodlark, such as flight lines from the ppSPA being interrupted by significant urban development given the location of this site to the north of Worksop, and its distance from the ppSPA (3.7km away). Furthermore, there is sufficient suitable habitat in the more immediate landscape around the ppSPA and it is unlikely bird populations would rely on this site allocation to maintain their favourable status.
18: HS3 – Radford Street  (120 new dwellings)	3.5	This site is a relatively small field of rough grassland habitat around 1.3km from the ppSPA. Given the small size of the site and its setting within the urban area, it is highly unlikely that this site would be important in contributing to the availability of foraging habitat for ppSPA bird species.
20: HS5 - Talbot Road  (15 new dwellings)	0.4	This site is a relatively small field of rough grassland habitat 1.3km from the ppSPA. Given the small size of the site and setting within a housing estate, it is highly unlikely that this site would be important in contributing to the availability of foraging habitat for ppSPA bird species.
21: HS7 - Trinity Farm  (305 new dwellings)	10.7	Site HS7 - Trinity Farm, Retford is located 5.8km from the ppSPA. The site is comprised predominantly of arable land with a small woodland copse along the southern boundary. Given the distance from the ppSPA, the presence of more suitable habitats within a closer proximity to the ppSPA and the habitat severance due to existing settlements and strategic roads, it is unlikely that this site would provide important habitat for the ppSPA bird species.
23: HS9 – Former Elizabethan School  (approximately 46 new dwellings)	1.3	This is a brownfield site located approximately 6.3km from the ppSPA. It supports disturbed grassland and bare ground. These habitats are of low suitability for ppSPA birds and are highly unlikely to contribute to maintaining ppSPA populations. In addition, the site lies within the urban area of Worksop.
25: HS11 – Fairygrove  (61 new dwellings)	2.7	This site lies around 6km from the ppSPA. The allocation site supports suitable winter foraging opportunities for woodlark, as part of the site is arable land, with the remainder being mostly disturbed grassland with two residential buildings present. Given the distance from the ppSPA, small size of the arable part of the site and abundance of more suitable habitat in the wider landscape, it is unlikely bird population from the ppSPA would rely on this site for foraging habitat.
27: HS13 – Ordsall South  (960 new dwellings)	108.7	This site lies approximately 3.4km from the ppSPA. It supports suitable winter foraging opportunities for woodlark, in arable habitat. Due to its distance from the site and the abundance of similar habitat in the wider landscape, it is unlikely bird population from the ppSPA would rely on this site for foraging habitat.
28: NP04 - Ollerton Road  (75 new dwellings)	3.9	This site lies 6km from the ppSPA and comprises an arable field. Given the distance from the ppSPA, small size of the site and abundance of more suitable habitat in the wider landscape, it is unlikely bird population from the ppSPA would rely on this site for foraging habitat.



**5.21** Table 5.1 shows that, with the exception of the site allocation at SEM1 – Apleyhead Junction (Policy 9), the site allocations in the Local Plan are unlikely to be important in maintaining the integrity of the bird populations at Sherwood Forest ppSPA. However, a conclusion of no adverse effects on integrity (AEol) cannot be reached for the Apleyhead Junction on this basis alone, as summarised below:

- Site SEM1 – Apleyhead Junction (Policy 9) supports suitable off-site winter foraging habitat for woodlark within arable fields. This site on its own is unlikely to be important in contributing to the maintenance of the populations of this species. However, in-combination and/or cumulatively, this site could be of greater importance for supporting woodlark. Therefore, further site level assessment and/or targeted surveys are required to inform any avoidance and/or mitigation measures at the project level. This is considered highly precautionary because the loss of such land could be mitigated through the provision and/or enhancement of alternative land either within the site allocations or with off-site habitat creation and/or mitigation.
- Site SEM1 – Apleyhead Junction (Policy 9) supports suitable off-site foraging habitat for nightjar along treelines and in areas of woodland. This site on its own is unlikely to be important in contributing to the maintenance of the populations of this species. However, in-combination and/or cumulatively, this site could be of greater importance for supporting nightjar. This is considered highly precautionary because the loss of such land could be mitigated through the provision and/or enhancement of alternative land either within the site allocations or off-site habitat creation and/or mitigation. Furthermore, sensitive scheme design at the project level would be expected to be capable to protecting any existing linear ecological corridors and significantly increasing the extent of optimal foraging habitat within the allocations.

**5.22** As recommended through previous HRA reports, Policy 9: Site SEM1 - Apleyhead Junction in the submitted Bassetlaw Local Plan as proposed to be modified includes a requirement for project-level HRA for these sites, including wintering bird surveys, in order to ensure no adverse effects on the ppSPA.

Subject to further survey work in respect of wintering woodlark and/or the agreement of mitigation measures with Natural England through the project-level HRAs now required in the relevant site allocation policies, it can be concluded that the Local Plan would not lead to AEol on Sherwood Forest ppSPA in relation to loss of off-site foraging habitat for woodlark and nightjar.

### Non-physical disturbance (noise, vibration and light)

**5.23** The screening assessment identified likely significant effects were uncertain for non-physical disturbance upon Sherwood Forest ppSPA as a result of site allocation Policy 9: Site SEM1 – Apleyhead Junction, which has been identified as a strategic employment site. This allocation lies 250m away from the ppSPA and is the other side of the A57 major road. However, the A1 major road lies between the allocation and the ppSPA, and therefore it is considered that not only would this act as a barrier to the noise, vibration and light arising from the allocation, the existing baseline of disturbance in that location would mean that noise, vibration and light effects arising from construction and occupation of the new employment site would be unlikely to be greater than the existing disturbance from the A1 for the ppSPA birds.

In light of the above, a conclusion of no AEol can be reached in relation to the effect of noise, vibration and light disturbance on Sherwood Forest ppSPA either alone or in-combination.

### Air Quality

**5.24** The screening assessment identified that policies that provide for new housing and employment, particularly site allocation policies, have the potential to result in air pollution effects upon the ppSPA, either alone or in-combination. Sherwood Forest ppSPA includes habitats which thrive in nutrient poor conditions; therefore the site is particularly sensitive to nutrient enrichment, which can lead to changes in habitat composition and ultimately affect the suitability and availability of habitat for the bird species the site will be designated for. Given that primary roads within the district, including the A60, A1, A57 and A614 all pass through and/or within 200m of the Sherwood Forest ppSPA, an increase in vehicle traffic as a result of policies allocating development in proximity of these roads has the potential to result in an in-combination air pollution effect upon the ppSPA. Air pollution is listed as a threat for Sherwood Forest ppSPA; however it is not listed within the IBA factsheet as one of the highest priority threats for the site.

**5.25** Policy 9: Site SEM1 - Apleyhead Junction requires development to be supported by an Air Quality Management Strategy to help protect the features of the ppSPA. However, the potential for in-combination effects with other development in the District remains.

**5.26** As set out in the DMRB, effects of air pollution are considered unlikely to be significant beyond 200m from the road itself. The areas of the ppSPA that are within 200m of the A60, A1 and A57 comprise deciduous and conifer woodland, primarily plantation woodland. It is thought that this is

managed on a rotational basis, therefore felled areas will be suitable for nightjar and woodlark, becoming less suitable once the trees mature. Aerial photography<sup>38</sup> shows primarily dense plantation woodland within 200m of these roads, which is not suitable nesting habitat for nightjar and woodlark, but could be used for foraging, particularly by nightjar. Aerial photography only shows one small area of felled/young woodland within 200m of the A57, which could be suitable for nesting nightjar, although it is noted that forest management is dynamic and this is subject to change.

**5.27** Due to the rotational harvesting cycle of this habitat crop, it is far more resilient to the effects of nutrient enrichment from traffic related air pollution than equivalent habitats which support these birds, such as lowland heathland. While nitrogen enrichment could affect re-growth of felled woodland, the main effect is expected to be an increased rate of regrowth. Forest clearings as a result of forestry, which could form suitable nesting habitat, are transient in their nature anyway, although faster regrowth could mean that suitable nesting habitat is available for a shorter amount of time. However, this is likely to be balanced out by an increased rate of growth and therefore increased rate of felling.

**5.28** Given the expected cyclical nature of forest management described above, nutrient enrichment is likely to have negligible effects on the nightjar and woodlark population. In addition, dispersal of nitrates is more limited through woodland, and therefore it is likely that increased nitrates from traffic will affect a smaller area than 200m either side of the road.

**5.29** A very small area within 200m of the A614 consists of lowland dry acid grassland. Grassland is not favoured breeding habitat for either nightjar or woodlark, although it may be used by nightjar for foraging. It is noted that census data indicates that the A614 is not a key commuting route<sup>39</sup>. In addition, the grassland is maintained as a verge either side of Lime Tree Avenue and is therefore likely to be mown regularly, and there is a large, stone entrance gate that separates the road from the priority habitat, which may help minimise the dispersal of air pollutants to the lowland dry acid grassland (see

**5.30**

**5.31**

**5.32** Figure 5.1)

Figure 5.1: Entrance gate to Lime Tree Avenue, as viewed from A614<sup>40</sup>



**5.33** Overall, the Local Plan is not expected to lead to habitat change at this site as a result of air pollution from increased traffic on the A614. In addition, the potentially affected area of habitat is small, and makes up a very small part of the overall ppSPA, particularly when considering only the fragment of habitat that is within 200m of the A614. There is a large area of suitable foraging habitat in the wider area and as such, in the unlikely event that this small fragment of habitat was affected, it would not result in adverse effects on the integrity of the ppSPA as a whole.

Given the considerations above, particularly the absence of sensitive breeding habitat (ie. heathland) within 200m of relevant roads, it can be concluded that the Local Plan would not lead to AEoI on Sherwood Forest ppSPA in relation to air pollution.

### Recreational Pressure

**5.34** The screening assessment identified that all residential site allocations have the potential to result in recreational disturbance effects upon Sherwood Forest ppSPA, either alone or in-combination. In addition to housing allocations, the policies listed below were assessed as having an uncertain likely significant effect in relation to recreational disturbance upon Sherwood Forest ppSPA due to their general provision

<sup>38</sup> Getmapping plc, Infoterra Ltd & Bluesky, Maxar Technologies via Google Maps. Imagery dated 2021.

<sup>39</sup> Oliver O'Brien & James Cheshire (2016) Interactive mapping for large, open demographic data sets using familiar geographical features, Journal of Maps,

12:4, 676-683, DOI: 10.1080/17445647.2015.1060183. Available at: <https://commute.datashine.org.uk/>,

<sup>40</sup> Google (2021) Google Maps Street View (Image Capture November 2015)

for an increase in housing and therefore population in the local areas, or due to their support for an increase in visitors to the District in general:

- ST1 - Bassetlaw Spatial Strategy (9,720 total dwellings within the District as a whole for the lifetime of the Local Plan).
- ST2 – Housing Growth in Rural Bassetlaw.
- ST5 – Worksop Central.
- ST12 - Visitor Economy.

**5.35** Recreational disturbance is listed as the highest level of threat in the IBA factsheet<sup>41</sup> and is therefore also assumed for the ppSPA. At least 9,720 new dwellings are proposed within the District as a whole through the Local Plan.

**5.36** Given the increase in population described above, these policies have the potential to increase recreational pressure on the ppSPA, which can lead to bird disturbance, predation, and displacement, and this can reduce breeding success or the ability of birds to breed and survive. Therefore, the Local Plan could result in adverse effects on the integrity of the ppSPA nightjar and woodlark populations as a result of recreation.

**5.37** The Council commissioned a Recreation Impact Assessment for the Clumber Park SSSI and Birklands and Bilhaugh SAC, both of which overlap with the ppSPA. The visitor survey findings established two zones of influence (one for each of the SSSI and SAC) and identified potential management and mitigation measures. Policy ST40: Biodiversity and Geodiversity seeks to protect the ppSPA by requiring proposals that may impact the ppSPA (among other designations) to demonstrate that there will be no adverse impacts on integrity, unless IROPI can be demonstrated. In addition, the policy requires all sites within 5km of the Sherwood Forest ppSPA to carry out a shadow HRA. This 5km zone incorporates the majority of residential development set out in the Local Plan, including larger allocations at Ordsall South (Policy 27: HS13 – Ordsall South (approximately 960 new dwellings) and Peaks Hill Farm (Policy 16: HS1 – Peaks Hill Farm (approximately 655 new dwellings within plan period).

**5.38** The supporting text also states that all sites of 50 units or more (which includes piecemeal planning applications for fewer than 50 units for the site) that fall within an 'Impact Risk Zone' of a SSSI will be required to give appropriate consideration to the SSSI and provide appropriate mitigation, where relevant. However, none of the proposed allocations lie within a relevant Impact Risk Zone (that is, where residential

development is identified as a risk) for any of the SSSIs that overlap with the ppSPA. Nevertheless it is recognised that the ppSPA does not have a defined boundary and does not have any formal designation; its status has not been updated since the 2014 Natural England advice note.

Given the requirements of Policy ST40: Biodiversity and Geodiversity and Policy , it can be concluded that the Local Plan would not lead to AEoI on Sherwood Forest ppSPA in relation to increases in recreational pressure.

### Identification of other plans and projects which may have 'in-combination' effects

**5.39** The Bassetlaw Local Plan was identified at the screening stage as having potential in-combination effects on Sherwood Forest ppSPA as a result of:

- Physical damage and loss of off-site habitat.
- Air quality.
- Recreational pressure.

#### Physical damage and loss of off-site habitat

**5.40** The Appropriate Assessment concluded that, subject to further survey work in respect of wintering woodlark and the agreement of mitigation measures with Natural England as part of a project-level HRA, the Local Plan would not lead to AEoI on Sherwood Forest ppSPA in relation to loss of off-site foraging habitat for woodlark and nightjar. The assessment of this impact type is 'in-combination' in its nature, and the avoidance and mitigation measures relied upon will ensure that in-combination effects as a result of physical damage and loss of offsite habitat will be avoided.

#### Air Quality

**5.41** The Appropriate Assessment concluded that no AEoI were likely for Sherwood Forest ppSPA with regards to air quality. There is only one small area of sensitive habitat within 200m of relevant roads, and this is both unlikely to be substantially affected by increased air pollution and of little importance to the integrity of the ppSPA in terms of supporting nightjar and woodlark populations.

**5.42** It is also recognised that a confirmed boundary has not been defined for the ppSPA and furthermore, the main component habitat type within the ppSPA in proximity of the roads of concern is rotational coniferous plantation, which in light of the rotational harvesting cycle of this habitat crop, is far more resilient to the effects of nutrient enrichment from traffic

<sup>41</sup> <http://datazone.birdlife.org/site/factsheet/sherwood-forest-iba-united-kingdom/details>

related air pollution than equivalent habitats which support these birds, such as lowland heathland.

**5.43** As such, AEoI can be ruled out both as a result of the Local Plan alone and in-combination with other plans and programmes.

#### Recreational Pressure

**5.44** The screening assessment identified that there could be potential recreational disturbance effects as a result of the Bassetlaw Local Plan in-combination with other plans and policies upon Sherwood Forest ppSPA. However, the Appropriate Assessment identified no AEoI as a result of recreational disturbance arising from the Bassetlaw Local Plan upon Sherwood Forest ppSPA alone. The HRAs of other Local Plans (see **Appendix C**) do not predict likely significant effects upon the Sherwood Forest ppSPA from recreation. The Newark and Sherwood Local Plan HRA recommends working closely with neighbouring authorities surrounding Sherwood Forest to improve the understanding of potential visitor pressures at Sherwood Forest ppSPA and Birklands & Bilhaugh SAC, which has started through the Recreation Impact Assessment. In addition, Policy ST40: Biodiversity and Geodiversity seeks to protect designated sites. Therefore, it is concluded that in-combination impacts in relation to this and other Local Plans can be avoided, although it is recommended that BDC continues to work closely with Newark and Sherwood District Council, the National Trust and Natural England to ensure the ppSPA is appropriately protected and conserved.

No AEoI have been identified in-combination with other plans and policies upon the Sherwood Forest ppSPA.

#### Recommendations made previously

**5.45** A working draft of the Draft Local Plan (November 2020) was subject to HRA by LUC in October 2020 and a number of recommendations for the plan were identified. These recommendations are set out in **Table 5.2**, along with a record of the changes BDC made to the Local Plan in response to these. Note that the first column of **Table 5.2** refers to the policy names and numbers in the submitted Local Plan as proposed to be modified, some of which were different when these recommendations were originally made in response to the November 2020 Draft Local Plan. Therefore, the original version of this table in the November 2020 HRA report refers to different policy numbers and names.

**5.46** In preparing the May 2022 HRA report for the Publication Version Second Addendum, LUC recommended to BDC that the Addendum included a commitment from BDC to continue to work with Newark and Sherwood District Council, as well as the RSPB, the National Trust and Natural England to understand and monitor recreational impacts at Birklands and Bilhaugh SAC and Sherwood Forest ppSPA, to ensure that they are appropriately protected and conserved. This has been included in the submitted Local plan as proposed to be modified.

Table 5.2: HRA recommendations made in October 2020 and how Bassetlaw District Council has responded to these

Policy	Recommendations	Bassetlaw District Council's response
ST3: Bassetlaw Garden Village Design Principles	Further discussion with Natural England is required to ensure that the promotion of walking and cycling links to Clumber Park will not increase recreation pressure at the ppSPA. The policy should include a commitment to any measures agreed in this regard.	The Recreation Impact Assessment was undertaken with the involvement of Natural England. Note that the Bassetlaw Garden Village no longer forms part of the Local Plan.
ST4: Bassetlaw Garden Village	This policy should require project-level HRA, including winter bird surveys to determine the contribution that this site makes to supporting wintering woodlark at the ppSPA. The policy should also include a commitment to implementing mitigation measures agreed with Natural England if the project-level HRA identifies an adverse effect on integrity of the ppSPA.  Update to require the green infrastructure buffer along the A1 to be a minimum of 400m in order to minimise the likelihood of cat predation at the ppSPA.	This was included in Policy ST3: Bassetlaw Garden Village Design Principles.  Policy ST3: Bassetlaw Garden Village Design Principles required a 400m 'exclusion zone' from the ppSPA boundary.

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Policy	Recommendations	Bassetlaw District Council's response
	The policy should specify that no suitable breeding habitat should be created within the site allocation within 400m of any areas of residential housing.	<p>Policy ST3: Bassetlaw Garden Village Design Principles stated that housing development should not be situated within 400m of suitable breeding habitat for ground nesting birds associated with the Clumber Park SSSI, which includes nightjar and woodlark.</p> <p>Note that the Bassetlaw Garden Village no longer forms part of the Local Plan.</p>
ST9: Site SEM1 - Apleyhead Junction	The word 'screening' should be removed from the requirement for a project-level HRA. This should also be expanded to specify that the HRA should include winter bird surveys to determine the contribution that this site makes to supporting wintering woodlark at the ppSPA. The policy should also include a commitment to implementing mitigation measures agreed with Natural England if the project-level HRA identifies an adverse effect on integrity of the ppSPA.	Policy amended as recommended.
<p>16: HS1 – Peaks Hill Farm</p> <p>18: HS3 – Radford Street</p> <p>17: HS4 – Former Manton Primary School</p> <p>20: HS5 – Talbot Road</p> <p>21: HS7 – Trinity Farm</p> <p>22: HS8 – Milnecroft</p> <p>24: HS10 – St Michael's View</p>	These policies currently require project-level HRA. This is not considered necessary.	Policies amended as recommended.
ST46: Delivering Quality Open Space	<p>Include a commitment to provide avoidance and mitigation measures with regards to recreational impacts on Birklands and Bilhaugh SAC and the ppSPA, as agreed with Natural England.</p> <p>This could include:</p> <ul style="list-style-type: none"> <li>■ Strategic Access Management and Monitoring (SAMM) for the sites themselves – with contributions to be made by the relevant development applicants in accordance with suitable requirements.</li> <li>■ Suitable Alternative Natural Greenspace (SANG) - provision of a proportionate area of high quality SANGs in line with the requirements specified by NE. This should specifically be designed to draw visitors away from the ppSPA and should be ready for use prior to occupation and will need to be managed, monitored and funded to meet the requirements specified in perpetuity.</li> <li>■ Parking restrictions in and around the ppSPA during the critical months of April and May, which are the most sensitive</li> </ul>	Covered in Policy ST38: Biodiversity and Geodiversity.

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Policy	Recommendations	Bassetlaw District Council's response
	part of the breeding season for woodlark and nightjar (this applies to the ppSPA only).	

# Chapter 6

## Conclusions

### Conclusions from Screening and Appropriate Assessment stages

**6.1** The HRA screening of the submitted Bassetlaw Local Plan as proposed to be modified concluded that policies and site allocations in the Local Plan alone will not result in likely significant effects on the integrity of the following European sites on account of distance (all of which lie outside of the Bassetlaw district boundary) and/or a lack of pathways by which impacts could travel between source and receptor:

- Hatfield Moor SAC.
- Thorne Moor SAC.
- Thorne and Hatfield Moors SPA.
- The Humber Estuary SAC, SPA and Ramsar.

**6.2** The screening identified the potential for in-combination effects as a result of changes in water quality and quantity upon the Humber Estuary SAC, SPA and Ramsar site as uncertain. However, the Appropriate Assessment concluded that the effects of the Local Plan would be negligible, given the distance from the European sites and the number of large towns along the river outside the District. In addition, policy ST51: Protecting Water Quality provides mitigation measures to protect water quality.

**6.3** The screening assessment also identified potential effects as a result of increased recreational pressure at Birklands and Bilhaugh SAC, particularly in proximity to the Sherwood Forest Visitor Centre. The Appropriate Assessment concluded that, given the protections provided by Policy ST40: Biodiversity and Geodiversity and individual site allocations, adverse effects on integrity of the SAC can be ruled out, both as a result of the plan alone and in-combination with other plans and programmes. In addition, the supporting text commits to continuing to work with Newark and Sherwood District Council, as well as the RSPB, the National Trust and Natural England to understand and monitor recreational impacts at Birklands and Bilhaugh SAC and Sherwood Forest ppSPA, to ensure that they are appropriately protected and conserved.

**6.4** As such, no adverse effects on integrity of any European site would occur as a result of the Local Plan.

## Shadow HRA: Conclusions

**6.5** The screening assessment identified potential likely significant effects resulting from the Bassetlaw Local Plan alone upon the Sherwood Forest ppSPA as a result of:

- Physical loss or damage to off-site habitat.
- Noise/vibration and light pollution to off-site habitat.
- Air pollution.
- Impacts of recreation.

**6.6** The screening assessment also identified potential likely significant effects in-combination with other plans and policies upon Sherwood Forest ppSPA as a result of the impacts listed above. However, due to examining further detail regarding the impact pathways (for noise/vibration and light pollution to off-site habitat) and the incorporation of recommended mitigation measures within relevant policies, the Appropriate Assessment concluded that no adverse effects on integrity of the ppSPA would occur as a result of the impact types listed above.

LUC  
August 2023



# Appendix A

## European sites within 15km of Bassetlaw District

1. Birklands and Bilhaugh Special Area of Conservation	
<b>Site description</b>	
<p>Covering an approximate area of 271.84 hectares, Birklands and Bilhaugh SAC is a landscape-remnant of the historic Sherwood Forest, which is of world renowned cultural significance due to the high concentration of ancient oak trees and associated folklore. The trees and open woodland- pasture habitat have been utilised over the centuries as a medieval Royal hunting forest, as a source of timber for the construction of cathedrals and English naval fleets, and more recently for public amenity, recreation and tourism. There is high public usage across the SAC supported by a network of Public Rights of Way and permissive paths. Part of the SAC forms part of the Sherwood Forest National Nature Reserve.</p> <p>The site lies on freely-draining, acidic, sandy soils and is notable for its rich invertebrate fauna, particularly spiders, and for a diverse fungal assemblage, including <i>Grifoa sulphurea</i> and <i>Fistulina hepatica</i>. The oak population consists of approximately equal numbers of the pedunculate oak <i>Quercus robur</i> and the sessile oak <i>Q. petraea</i> covering a wide range of size and age, including an exceptional population of ancient standing oaks. Although birch (mainly <i>Betula verrucosa</i>) forms groves between the oaks the canopy is, over large areas, still rather open allowing a dense bracken field layer to develop. A wide variety of fungi are present. Within the woodland occur glades of acid grassland dominated by the tussock-forming wavy-hair grass <i>Deschampsia flexuosa</i> and which contain such characteristic herbs as heath bedstraw <i>Galium saxatile</i> and tormentil <i>Potentilla erecta</i>.</p>	
<b>Qualifying Features</b>	
H9190	Old acidophilous oak woods with <i>Quercus robur</i> on sandy plains
Site status*	<ul style="list-style-type: none"> <li>■ 96.87% in unfavourable (recovering) condition</li> <li>■ 3.13% in unfavourable (no change) condition</li> </ul>
<b>Non-Qualifying Features</b>	
<p>This habitat type relies on a range of supporting processes, structure and functions which influence the extend distribution of this feature.</p> <p>This habitat relies on old or over-mature elements of the woodland which are particularly characteristic and important features for the woodland, and their continuity should be a priority. This can be accomplished through active management, by managing selected trees to ensure that they reach veteran status (though tree ageing techniques where feasible), but also ensuring that sufficient regeneration occurs at a rate necessary to keep in line with veteran tree deaths. This is particularly important for hole-nesting birds.</p> <p>The habitat relies on continuity to maintain wood pasture conditions found. This can be achieved by ensuring the wide distribution of size and ages classes of the major site-native tree and shrub species are maintained, and that a variety of woodland habitats and niches are provided where required (through appropriate management techniques).</p> <p>The provision of some open, sunlit, tree-less areas to facilitate natural tree and shrub regeneration will provide habitat for woodland inverts, birds, vascular and lower plants. This can be achieved through natural or managed grazing, and will assist in restoring the habitat to a favourable condition.</p>	

## Appendix A

European sites within 15km of Bassetlaw District

Bassetlaw Local Plan Main Modifications: Habitats Regulations Assessment  
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### 1. Birklands and Bilhaugh Special Area of Conservation

This habitat type needs to maintain its resilience to environmental changes, so it can retain the same structure and functioning and cope with environmental stress and changes on the ecosystem. This can be achieved by maintaining the diversity of site-native trees.

The habitat must maintain the canopy and understorey of site native trees which are known to generally support a greater species assemblage. This will ensure that the abundance of H9190 Annex 1 habitat species, such as the oak polymore, are maintained.

Additionally, any invasive/non-native should be managed so that they are either rare or absent, and if present, causing minimal damage to H9190 features within the woodland.

The habitat relies on soil structure with space for water and air to move through to allow root growth, therefore soil management within root zones needs to ensure the prevention of soil compaction around mature and ancient trees. This could occur as a result of construction/management works or trampling from grazing or recreational activities.

There is a requirement to maintain or restore as necessary the concentration of air pollutants to a, or below, the critical load or level given for H9190 features of the Site. This is because this habitat type is sensitive to changes in air quality, as this could affect the chemical status of the soil and result in an impact on plant growth, species present and vegetation structure.

This habitat type provides natural patterns of light and darkness which woodland species have adapted to and rely on. Therefore it is essential that any artificial lighting is maintained at a level which will not result in an impact on the natural phenological cycles and processes of the woodland, or the features or species which utilise this habitat.

#### Special Area of Conservation objectives

Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;

The extent and distribution of qualifying natural habitats

The structure and function (including typical species) of qualifying natural habitats, and,

The supporting processes on which qualifying natural habitats rely.

#### Site Improvement Plan<sup>42</sup>: pressures, threats and related development

The main pressures and threats to this site include public access and disturbance in that the current visitor's centre complex that is located within the SAC, is preventing the necessary restoration of the full extent of the oak woodland. The visitor centre complex needs to be physically removed and the area restored, but planning permission is proving problematic [note that the visitor centre has now been relocated since the preparation of the SIP]. Other issues include change in land management which has created a large age gap between the ancient trees, physical modification, impact of atmospheric nitrogen deposition, disease and invasive species.

\*Site status is an assessment by Natural England of the status of the SSSIs within the SAC

### 2. Hatfield Moor Special Area of Conservation

#### Site description

Hatfield Moors, which covers an area of 1363.55 hectares, is a remnant of an extensive lowland raised bog which once occupied the Humberhead levels. Hatfield is unique in having developed directly upon nutrient deficient gravels without an initial reed-swamp phase. Much of the bog has been cut for peat yet a restricted representative flora and fauna persists within a mosaic of mire and dry heath habitats beneath birch scrub. The mire communities are dominated by cottongrasses *Eriophorum vaginatum* and *E. angustifolium*, cross-leaved heath *Erica tetralix* and

<sup>42</sup> Natural England - Site Improvement Plan: Birklands & Bilhaugh (SIP016)  
<http://publications.naturalengland.org.uk/publication/6727956374224896?category=4526209115357184>

## Appendix A

European sites within 15km of Bassetlaw District

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2. Hatfield Moor Special Area of Conservation	
bogmosses <i>Sphagnum</i> spp., but include locally rare species such as cranberry <i>Vaccinium oxycoccus</i> , bog myrtle <i>Myrica gale</i> and bog rosemary <i>Andromeda polifolia</i> .	
<b>Qualifying Features</b>	
H7120	Degraded raised bogs still capable of natural regeneration
Site status*	<ul style="list-style-type: none"><li>• 92.23% in unfavourable (recovering) condition</li><li>• 6.50% in unfavourable (no change) condition</li><li>• 1.27% in favourable condition</li></ul>
<b>Non-Qualifying Features</b>	
<p>Little, if any, original bog surface has survived the massive extraction of peat over the last few decades. Peat-cutting has now ceased, and the bog is being restored over its remaining minimum average depth of 0.5 m of peat.</p> <p>The structure and function of the qualifying habitat, including its typical species, may rely upon the continued presence of areas which surround and are outside of the designated site boundary. Changes in surrounding land-use may adversely (directly/indirectly) affect the functioning of the feature and its component species.</p> <p>The protection and management of peripheral peat and the land immediately around the peat body will be of critical functional importance to the restoration of the H7120 feature to active bog and lag.</p> <p>Changes in source, depth, duration, frequency, magnitude and timing of water supply can have significant implications for the assemblage of characteristic plants and animals present. The surface of an active raised bog has low nutrient, waterlogged or high water table conditions. An abundance of the bog-mosses <i>Sphagnum papillosum</i>, <i>S. capillifolium</i>, <i>S. tenellum</i> and <i>S. magellanicum</i> will often indicate good surface conditions. Further detrimental changes to the hydrology of a degraded raised bog can lead to further desiccation, oxidation and a further loss of species and will undermine the aim to restore this feature to active raised bog.</p> <p>Changes to natural properties of the bog's peat body may affect the ecological structure, function and processes associated with this Annex I feature. Peat is naturally lacking in nutrients with typically low values of calcium, phosphate, nitrate and pH. This habitat type is considered sensitive to changes in air quality. Exceedance of these critical values for air pollutants may modify the chemical status of its substrate, accelerating or damaging plant growth, altering its vegetation structure and composition and causing the loss of sensitive typical species associated with it.</p> <p>This recognises the potential need at this site to maintain or restore the connectivity of the site to its wider landscape in order to meet the conservation objectives. These connections may take the form of landscape features, such as habitat patches, hedges, watercourses and verges, outside of the designated site boundary which are either important for the migration, dispersal and genetic exchange of those typical species closely associated with qualifying Annex I habitat features of the site.</p>	
<b>Special Area of Conservation objectives</b>	
Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;	
The extent and distribution of qualifying natural habitats	
The structure and function (including typical species) of the qualifying natural habitat, and,	
The supporting processes on which the qualifying natural habitat rely.	
<b>Site Improvement Plan<sup>43</sup>: pressures, threats and related development</b>	

<sup>43</sup> Natural England - Site Improvement Plan: Thorne and Hatfield Moors (SIP246)  
<http://publications.naturalengland.org.uk/publication/6489780632158208?category=5171232873906176>

## Appendix A

European sites within 15km of Bassetlaw District

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### 2. Hatfield Moor Special Area of Conservation

The main pressures and threats to this site include drainage, inappropriate scrub control, impacts of atmospheric nitrogen deposition, public access/disturbance, peat extraction and invasive species. Additionally, planning permission is a problem in that wind farms have been erected or are planned in the wider area surrounding the SAC, yet investigation is needed to better understand the cumulative impact of existing and planned wind farm and other local developments on the nightjar population.

\*Site status is an assessment by Natural England of the status of the SSSIs within the SAC

### 3. Thorne Moor Special Area of Conservation

#### Site description

Covering an approximate area of 1909.38 hectares, Thorne Moor is England's largest area of raised bog, lying a few kilometres from the smaller Hatfield Moors, both within the former floodplain of the rivers feeding the Humber estuary (Humberhead Levels), and includes the sub-components Goole Moors and Crowle Moors. Although management has increased the proportion of active raised bog at Thorne Moors, the inclusion of Goole Moors, where peat-extraction has now ceased, means that the site is still predominantly degraded raised bog. The restored secondary surface is rich in species of bogmosses *Sphagnum* spp., common and hare's-tail cottongrasses *Eriophorum angustifolium* and *E. vaginatum*, heather *Calluna vulgaris*, cross-leaved heath *Erica tetralix*, round-leaved sundew *Drosera rotundifolia*, cranberry *Vaccinium oxycoccos* and bog-rosemary *Andromeda polifolia*.

#### Qualifying Features

H7120	Degraded raised bogs still capable of natural regeneration
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Site status*	<ul style="list-style-type: none"><li>91.97% in unfavourable (recovering) condition</li><li>2.94% in unfavourable (no change) condition</li><li>3.85% in favourable condition</li><li>1.24% in unfavourable (declining) condition</li></ul>
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#### Non-Qualifying Features

Recent management has increased the proportion of 7110 active raised bog at Thorne Moors, the inclusion of Goole Moors, where peat-extraction has now ceased, means that the site is still predominantly degraded raised bog.

The structure and function of the qualifying habitat, including its typical species, may rely upon the continued presence of areas which surround and are outside of the designated site boundary. Changes in surrounding land-use may adversely (directly/indirectly) affect the functioning of the feature and its component species.

The protection and management of peripheral peat and the land immediately around the peat body will be of critical functional importance to the restoration of the H7120 feature to active bog and lag.

Changes in source, depth, duration, frequency, magnitude and timing of water supply can have significant implications for the assemblage of characteristic plants and animals present. The surface of an active raised bog has low nutrient, waterlogged or high water table conditions. An abundance of the bog-mosses *Sphagnum papillosum*, *S. capillifolium*, *S. tenellum* and *S. magellanicum* will often indicate good surface conditions. Further detrimental changes to the hydrology of a degraded raised bog can lead to further desiccation, oxidation and a further loss of species and will undermine the aim to restore this feature to active raised bog.

Changes to natural properties of the bog's peat body may affect the ecological structure, function and processes associated with this Annex I feature. Peat is naturally lacking in nutrients with typically low values of calcium, phosphate, nitrate and pH. This habitat type is considered sensitive to changes in air quality. Exceedance of these critical values for air pollutants may modify the chemical status of its substrate, accelerating or damaging plant growth, altering its vegetation structure and composition and causing the loss of sensitive typical species associated with it.

3. Thorne Moor Special Area of Conservation
<p>This recognises the potential need at this site to maintain or restore the connectivity of the site to its wider landscape in order to meet the conservation objectives. These connections may take the form of landscape features, such as habitat patches, hedges, watercourses and verges, outside of the designated site boundary which are either important for the migration, dispersal and genetic exchange of those typical species closely associated with qualifying Annex I habitat features of the site.</p>
<p><b>Special Area of Conservation objectives</b></p> <p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> <p>The extent and distribution of qualifying natural habitats</p> <p>The structure and function (including typical species) of qualifying natural habitats, and,</p> <p>The supporting processes on which qualifying natural habitats rely.</p>
<p><b>Site Improvement Plan<sup>44</sup>: pressures, threats and related development</b></p> <p>The main pressures and threats to this site include drainage, inappropriate scrub control, impacts of atmospheric nitrogen deposition, public access/disturbance, peat extraction and invasive species. Additionally, planning permission is a problem in that wind farms have been erected or are planned in the wider area surrounding the SAC, yet investigation is needed to better understand the cumulative impact of existing and planned wind farm and other local developments on the nightjar population.</p>
<p>*Site status is an assessment by Natural England of the status of SSSIs within the SAC.</p>

4. Thorne and Hatfield Moors Special Protection Area	
<p><b>Site description</b></p> <p>Covering an approximate area of 2449.2 hectares, Thorne and Hatfield Moors SPA is an extensive lowland raised mire system adjacent to the Humber estuary on the north-east coast of England and is the largest remaining lowland peatland in England. Despite a long history of extensive peat extraction since the late nineteenth century, the site retains substantial areas of <i>Sphagnum</i> bog, which has been changed by succession to wet scrub woodland dominated by Birch <i>Betula</i> sp., willows and Alder <i>Alnus glutinosa</i>. Where the peat surface has been removed, subsequent restoration of active bog has depended upon shallow flooding to allow <i>Sphagnum</i> and other bog plants to re-colonise. The mire communities are dominated by Hare's-tail <i>Eriophorum vaginatum</i> and Common Cottongrass <i>E. augustifolium</i>, Cross-leaved Heath <i>Erica tetralix</i>, Soft-rush <i>Juncus effusus</i> and <i>Sphagnum</i> mosses, and include a variety of scarcer bog plants such as Bog-rosemary <i>Andromeda polifolia</i> and Cranberry <i>Vaccinium oxycoccos</i>. Drier heath is dominated by Heather <i>Calluna vulgaris</i>, Bracken <i>Pteridium aquilinum</i> and Purple Moor-grass <i>Molinia caerulea</i>. Birch <i>Betula</i> sp. scrub, some of it dense, occurs throughout both moors. The diverse mosaic of habitats contribute greatly to the ornithological interest, which comprises breeding species, notably <i>Caprimulgus europaeus</i>.</p>	
<p><b>Qualifying Features</b></p>	
A224	<i>Caprimulgus europaeus</i> ; European nightjar (Breeding)
Site status*	<p>Hatfield Moor:</p> <ul style="list-style-type: none"> <li>• 92.23% in unfavourable (recovering) condition</li> <li>• 6.50% in unfavourable (no change) condition</li> <li>• 1.27% in favourable condition</li> </ul>

<sup>44</sup> Natural England - Site Improvement Plan: Thorne and Hatfield Moors (SIP246)  
<http://publications.naturalengland.org.uk/publication/6489780632158208?category=5171232873906176>

<b>4. Thorne and Hatfield Moors Special Protection Area</b>
<b>Non-Qualifying Features</b>
<p>The qualifying feature require low levels of disturbance, in particular as a result of human activities. Frequent, intense or lengthy disturbance can affect the qualifying feature's feeding or roosting behaviour, reduce the availability of suitable habitat for this species, and their nesting, breeding and rearing success rate.</p> <p>The qualifying feature relies on the presence of supporting habitats such as dry heathland and successional woodland habitats, and of ecological connectivity between these habitats. Therefore, it is essential that the management of the SPA ensures that there is sufficient suitable habitat present with functional connectivity between these habitats, for which the qualifying features rely on. This entails retaining the open, mosaic structure of the heathland (of which all life cycles of heather are present) and allowing areas of scrub and scattered trees to establish.</p> <p>The qualifying feature relies on habitat which may be sensitive to changes in air quality, as exceeding levels of air pollutants could impact the chemical status of its habitat structure, and in turn affect the quality of suitable available habitat for the qualifying species.</p> <p>The qualifying feature relies on the abundance of prey within the SPA, and therefore it is important to maintain the distribution, abundance of, and availability of key prey items such as moths, which are preferred by the qualifying species.</p> <p>The supporting habitat of which the qualifying features relies on, are maintained by surface water of a certain quantity and quality. Whereas the qualifying feature is not reliant on water quantity/quality, the SAC lowland raised bog requires water to maintain its structure and status, but this has to consider the risks of high water levels on the associated dry habitat of which the qualifying feature relies on for breeding, foraging and commuting. Therefore, on-going management of water levels and quality within the site is required.</p> <p>The qualifying features breeding success and survival rates are dependent on minimal disturbance caused by predation. Where required, predator management can be enforced through physical exclusion, scaring tactics, or by direct control. Predation has not been identified as a significant factor in the qualifying feature's populations.</p> <p>The supporting habitat of the qualifying feature is susceptible to environmental changes which could affect the extent and distribution of the habitat (such as through precipitation and temperature). The habitat within the site has been assessed by Natural England as moderate in its vulnerability to climate change, therefore appropriate monitoring will be required, and where necessary, appropriate mitigation measures can be taken to ensure this habitat adapts and/or is resilient to environmental changes. This could entail creating more habitat to buffer the site, expand the habitat into more varied landscapes, or reducing habitat fragmentation. This ensures that the supporting habitat will maintain its ability to provide suitable habitat for the qualifying feature.</p>
<b>Special Protection Area objectives</b>
<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring:</p> <ul style="list-style-type: none"> <li>The extent and distribution of the habitats of the qualifying features</li> <li>The structure and function of the habitats of the qualifying features</li> <li>The supporting processes on which the habitats of the qualifying features rely</li> <li>The population of each of the qualifying features, and,</li> <li>The distribution of the qualifying features within the site.</li> </ul>
<b>Site Improvement Plan<sup>45</sup>: pressures, threats and related development</b>
<p>The main pressures and threats to this site include drainage, inappropriate scrub control, impacts of atmospheric nitrogen deposition, public access/disturbance, peat extraction and invasive species. Additionally, planning permission</p>

<sup>45</sup> Natural England - Site Improvement Plan: Aston Rowant (SIP007)  
<http://publications.naturalengland.org.uk/publication/4960794580090880?category=6149691318206464>

## Appendix A

### European sites within 15km of Bassetlaw District

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#### 4. Thorne and Hatfield Moors Special Protection Area

is a problem in that wind farms have been erected or are planned in the wider area surrounding the SAC, yet investigation is needed to better understand the cumulative impact of existing and planned wind farm and other local developments on the nightjar population.

\*Site status is an assessment by Natural England of the status of the SSSIs within the SPA

#### 5. Sherwood Forest prospective potential Special Protection Area

##### Site description

As the Sherwood Forest prospective potential SPA (ppSPA) is not currently designated as a European Site, there is no Standard Data form or SIP for it. However, the Sherwood Forest Important Bird Area (IBA) is being used as a proxy for the purposes of this assessment, and the indicative core areas for breeding for nightjar and woodlark as identified by Natural England, are likely to be the most sensitive areas.

The Sherwood Forest IBA covers 7,320 ha and consists of several geographic sites stretching from south of Worksop to north of Nottingham. Once part of the 10,000 acre Royal Forest of Sherwood, the woodland is dominated by native oaks and other native trees such as silver birch, rowan, holly and hawthorn. It has been continuously forested since the end of the Ice Age.<sup>46</sup>

Approximately 424.75ha of the Sherwood Forest ppSPA is also a designated National Nature Reserve (NNR). The reserve contains more than a thousand ancient oaks most of which are known to be more than 500 years old. Sherwood Forest has the highest concentration of ancient trees in Europe and provides habitat for very rare invertebrates, particularly beetles, flies and spiders, many of which rely on the decaying and ageing timber of the veteran trees. Budby South Sores, in the northern half of the site, is dominated by ling heather and supports a diverse range of insects and ground nesting birds such as woodlark, nightjar and tree pipit.

In 2004, it was estimated that there were approximately 63 male European Nightjar (females unknown) within in the IBA and approximately 25 breeding pairs of Woodlark.

##### Qualifying Features

The primary reasons for potential designation of this site are that the population of *Caprimulgus europaeus*; European nightjar represents 1.88% of the total UK breeding population and the population of *Lullula arborea*; Woodlark, is 2.51% of the total UK breeding population.

Site status	<ul style="list-style-type: none"><li>The condition of the site was not assessed in the most recent IBA monitoring assessment. However, the IBA factsheet<sup>47</sup> states that the mixed woodland habitat is in 'very unfavourable' condition, but the conditions of the nightjar and woodlark populations are 'favourable'.</li></ul>
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##### Non-Qualifying Features

The qualifying features require low levels of disturbance, in particular as a result of human activities. Frequent, intense or lengthy disturbance can affect the qualifying features' feeding or roosting behaviour, reduce the availability of suitable habitat for this species, and their nesting, breeding and rearing success rate.

The qualifying features rely on the presence of supporting habitats such as dry heathland and successional woodland habitats, and of ecological connectivity between these habitats. Therefore, it is essential that the management of the ppSPA ensures that there is sufficient suitable habitat present with functional connectivity between these habitats, for which the qualifying features rely on. This entails retaining the open, mosaic structure of the heathland (of which all life cycles of heather are present) and allowing areas of scrub and scattered trees to establish.

<sup>46</sup> BirdLife International (2018) Important Bird Areas factsheet: Sherwood Forest. Downloaded from <http://www.birdlife.org> on 05/10/2018.

<sup>47</sup> BirdLife International (2018) Important Bird Areas factsheet: Sherwood Forest. Downloaded from <http://www.birdlife.org> on 05/10/2018.

### 5. Sherwood Forest prospective potential Special Protection Area

The qualifying features rely on habitat which may be sensitive to changes in air quality, as exceeding levels of air pollutants could impact the chemical status of its habitat structure, and in turn affect the quality of suitable available habitat for the qualifying species.

The qualifying features rely on the abundance of prey within the ppSPA, and therefore it is important to maintain the distribution, abundance of, and availability of key prey items such as invertebrates, which are preferred by the qualifying species.

The qualifying features' breeding success and survival rates are dependent on minimal disturbance caused by predation. Where required, predator management can be enforced through physical exclusion, scaring tactics, or by direct control. Predation has not been identified as a significant factor in the qualifying features' populations.

The supporting habitat of the qualifying features is susceptible to environmental changes which could affect the extent and distribution of the habitat (such as through precipitation and temperature). The habitat within the site has been assessed by Natural England as moderate in its vulnerability to climate change, therefore appropriate monitoring will be required, and where necessary, appropriate mitigation measures can be taken to ensure this habitat adapts and/or is resilient to environmental changes. This could entail creating more habitat to buffer the site, expand the habitat into more varied landscapes, or reducing habitat fragmentation. This ensures that the supporting habitat will maintain its ability to provide suitable habitat for the qualifying features.

#### Prospective potential Special Protection Area objectives

As this area does not relate to an existing designated site, no conservation objectives have been established for it. However, it is anticipated that, were the site to be designated, any conservation objectives would reflect those for other SPAs, as follows:

Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring:

- The extent and distribution of the habitats of the qualifying features
- The structure and function of the habitats of the qualifying features
- The supporting processes on which the habitats of the qualifying features rely
- The population of each of the qualifying features, and,
- The distribution of the qualifying features within the site.

#### IBA Factsheet<sup>48</sup>: pressures, threats and related development

The main current threats to the site include logging and wood harvesting, climate change, changes in land use for energy production, housing and economic development, tourism and recreation and air pollution. War, civil unrest and military exercises are identified as a past threat, which is unlikely to return.

These threats have been rated low to very high, depending on the proportion of the area and/or population they are likely to affect and the severity of the threat. Recreational activities are identified as being the highest level of threat, followed by logging and wood harvesting and residential and commercial development. The IBA factsheet also identifies 'other threat' as being a high threat, but no details are given.

<sup>48</sup> BirdLife International (2018) Important Bird Areas factsheet: Sherwood Forest. Downloaded from <http://www.birdlife.org> on 05/10/2018.



## Appendix B

### Screening matrix

**B.1** The screening matrix below shows which types of impacts on European sites could potentially result from each of the policies and sites allocated in the submitted Local Plan as proposed to be modified via the schedule of Main Modifications. Where a site is not expected to have a particular type of impact, the relevant cell is shaded green. Where a site could potentially have a certain type of impact, this is shown in orange. The final column sets out the screening conclusions.

**Appendix B**  
Screening matrix

Bassetlaw Local Plan Main Modifications: Habitats Regulations Assessment  
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	Likely activities (operation) to result as a consequence of the policy	Likely effects if proposal implemented	European site(s) potentially affected	Could the proposal have likely significant effects on European sites?	Shadow HRA: ppSPA potentially affected?	Shadow HRA: Could the proposal have likely significant effects on the ppSPA?
Vison and Objectives	None – the overall vision and objectives of the Bassetlaw Local Plan describe the overarching strategy which sets the tone for policies. The Vision and Objectives will not themselves result in new development.	n/a	n/a	n/a	n/a	No
<b>A Spatial Strategy for Bassetlaw (Policies ST1-ST4)</b>						
ST1 – Bassetlaw's Spatial Strategy  (at least 9,720 dwellings and support a growth of 9,699 jobs)	Residential development Economic development Increase in vehicle traffic Increase in recreation pressure	Air pollution Disturbance from recreation	Birklands and Bilhaugh SAC	Uncertain: recreation  The screening of this policy considers the overall number of new homes and economic development in the District. The effect of those homes and economic development in specific locations is assessed in relation to specific policies below.  The Sherwood Forest Visitor Centre is within 150m of Birklands and Bilhaugh SAC, and is likely to attract visitors from within the district. Therefore, this should be considered further at the Appropriate Assessment stage.	Sherwood Forest ppSPA	Uncertain: air pollution and recreation  The screening of this policy considers the overall number of new homes and economic development in the District. The effect of those homes and economic development in specific locations is assessed in relation to specific policies below, namely those that would result in additional development in the District. This policy will result in 10,476 new homes and 314 hectares of economic development in the District overall up to 2038.  The provision of new homes and economic development in the District is likely to relate to an increase in population and therefore result in an increase in traffic flows on roads throughout

**Appendix B**  
Screening matrix

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	Likely activities (operation) to result as a consequence of the policy	Likely effects if proposal implemented	European site(s) potentially affected	Could the proposal have likely significant effects on European sites?	Shadow HRA: ppSPA potentially affected?	Shadow HRA: Could the proposal have likely significant effects on the ppSPA?
						<p>the district. This policy could have an air pollution effect, therefore this should be considered further at the Appropriate Assessment stage.</p> <p>Development within the district has the potential to increase visitor numbers at the site and cause disturbance from recreation.</p> <p>Appropriate Assessment is required to consider the impacts further.</p>
<p>ST2 - Housing Growth in Rural Bassetlaw  (1,318 new homes across five Large Rural Settlements and 494 homes across 30 (of 34) Small Rural Settlements)</p>	<p>Residential development Economic development Increase in vehicle traffic Increase in recreation pressure</p>	<p>Air pollution Disturbance from recreation</p>	<p>Birklands and Bilhaugh SAC</p>	<p>Uncertain: recreation  The Sherwood Forest Visitor Centre is within 150m of the Birklands and Bilhaugh SAC, and is likely to attract visitors from within the district. Therefore, this should be considered further at the Appropriate Assessment stage.</p>	<p>Sherwood Forest ppSPA</p>	<p>Uncertain: air pollution and recreation  Given the small number of houses dispersed amongst various rural settlements it is considered unlikely this policy would impact upon Sherwood Forest ppSPA as a result of increased population and recreation alone. However, overall growth in the district and surrounding areas could lead to significant in-combination effects on recreation.</p> <p>This policy alone would not be expected to cause a significant increase in traffic in the District and therefore air pollution. However the overall provision of new</p>

**Appendix B**  
Screening matrix

Bassetlaw Local Plan Main Modifications: Habitats Regulations Assessment  
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	Likely activities (operation) to result as a consequence of the policy	Likely effects if proposal implemented	European site(s) potentially affected	Could the proposal have likely significant effects on European sites?	Shadow HRA: ppSPA potentially affected?	Shadow HRA: Could the proposal have likely significant effects on the ppSPA?
						homes and associated economic development in the District is likely to relate to an increase in population and therefore result in an increase in traffic flows on roads throughout the District. This policy could have an air pollution effect in-combination with other policies, namely those that would result in additional development in the District. Therefore, this should be considered further at the Appropriate Assessment stage.
ST5 - Worksop Central (approximately 238 dwellings by 2038 through completed sites, sites with planning permission, new site allocations in the Worksop Central DPD and/or from unallocated sites and supporting commercial/community uses)	Residential development and associated infrastructure, services and facilities  Economic development  Increase in vehicle traffic  Increase in recreation pressure	Air pollution  Disturbance from recreation	Birklands and Bilhaugh SAC	Uncertain: Recreation  Central Worksop is located around 13.5km from Sherwood Forest Visitor Centre. The Sherwood Forest Visitor Centre is within 150m of the Birklands and Bilhaugh SAC, and is likely to attract visitors from within the district. Therefore, this should be considered further at the Appropriate Assessment stage.	Sherwood Forest ppSPA	Uncertain: air pollution and recreation  The screening of this policy considers the provision for approximately 238 new dwellings, associated infrastructure and commercial/ community development. Central Worksop is located approximately 2km away from the ppSPA at the nearest point. Whilst details will be set out in a DPD to follow the Local Plan, this policy sets the framework for such development.  The provision of new homes and economic development

**Appendix B**  
Screening matrix

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	Likely activities (operation) to result as a consequence of the policy	Likely effects if proposal implemented	European site(s) potentially affected	Could the proposal have likely significant effects on European sites?	Shadow HRA: ppSPA potentially affected?	Shadow HRA: Could the proposal have likely significant effects on the ppSPA?
						<p>is likely to relate to an increase in population and therefore result in an increase in traffic flows on roads throughout the District. Worksop is the main town for the District and therefore it is likely many residents and workers will travel to and from the town. This in-combination with other policies, namely those that would result in additional development in the District.</p> <p>The increase in population at this location as a result of this policy could potentially contribute to an increase in visitors to the ppSPA. Therefore this policy could result in effects arising from increased recreation on the ppSPA.</p> <p>Therefore this should be considered further at the Appropriate Assessment stage.</p>
ST6 - Cottam Priority Regeneration Area  (348ha land for potential future mixed use development)	<p>Residential development</p> <p>Economic development</p> <p>Increase in vehicle traffic</p> <p>Increase in recreation pressure</p>	<p>Air pollution</p> <p>Disturbance from recreation</p> <p>Degradation of water quality</p> <p>Physical loss and damage of off-site habitat</p>	<p>Humber Estuary SAC, SPA and Ramsar</p> <p>Birklands and Bilhaugh SAC</p>	<p>Uncertain: water quality and recreation</p> <p>This site lies adjacent to the River Trent, which flows into the Humber Estuary. It is not anticipated that development at this site would result in</p>	<p>Sherwood Forest ppSPA</p>	<p>Uncertain: air pollution, Physical loss and damage and recreation</p> <p>This policy safeguards the former Cottam Power Station site and sets out the requirements that any proposals for mixed use development would need to</p>

**Appendix B**  
Screening matrix

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	Likely activities (operation) to result as a consequence of the policy	Likely effects if proposal implemented	European site(s) potentially affected	Could the proposal have likely significant effects on European sites?	Shadow HRA: ppSPA potentially affected?	Shadow HRA: Could the proposal have likely significant effects on the ppSPA?
				<p>likely significant effects on the Humber Estuary sites in itself, but significant effects could arise in-combination with development in surrounding local authority areas.</p> <p>This site is located over 21km from Sherwood Forest Visitor Centre. The Sherwood Forest Visitor Centre is within 150m of the Birklands and Bilhaugh SAC, and is likely to attract visitors from within the district. Therefore, this should be considered further at the Appropriate Assessment stage.</p>		<p>meet in order to be acceptable. In order to be precautionary, the screening of this policy considers the provision for up to 14 hectares of employment land and up to 1,600 new dwellings. The site is located approximately 15km away from the ppSPA, and comprises a former power station including buildings, hardstanding and amenity grassland.</p> <p>The provision of new homes and economic development is likely to relate to an increase in population and therefore result in an increase in traffic flows on roads throughout the District. The nearest direct strategic road is approximately 2.5km away, however given the sites close proximity to Retford and Worksop, it is likely that residents and commuters will travel to and from these destinations. This in-combination with other policies, namely those that would result in additional development in the District.</p> <p>The site includes areas of wetland, arable, grassland and scrub, which could be suitable for breeding and</p>

**Appendix B**  
Screening matrix

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	Likely activities (operation) to result as a consequence of the policy	Likely effects if proposal implemented	European site(s) potentially affected	Could the proposal have likely significant effects on European sites?	Shadow HRA: ppSPA potentially affected?	Shadow HRA: Could the proposal have likely significant effects on the ppSPA?
						<p>foraging habitat for woodlark and nightjar.</p> <p>The increase in population at this location as a result of this policy could potentially contribute to an increase in visitors to the ppSPA. Therefore this policy could result in effects arising from increased recreation on the ppSPA.</p> <p>Therefore this should be considered further at the Appropriate Assessment stage.</p>
<b>Delivering Economic Prosperity (Policies ST5-ST12)</b>						
ST7 - Provision of Land for Employment Development (Employment development at Apleyhead Junction, Worksop (118.7ha))	Economic development Increase in vehicle traffic	Air pollution Physical loss and damage of off-site habitat	n/a	n/a	Sherwood Forest ppSPA	<p>Uncertain: air pollution, non-physical disturbance and loss / damage to off-site habitat</p> <p>The screening of this policy considers the provision of employment development land, which has been assessed separately in Policy 6: Site SEM001 – Apleyhead Junction).</p> <p>This policy is likely to lead to an overall increase in vehicular traffic as a result of commuters travelling to these sites. Therefore, this policy could have an air pollution effect in-combination with other policies, namely those</p>

**Appendix B**  
Screening matrix

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	Likely activities (operation) to result as a consequence of the policy	Likely effects if proposal implemented	European site(s) potentially affected	Could the proposal have likely significant effects on European sites?	Shadow HRA: ppSPA potentially affected?	Shadow HRA: Could the proposal have likely significant effects on the ppSPA?
						that would result in additional development in the District. Therefore this needs to be considered further at the Appropriate Assessment stage.
9: Site SEM1 – Apleyhead Junction (118.7ha of employment land)	Economic development Increase in vehicle traffic Infrastructure development (improved public transport and pedestrian and cycling links)	Air pollution Physical loss and damage of off-site habitat Non-physical disturbance	n/a	n/a	Sherwood Forest ppSPA	Uncertain: air pollution, physical loss or damage to off-site habitat, non-physical disturbance  This site is situated approximately 250m from the ppSPA, the opposite side of the A57. The site comprises established woodland in the south and arable fields north of the woodland. These habitats provide optimal foraging and breeding habitat for nightjar and woodlark, and therefore likely significant effects upon ppSPA bird populations as a result of loss of off-site habitat needs to be considered at Appropriate Assessment.  The site is adjacent to the A57 and close to the A1 which connect the site directly to Worksop, Retford and the wider District. Given the close proximity of the site to the ppSPA and the size of the proposed development, there is potential for likely



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						significant effects in relation to air pollution and non-physical disturbance (noise, vibration and light), particularly in-combination with policies that would result in additional development in the District. Therefore, these factors as well as loss of off-site habitat will need to be considered further within the Appropriate Assessment stage.
ST10 – Existing Employment Sites (Protection of 22 employment sites and 7 rural employment sites)	Economic development Increase in vehicle traffic	Air pollution	n/a	n/a	Sherwood Forest ppSPA	Uncertain: air pollution  The screening of this policy considers the proposals for the potential re-development of 22 employment sites and 7 rural employment sites. It is possible that the re-use of these sites will result in an increase in vehicular traffic, and therefore result in increased air pollution. As this will be undertaken across the District, there is a likelihood that this will result in increases of traffic across the District, and therefore needs to be taken to Appropriate Assessment to consider the in-combination effects with policies that would result in additional development in the District.

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ST11 - Rural Economic Growth and Economic Growth Outside Employment Areas	Economic development Increase in vehicle traffic	Air pollution	n/a	n/a	Sherwood Forest ppSPA	Uncertain: air pollution  The screening of this policy considers the general support for proportionate rural economic development in existing locations. An increase of employment in some areas could lead to an increase in people travelling to those areas, and in traffic flows on roads in rural locations. This policy could have an air pollution effect in combination with policies that would result in additional development in the District. Therefore this should be considered further at the Appropriate Assessment stage.
New Strategic Policy: Large Rural Brownfield Sites	Economic development Increase in vehicle traffic	Air pollution	n/a	n/a	Sherwood Forest ppSPA	Uncertain: air pollution  The screening of this policy considers the general support for economic development in large brownfield sites in the countryside. However, the exact locations of development are unknown. An increase in economic activity could lead to an increase in people travelling to those areas, and in traffic flows on roads in rural locations. This policy could have an air pollution effect in-

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						combination with policies that would result in additional development in the District. Therefore this should be considered further at the Appropriate Assessment stage.
ST12 - Visitor Economy	Increase in vehicle traffic  Increase in recreation pressure	Air pollution  Disturbance from recreation	Birklands and Bilhaugh SAC	Uncertain: recreation  The screening of this policy considers the overall increase in visitors within the District as result of promoting visitors to the District.  The Sherwood Forest Visitor Centre is within 150m of the Birklands and Bilhaugh SAC, and is likely to attract visitors from within the district – whilst no site allocations are within 7km of the SAC, the visitor centre is expected to draw visitors from further afield. Therefore, this should be considered further at the Appropriate Assessment stage.	Sherwood Forest ppSPA	Uncertain: air pollution and recreation  The screening of this policy considers the overall increase in visitors within the District as result of promoting visitors to the District.  The increase in visitor numbers is likely to lead to an increase in traffic, and therefore an increase in air pollution.  The increase in visitor numbers is likely to result in an increase of recreational pressure within the District in general.  This policy could have an air pollution effect and result in disturbance from recreational pressure, therefore this should be considered further at the Appropriate Assessment stage.

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ST13: Town Centres, Local Centres and Local Shops and Services	None – this policy sets out the hierarchy town and local centres and seeks to support their vitality and viability. It will not directly result in development and the new local centres set out in the policy are considered via the relevant site allocation policies.	n/a	n/a	n/a	n/a	No
ST14: Management of Town Centres  (mixed use development at HB001: Harworth and Bircotes Town Centre extension, Scrooby Road as an extension to Howarth and Bircotes town centre, to include up to 500sqm of comparison goods floorspace, other main town centre uses, and associated infrastructure)	Economic development Infrastructure development Increase in vehicle traffic	Air pollution Physical loss and damage of off-site habitat	No	No	Sherwood Forest ppSPA	Uncertain: physical loss and damage This policy makes provision for retail and other main town centre uses and associated infrastructure within the plan period. The site lies over 13.5km from Sherwood Forest ppSPA.  Site HB001/LAA538: Harworth and Bircotes Town Centre extension, Scrooby Road supports potentially suitable breeding and foraging habitat for nightjar woodlark in woodland, scrub and grassland. Whilst it is considered unlikely that these species would depend upon this habitat given ample suitable habitat in the surrounding landscape, and due to the substantial distance between the site and the ppSPA, development as a result of this policy may

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						<p>result in physical loss or damage of off-site habitat.</p> <p>The extension of the town centre may generate some increase in traffic flows on roads throughout the District as a result of delivery and servicing vehicles, as well as potentially increasing the attractiveness of the town centre (although alternatively it could help make Howarth and Bircotes more self-contained).. This policy could have an effect in-combination with other policies, namely those that would result in additional development in the District. Therefore this should be considered further at the Appropriate Assessment stage.</p>
<b>Living Communities (Policies ST13-32)</b>						
ST15 – Housing Distribution	None – this policy refers to specific site allocations for housing. The allocations referenced in this policy have been subject to HRA screening separately below.	n/a	n/a	n/a	n/a	No
16: HS1 - Peaks Hill Farm, (approximately 655 dwellings, 5ha of employment land and supporting infrastructure)	Residential development Employment development Infrastructure development (new road)	Disturbance from recreation Air pollution Physical loss and damage of off-site habitat	Birklands and Bilhaugh SAC	Uncertain: recreation This site is approximately 15km	Sherwood Forest ppSPA	Uncertain: recreation, air pollution and physical loss and damage This policy makes provision for c.1,080 homes and 5ha employment land within the plan period,

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	<p>Increase in vehicle traffic</p> <p>Increase in recreation pressure</p>			<p>from Sherwood Forest Visitor Centre.</p> <p>The Sherwood Forest Visitor Centre is within 150m of the Birklands and Bilhaugh SAC, and is likely to attract visitors from within the district. Therefore, this should be considered further at the Appropriate Assessment stage.</p>		<p>with further development beyond 2038. The site lies 3.7km from Sherwood Forest ppSPA.</p> <p>Peaks Hill Farm, Worksop supports suitable winter foraging habitat for woodlark in large arable fields. Additionally, several areas of established woodland are dispersed amongst the allocation site, and this provides suitable breeding habitat for both of these species. Whilst it is considered unlikely that these species would depend upon this habitat given ample suitable habitat in the surrounding landscape, and due to the sites location on the opposite side of Worksop town to the ppSPA, development as a result of this policy may result in physical loss or damage of off-site habitat.</p> <p>The increase in population at this location as a result of this policy could potentially contribute to an increase in visitors to the ppSPA. Therefore this policy could result in effects arising from increased recreation on the ppSPA.</p>

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						The provision of new homes is likely to relate to an increase in population and therefore result in an increase in traffic flows on roads throughout the District. This policy could have an effect in-combination with other policies, namely those that would result in additional development in the District. Therefore this should be considered further at the Appropriate Assessment stage.
17: HS2 - Former Pupil Referral Centre  (approximately 20 new dwellings and supporting infrastructure)	Residential development  Increase in vehicle traffic  Increase in recreation pressure	Disturbance from recreation  Air pollution	Birklands and Bilhaugh SAC	Uncertain: recreation  The site lies approximately 12km from the Sherwood Forest Visitor Centre.  The Sherwood Forest Visitor Centre is within 150m of the Birklands and Bilhaugh SAC, and is likely to attract visitors from within the district. Therefore, this should be considered further at the Appropriate Assessment stage.	Sherwood Forest ppSPA	Uncertain: recreation and air pollution  This policy makes provision for c.23 new dwellings and lies 1km from Sherwood Forest ppSPA. It comprises amenity grassland and built habitats.  The increase in population at this location as a result of this policy could potentially contribute to an increase in visitors to the ppSPA. Therefore this policy could result in effects arising from increased recreation on the ppSPA.  The provision of new homes is likely to relate to an increase in population and therefore result in an

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						increase in traffic flows on roads throughout the District. This policy could have an in-combination effect with other policies, namely those that may result in additional development in the District. Therefore this should be considered further at the Appropriate Assessment stage.
18: HS3 – Radford Street (approximately 120 new dwellings and supporting infrastructure)	Residential development Increase in vehicle traffic Increase in recreation pressure	Disturbance from recreation Air pollution Physical loss and damage of off-site habitat	Birklands and Bilhaugh SAC	Uncertain: recreation  This site is approximately 11.5km from the Sherwood Forest Visitor Centre.  The Sherwood Forest Visitor Centre is within 150m of the Birklands and Bilhaugh SAC, and is likely to attract visitors from within the district. Therefore, this should be considered further at the Appropriate Assessment stage.	Sherwood Forest ppSPA	Uncertain: recreation, air pollution and physical loss and damage  This policy makes provision for 120 new dwellings and lies 1.3km from Sherwood Forest ppSPA. The allocation site supports suitable foraging opportunities for nightjar in a field of rough grassland habitat.  The increase in population at this location as a result of this policy could potentially contribute to an increase in visitors to the ppSPA. Therefore this policy could result in effects arising from increased recreation on the ppSPA.  The provision of new homes is likely to relate to an increase in population and therefore result in an increase in traffic flows on



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	Likely activities (operation) to result as a consequence of the policy	Likely effects if proposal implemented	European site(s) potentially affected	Could the proposal have likely significant effects on European sites?	Shadow HRA: ppSPA potentially affected?	Shadow HRA: Could the proposal have likely significant effects on the ppSPA?
						roads throughout the District. This policy could have an air pollution effect in-combination with other policies, namely those that would result in additional development in the District. Therefore this should be considered further at the Appropriate Assessment stage.
19: HS4 - Former Manton Primary School  (approximately 100 new dwellings and supporting infrastructure)	Residential development  Increase in vehicle traffic  Increase in recreation pressure	Disturbance from recreation  Air pollution	Birklands and Bilhaugh SAC	Uncertain: recreation  This site is approximately 11.2km from the Sherwood Forest Visitor Centre.  The Sherwood Forest Visitor Centre is within 150m of the Birklands and Bilhaugh SAC, and is likely to attract visitors from within the district. Therefore, this should be considered further at the Appropriate Assessment stage.	Sherwood Forest ppSPA	Uncertain: recreation and air pollution  This policy makes provision for c.100 new dwellings and lies 550m from Sherwood Forest ppSPA. The allocation site comprises amenity grassland and built habitats. The increase in population at this location as a result of this policy could potentially contribute to an increase in visitors to the ppSPA. Therefore this policy could result in effects arising from increased recreation on the ppSPA.  The provision of new homes is likely to relate to an increase in population and therefore result in an increase in traffic flows on roads throughout the District. This policy could have an air pollution effect in-

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						combination with other policies, namely those that would result in additional development in the District. Therefore this should be considered further at the Appropriate Assessment stage.
20: HS5 - Talbot Road (approximately 15 new dwellings and supporting infrastructure)	Residential development Increase in vehicle traffic Increase in recreation pressure	Air pollution Physical loss and damage of off-site habitat Disturbance from recreation	Birklands and Bilhaugh SAC	Uncertain: recreation  This site is approximately 12km from the Sherwood Forest Visitor Centre.  The Sherwood Forest Visitor Centre is within 150m of the Birklands and Bilhaugh SAC, and is likely to attract visitors from within the district. Therefore, this should be considered further at the Appropriate Assessment stage.	Sherwood Forest ppSPA	Uncertain: recreation, air pollution and physical loss and damage  This policy makes provision for c.15 new dwellings and lies 1.3km from Sherwood Forest ppSPA. The allocation site supports suitable winter foraging opportunities for both qualifying species in a field of rough grassland habitat with hedgerows. Whilst it is considered unlikely that these species would depend upon this habitat given ample suitable foraging habitat in the surrounding landscape, the small size and urban setting within a housing estate in Worksop, it is uncertain if development at this site as a result of this policy may result in physical loss or damage of off-site habitat.  The increase in population at this location as a result of this policy could potentially

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						<p>contribute to an increase in visitors to the ppSPA. Therefore this policy could result in effects arising from increased recreation on the ppSPA.</p> <p>The provision of new homes is likely to relate to an increase in population and therefore result in an increase in traffic flows on roads throughout the District. This policy could have an air pollution effect in-combination with other policies, namely those that would result in additional development in the District. Therefore this should be considered further at the Appropriate Assessment stage.</p>
<p>21: HS7 - Trinity Farm (approximately 305 new dwellings and supporting infrastructure)</p>	<p>Residential development Economic development Increase in vehicle traffic Increase in recreation pressure</p>	<p>Disturbance from recreation Air pollution Physical loss and damage of off-site habitat (foraging only)</p>	<p>Birklands and Bilhaugh SAC</p>	<p>Uncertain: recreation This site is approximately 16.5km from the Sherwood Forest Visitor Centre. The Sherwood Forest Visitor Centre is within 150m of the Birklands and Bilhaugh SAC, and is likely to attract visitors from within the district. Therefore, this should be considered further at</p>	<p>Sherwood Forest ppSPA</p>	<p>Uncertain: recreation, air pollution and physical loss and damage This policy makes provision for c.305 homes. The site lies 5.8km from Sherwood Forest ppSPA. Site HS7 - Trinity Farm, Retford supports suitable winter foraging habitat for both qualifying species in arable fields adjacent to established woodland. Whilst it is considered unlikely that</p>

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				the Appropriate Assessment stage.		<p>these species would depend upon this habitat given ample suitable habitat in the surrounding landscape, and given the distance from the ppSPA, development at Site HS7 - Trinity Farm, Retford as a result of this policy may result in physical loss or damage of off-site habitat.</p> <p>The increase in population at this location as a result of the housing development could potentially contribute to an increase in visitors to the ppSPA. Therefore this policy could result in effects arising from increased recreation on the ppSPA.</p> <p>The provision of new homes is likely to relate to an increase in population and therefore result in an increase in traffic flows on roads throughout the District. This policy could have an air pollution effect in-combination with other policies, namely those that would result in additional development in the District. Therefore this should be considered further at the Appropriate Assessment stage.</p>

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22: HS8: Milnecroft (approximately 5 new dwellings, a community garden and supporting infrastructure)	Residential development Increase in vehicle traffic Increase in recreation pressure	Air pollution Disturbance from recreation	Birklands and Bilhaugh SAC	Uncertain: recreation  This site is approximately 16.8km from the Sherwood Forest Visitor Centre.  The Sherwood Forest Visitor Centre is within 150m of the Birklands and Bilhaugh SAC, and is likely to attract visitors from within the district. Therefore, this should be considered further at the Appropriate Assessment stage.	Sherwood Forest ppSPA	Uncertain: recreation, air pollution and physical loss and damage  This policy makes provision for 5 new dwellings and lies 6.9km from Sherwood Forest ppSPA.  The increase in population at this location as a result of this policy could potentially contribute to an increase in visitors to the ppSPA. Therefore this policy could result in effects arising from increased recreation on the ppSPA.  The provision of new homes is likely to relate to an increase in population and therefore result in an increase in traffic flows on roads throughout the District. This policy could have an air pollution effect in-combination with other policies, namely those that would result in additional development in the District. Therefore this should be considered further at the Appropriate Assessment stage.
23: HS9 – Former Elizabethan School	Residential development Increase in vehicle traffic	Air pollution	Birklands and Bilhaugh SAC	Uncertain: recreation  This site is around 16.3km from the	Sherwood Forest ppSPA	Uncertain: air pollution, physical loss and damage, and recreation

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(approximately 46 new dwelling and supporting infrastructure)	Increase in recreation pressure	Physical loss and damage of off-site habitat  Disturbance from recreation		Sherwood Forest Visitor Centre.  The Sherwood Forest Visitor Centre is within 150m of the Birklands and Bilhaugh SAC, and is likely to attract visitors from within the district. Therefore, this should be considered further at the Appropriate Assessment stage.		This policy makes provision for c.46 new dwellings and lies around 6.3km from Sherwood Forest ppSPA.  The allocation site supports suitable winter foraging opportunities for both qualifying species in disturbed grassland and bare ground. It is uncertain if development at this site as a result of this policy may result in physical loss or damage of off-site habitat.  This policy allocates at least 46 dwellings, therefore it is possible that 50 dwellings or more could be delivered at this site. The increase in population at this location as a result of this policy could potentially contribute to an increase in visitors to the ppSPA. Therefore this policy could result in effects arising from increased recreation on the ppSPA.  The provision of new homes is likely to relate to an increase in population and therefore result in an increase in traffic flows on roads throughout the District. This policy could have an air pollution effect in-

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						combination with other policies, namely those that would result in additional development in the District. Therefore this should be considered further at the Appropriate Assessment stage.
24: HS10 – St Michael's View (approximately 20 dwellings and supporting infrastructure)	Residential development Increase in vehicle traffic Increase in recreation pressure	Air pollution Physical loss and damage of off-site habitat Disturbance from recreation	Birklands and Bilhaugh SAC	Uncertain: recreation  This site is around 16.2km from the Sherwood Forest Visitor Centre.  The Sherwood Forest Visitor Centre is within 150m of the Birklands and Bilhaugh SAC, and is likely to attract visitors from within the district. Therefore, this should be considered further at the Appropriate Assessment stage.	Sherwood Forest ppSPA	Uncertain: air pollution and recreation  This policy makes provision for c.20 new dwellings and lies around 6.5km from Sherwood Forest ppSPA.  The provision of new homes is likely to relate to an increase in population and therefore result in an increase in traffic flows on roads throughout the District. This policy could have an air pollution effect in-combination with other policies, namely those that would result in additional development in the District.  The increase in population at this location as a result of this policy could potentially contribute to an increase in visitors to the ppSPA. Therefore this policy could result in effects arising from increased recreation on the ppSPA.

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						Therefore this should be considered further at the Appropriate Assessment stage.
25: HS11 – Fairygrove (approximately 61 new dwellings and supporting infrastructure)	Residential development Increase in vehicle traffic Increase in recreation pressure	Air pollution Physical loss and damage of off-site habitat Disturbance from recreation	Birklands and Bilhaugh SAC	Uncertain: recreation  This site is just over 15km from the Sherwood Forest Visitor Centre.  The Sherwood Forest Visitor Centre is within 150m of the Birklands and Bilhaugh SAC, and is likely to attract visitors from within the district. Therefore, this should be considered further at the Appropriate Assessment stage.	Sherwood Forest ppSPA	Uncertain: recreation, air pollution and physical loss and damage  This policy makes provision for c.61 new dwellings and lies 6km from Sherwood Forest ppSPA. The allocation site supports suitable winter foraging opportunities for woodlark, as part of the site is arable land. Whilst it is considered unlikely that this species would depend upon this habitat given ample suitable foraging habitat in the surrounding landscape, it is uncertain if development at this site as a result of this policy may result in physical loss or damage of off-site habitat.  The increase in population at this location as a result of this policy could potentially contribute to an increase in visitors to the ppSPA. Therefore this policy could result in effects arising from increased recreation on the ppSPA.  The provision of new homes is likely to relate to an



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						increase in population and therefore result in an increase in traffic flows on roads throughout the District. This policy could have an air pollution effect in-combination with other policies, namely those that would result in additional development in the District. Therefore this should be considered further at the Appropriate Assessment stage.
26: HS12 – Station Road (approximately 5 dwellings)	Residential development Increase in vehicle traffic Increase in recreation pressure	Air pollution Physical loss and damage of off-site habitat Disturbance from recreation	Birklands and Bilhaugh SAC	Uncertain: recreation This site is around 15km from the Sherwood Forest Visitor Centre. The Sherwood Forest Visitor Centre is within 150m of the Birklands and Bilhaugh SAC, and is likely to attract visitors from within the district. Therefore, this should be considered further at the Appropriate Assessment stage.	Sherwood Forest ppSPA	Uncertain: air pollution and recreation This policy makes provision for c.5 new dwellings and lies around 6.1km from Sherwood Forest ppSPA. The provision of new homes is likely to relate to an increase in population and therefore result in an increase in traffic flows on roads throughout the District. This policy could have an air pollution effect in-combination with other policies, namely those that would result in additional development in the District. The increase in population at this location as a result of this policy could potentially contribute to an increase in

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						<p>visitors to the ppSPA. This is unlikely to be significant alone due to the small scale of development, but this policy could result in effects arising from increased recreation on the ppSPA in combination with other residential development.</p> <p>Therefore this should be considered further at the Appropriate Assessment stage.</p>
<p>27: HS13 – Ordsall South (approximately 960 new dwellings)</p>	<p>Residential development Increase in vehicle traffic Increase in recreation pressure</p>	<p>Air pollution Physical loss and damage of off-site habitat Disturbance from recreation</p>	<p>Birklands and Bilhaugh SAC</p>	<p>Uncertain: recreation This site is just over 12.8km from the Sherwood Forest Visitor Centre. The Sherwood Forest Visitor Centre is within 150m of the Birklands and Bilhaugh SAC, and is likely to attract visitors from within the district. Therefore, this should be considered further at the Appropriate Assessment stage.</p>	<p>Sherwood Forest ppSPA</p>	<p>Uncertain: air pollution, recreation and physical loss and damage This policy makes provision for 960 new dwellings and lies around 3.4km from Sherwood Forest ppSPA. The allocation site supports suitable winter foraging opportunities for woodlark, in arable habitat. Whilst it is considered unlikely that these species would depend upon this habitat given ample suitable foraging habitat in the surrounding landscape, it is uncertain if development at this site as a result of this policy may result in physical loss or damage of off-site habitat.</p>

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	Likely activities (operation) to result as a consequence of the policy	Likely effects if proposal implemented	European site(s) potentially affected	Could the proposal have likely significant effects on European sites?	Shadow HRA: ppSPA potentially affected?	Shadow HRA: Could the proposal have likely significant effects on the ppSPA?
						<p>The increase in population at this location as a result of this policy could potentially contribute to an increase in visitors to the ppSPA. Therefore this policy could result in effects arising from increased recreation on the ppSPA.</p> <p>The provision of new homes is likely to relate to an increase in population and therefore result in an increase in traffic flows on roads throughout the District. This policy could have an air pollution effect in combination with other policies, namely those that would result in additional development in the District. Therefore this should be considered further at the Appropriate Assessment stage.</p>
28: NP04 - Ollerton Road (Approximately 75 new dwellings)	<p>Residential development</p> <p>Increase in vehicle traffic</p> <p>Increase in recreation pressure</p>	<p>Air pollution</p> <p>Physical loss and damage of off-site habitat</p> <p>Disturbance from recreation</p>	Birklands and Bilhaugh SAC	<p>Uncertain: recreation</p> <p>This site is just over 11.5km from the Sherwood Forest Visitor Centre.</p> <p>The Sherwood Forest Visitor Centre is within 150m of the Birklands and Bilhaugh SAC, and is likely to attract visitors from within the district.</p>	Sherwood Forest ppSPA	<p>Uncertain: air pollution, recreation and physical loss and damage</p> <p>This policy makes provision for c.75 new dwellings and lies 6km from Sherwood Forest ppSPA.</p> <p>The allocation site supports suitable winter foraging opportunities for woodlark in arable habitat. Whilst it is</p>

**Appendix B**  
 Screening matrix

Bassetlaw Local Plan Main Modifications: Habitats Regulations Assessment  
 August 2023

	Likely activities (operation) to result as a consequence of the policy	Likely effects if proposal implemented	European site(s) potentially affected	Could the proposal have likely significant effects on European sites?	Shadow HRA: ppSPA potentially affected?	Shadow HRA: Could the proposal have likely significant effects on the ppSPA?
				<p>Therefore, this should be considered further at the Appropriate Assessment stage.</p>		<p>considered unlikely that these species would depend upon this habitat given ample suitable foraging habitat in the surrounding landscape, and distance from the ppSPA, it is uncertain if development at this site as a result of this policy may result in physical loss or damage of off-site habitat.</p> <p>The increase in population at this location as a result of this policy could potentially contribute to an increase in visitors to the ppSPA. Therefore this policy could result in effects arising from increased recreation on the ppSPA.</p> <p>The provision of new homes is likely to relate to an increase in population and therefore result in an increase in traffic flows on roads throughout the District. This policy could have an air pollution effect in-combination with other policies, namely those that would result in additional development in the District. Therefore this should be considered further at the Appropriate Assessment stage.</p>

**Appendix B**  
Screening matrix

Bassetlaw Local Plan Main Modifications: Habitats Regulations Assessment  
August 2023

	Likely activities (operation) to result as a consequence of the policy	Likely effects if proposal implemented	European site(s) potentially affected	Could the proposal have likely significant effects on European sites?	Shadow HRA: ppSPA potentially affected?	Shadow HRA: Could the proposal have likely significant effects on the ppSPA?
ST29 - Affordable Housing	None – this policy sets out the need to provide affordable homes within the life of the plan and how these should come forward. It will not itself result in new development.	n/a	n/a	n/a	n/a	No
ST30 - Housing Mix	None – this policy sets out the requirement to consider an appropriate mix of housing for local people's needs. It will not itself result in new development.	n/a	n/a	n/a	n/a	No
ST31 - Specialist Housing	None – this policy sets out the requirement to allow for specialist housing within the district. It will not itself result in new development.	n/a	n/a	n/a	n/a	No
ST32 - Sites for Gypsies and Travellers (49 pitches in the plan period)	Establishment of permanent Gypsy and Traveller pitches Increase in vehicle traffic Increase in recreation pressure	Air pollution Disturbance from recreation	Birklands and Bilhaugh SAC	Uncertain: recreation  The closest Gypsy and Traveller site to the Sherwood Forest Visitor Centre is approximately 18.3km away (Land at East Drayton).  The Sherwood Forest Visitor Centre is within 150m of the Birklands and Bilhaugh SAC, and is likely to attract visitors from within the district. Therefore, this should be considered further at	Sherwood Forest ppSPA	Uncertain: air pollution  Given that this policy allows for a limited number of permanent pitches to meet needs, this policy alone would not be expected to cause a significant increase in traffic in the District and therefore air pollution. However the overall provision of new homes, including additional pitches, and associated economic development in the District is likely to relate to an increase in population and therefore result in an increase in traffic

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August 2023

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				the Appropriate Assessment stage.		flows on roads throughout the District. This policy could have an air pollution effect in combination with other policies, namely those that would result in additional development in the District. Therefore, this should be considered further at the Appropriate Assessment stage.
33 - Houses in Multiple Occupation	None – this policy sets out allowances for houses in multiple occupation in the district. It will not itself result in new development.	n/a	n/a	n/a	n/a	No
34 – Agricultural and Forestry Workers Dwellings	None – this policy supports the need for rural workers dwellings within the district. The policy does not allocate development. Any dwellings coming forward under this policy will be exceptional and are expected to be single dwellings and modest in scale, therefore unlikely to result in effects on a European site and any effects would be negligible.	n/a	n/a	n/a	n/a	No
<b>Local Character and Distinctiveness (Policies ST33-41)</b>						
ST35 - Design Quality	None – this policy sets principles for the design of new development, it will not result in new development.	n/a	n/a	n/a	n/a	No

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Bassetlaw Local Plan Main Modifications: Habitats Regulations Assessment  
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36 - Shopfronts, Signage and Security	None – this policy sets principles for the design of shop fronts and signage, it will not result in new development.	n/a	n/a	n/a	n/a	No
ST37 - Landscape Character	None – this policy sets out principles to protect the landscape and countryside from inappropriate development, it will not result in new development.	n/a	n/a	n/a	n/a	No
ST38 – Green Gaps	None – this policy establishes Green Gaps. Development within Green Gap is required to submit a Landscape Statement.	n/a	n/a	n/a	n/a	No
ST39 – Green and Blue Infrastructure	None – this policy requires new development to contribute to green and blue infrastructure; it is not expected to result in development or an increase traffic or visitor numbers.	n/a	n/a	n/a	n/a	No
ST40 - Biodiversity and Geodiversity	None – this policy requires new development to protect biodiversity and geodiversity, it will not itself result in development or an increase traffic or visitor numbers.	n/a	n/a	n/a	n/a	No
41 – Trees, Woodlands and Hedgerows	None- this policy seeks to protect existing trees, woodlands and hedgerows. It	n/a	n/a	n/a	n/a	No

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	also sets a requirement for major developments.					
ST41 - The Historic Environment	None – this policy protects the Historic Environment, it will not result in new development.	n/a	n/a	n/a	n/a	No
43 - Heritage Assets	None – this policy supports development where it will enhance the Historic Environment, it will not result in new development.	n/a	n/a	n/a	n/a	No
<b>Healthy Communities (Policies ST42-47)</b>						
ST44 - Promoting Health and Well-being	None – this policy sets out how the council will enable an environment which supports healthy, active, inclusive and safe communities; it will not result in development.	n/a	n/a	n/a	n/a	No
ST45 - Promoting Community Services and Facilities	None – this policy relates to the protection of Community Services and Facilities, it will not result in new development.	n/a	n/a	n/a	n/a	No
ST45 – Delivering Quality Open Space	None – this policy requires new development to protect and make provision for open space for residents, it will not itself result in development or an increase traffic or visitor numbers.	n/a	n/a	n/a	n/a	No



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Bassetlaw Local Plan Main Modifications: Habitats Regulations Assessment  
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ST47 – Promoting Sport and Recreation	None – this policy sets out the provision for new sports and leisure facilities across the District, it will not result in development.	n/a	n/a	n/a	n/a	No
48 – Protecting Amenity	None – this policy sets out protection measures and the need to consider private amenity for development proposals, it will not result in development.	n/a	n/a	n/a	n/a	No
49 - Contaminated and Unstable Land	None – this policy sets out the need to consider contaminated and unstable land within development site applications; it will not result in development.	n/a	n/a	n/a	n/a	No
<b>Greening Bassetlaw (Policies ST48-ST51)</b>						
ST50 – Reducing Carbon Emissions, Climate Change Mitigation and Adaptation	None – this policy relates to encouraging the design of development to improve resilience to the effects of climate change taking into account the design principles in the Bassetlaw Design Quality SPD and the Bassetlaw Design Code, it will not result in new development.	n/a	n/a	n/a	n/a	No
ST51 - Renewable and Low Carbon Energy Generation	None – this policy supports schemes and development for renewable and low carbon	n/a	n/a	n/a	n/a	No

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	energy, it will not directly result in new development.					
ST52 - Flood Risk and Drainage	None - this policy requires development to consider flood risk and principles for the sustainable design of new development to minimise flood risk, but will not result in new development.	n/a	n/a	n/a	n/a	No
ST53 - Protecting Water Quality and Management	None – this policy requires development to protect and improve the river environment and water quality, ensuring adequate water infrastructure and sustainable water management; it will not result in new development.	n/a	n/a	n/a	n/a	No
<b>Transport and Connectivity (Policies ST52-ST56)</b>						
ST54 - Transport Infrastructure and Improvement	None – this policy supports the need and provision for transport infrastructure to support future housing and economic growth. The policy primarily supports general improvements to road networks and supports sustainable transport measures.	n/a	n/a	n/a	n/a	No
ST55 – Promoting Sustainable Transport and Active Travel	None – this policy sets out support and preference for sustainable transport, including criteria for	n/a	n/a	n/a	n/a	No

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	Likely activities (operation) to result as a consequence of the policy	Likely effects if proposal implemented	European site(s) potentially affected	Could the proposal have likely significant effects on European sites?	Shadow HRA: ppSPA potentially affected?	Shadow HRA: Could the proposal have likely significant effects on the ppSPA?
	development proposals but will not result in development.					
ST56 - Safeguarded Land	None – this policy safeguards land to allow for infrastructure to support other developments which will be implemented through other policies, which have been subject to HRA screening separate below and will be re-assessed through a review of the Local Plan, which would need to be subject to further HRA.	n/a	n/a	n/a	n/a	No
ST57 – Digital Infrastructure	None – this policy sets out requirements to support digital connectivity. It will not result in development.	n/a	n/a	n/a	n/a	No
ST58 - Provision and Delivery of Infrastructure	None – this policy sets out how the provision and delivery of infrastructure will be managed to support development within the District, it will not result in development.	n/a	n/a	n/a	n/a	No

## Appendix C

### Plans with the Potential for In-Combination Effects with Bassetlaw District

#### Local Plans and Strategies

North Lincolnshire Saved Policies Direction and List of Saved Policies (September 2007)

North Lincolnshire Core Strategy (Adopted June 2011)

North Lincolnshire Housing and Employment Land Allocations DPD (Adopted March 2016)

North Lincolnshire Local Plan Submission (November 2022)

North Lincolnshire lies to the north of Bassetlaw District.

North Lincolnshire Council submitted its new Local Plan in November 2022. The adopted local plan is focused on below, followed by the emerging local plan.

#### Housing Provision:

Core Strategy policy CS7: Overall Housing Provision states that between 2010 and 2026, North Lincolnshire's housing requirement is for 12,063 new dwellings to be provided (754 new dwellings per year). Of these new dwellings around 3,482 will be provided from sites that already have planning permission or are under construction. Dependent upon the location of a development site at least the following net density ranges should be achieved within a residential development site, or the residential element of a mixed use site:

- Scunthorpe town centre: 45-70 dwellings per hectare
- Within Scunthorpe and Market Towns development limits: 40-45 dwellings per hectare
- Within rural settlements and the countryside: 30-35 dwellings per hectare.

According to Core Strategy policy CS8: Spatial Distribution of Housing Sites:

- 82% of all new dwellings will be located in and adjacent to the urban area, equating 9,892 new dwellings. A total of 6,000 new dwellings will be provided within the Lincolnshire Lakes area during the plan period, with 1,250 being provided elsewhere within the urban area. Of these new dwellings 2,642 will be provided from sites that already have planning permission or are under construction.
- 18% of all new dwellings will be located within the Market Towns of Barton upon Humber, Brigg, Crowle, Kirton in Lindsey and Winterton, equating to 2,171 new dwellings.

#### Employment Land Provision:

Core Strategy policy CS11: Provision and Distribution of Employment Land states that an additional 40 hectares of employment land will be identified and allocated in the Housing and Employment Land Allocations DPD between 2006 and 2021. Strategic employment sites will be identified in the following broad locations:

- Scunthorpe – 71 hectares
- Market Towns – 10 hectares
- Humberside Airport – 20 hectares
- Sandtoft Business Park – 58.5 hectares

#### Local Plan Submission (November 2022):

## Appendix C

### Plans with the Potential for In-Combination Effects with Bassetlaw District

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Local Plan Policy SS2: Spatial Strategy for North Lincolnshire sets out to deliver 7,128 homes and support the creation of 11,500 new jobs in priority sectors. Policy SS2 also supports the delivery of 131.7ha of employment land. Large-scale residential development will be focused at Scunthorpe and Bottesford, with substantial growth through smaller sites at the principal towns of Barton upon Humber and Brigg. A smaller level of growth will be delivered at the large service centres, large rural settlements and smaller rural settlements.

#### HRA Findings:

The HRA Report that accompanies the Core Strategy is the 2010 Habitats Regulations Appropriate Assessment (Stage 2) report. It concludes that, taking account of the effects of the implementation of appropriate mitigation measures, the Core Strategy either alone or in combination with other plans, is unlikely to lead to adverse effects on the integrity of the Humber Estuary SAC, SPA or Ramsar site or the Thorne Moor SAC, the Hatfield Moor SAC or the Thorne and Hatfield Moors SPA.

The HRA Report that accompanies the Housing and Employment Land Allocations DPD is the December 2014 Habitats Regulations Assessment. This document identified potential for likely significant effects, therefore Appropriate Assessment was undertaken (presented in the same document). The HRA concluded that, when taking mitigation measures into account, the DPD would not have an adverse effect on any European site either alone or in-combination with other plans or projects.

The HRA Report that accompanies the Preferred Options stage of the emerging Local Plan is the 2020 Shadow Habitats Regulations Assessment. The Screening Assessment determined that the Preferred Options and site allocations currently detailed in the North Lincolnshire Local Plan could potentially have significant effects, both alone and in-combination with other plans and projects, on a number of European sites, therefore appropriate assessment was required. However, the appropriate assessment concluded that the existing policies and provisions in the of the North Lincolnshire Local Plan Preferred Options and Site Allocations, in relation to recreational pressures, urbanisation, atmospheric pollution, water pollution/siltation and flood and water management will ensure that the Local Plan will have no adverse effects on the integrity of any European sites.

#### Central Lincolnshire Local Plan (Adopted April 2023)

The Central Lincolnshire Local Plan covers the combined areas of the City of Lincoln, North Kesteven and West Lindsey. West Lindsey is located to the north east of Bassetlaw District.

The Central Lincolnshire Local Plan was adopted in April 2023.

#### Housing and employment land provision:

Policy S2: Growth Levels and Distribution sets out an aim to facilitate delivery of 29,150 new dwellings and creation of around 24,000 new jobs over the plan period 2018-2040, distributed as follows:

- Lincoln Strategy Area – around 64% (18,656) of the total homes and employment land needed.
- Gainsborough – around 12% (3,498) of the total homes and employment land needed.
- Sleaford – around 12% (3,498) of the total homes and employment land needed.
- Elsewhere – around 12% (3,498) of the total homes and employment land needed

#### HRA Findings:

The HRA of the Central Lincolnshire Local Plan Proposed Submission Draft (Regulation 19) (March 2022) concluded that likely significant effects could not be ruled out at the screening stage in relation to The Wash SPA/Ramsar site, The Wash and North Norfolk Coast SAC, Humber Estuary SPA/Ramsar site and the Humber Estuary SAC as a result of habitat loss/fragmentation, physical damage, disturbance, hydrological changes and atmospheric pollution. The Local Plan was therefore screened into Appropriate Assessment. The Appropriate Assessment concluded that, provided the identified mitigation and recommendations identified out in the HRA Report (relating to existing/proposed policies / arrangements) are implemented, there will be no adverse effects on integrity of any European sites. An addendum report to this HRA was produced in January 2023 which included Main Modifications. The HRA Addendum concluded that the conclusions of the

March 2022 HRA, taking into account the recommended Main Modifications, remain valid; that the Local Plan will not result in adverse effects on the integrity of any European Site, either alone or in-combination with other plans or projects.

#### Newark & Sherwood Allocations & Development Management DPD (Adopted July 2013)

#### Newark & Sherwood Publication Amended Allocations & Development Management DPD (November 2022)

#### Newark & Sherwood Plan Review – Amended Core Strategy (Adopted March 2019)

Newark & Sherwood is located to the south of Bassetlaw District.

In adopting the Allocations & Development Management DPD the Council has committed to an early review of the already adopted DPDs. The Amended Allocations & Development Management DPD is in the process of being reviewed, with an options report published in 2021.

#### Housing Provision:

Amended Core Strategy Spatial Policy 2: Spatial Distribution of Growth states that the housing requirements for Newark & Sherwood District between 2013 and 2033 are 9,080 dwellings. When discounting dwelling completions and commitments in settlements which are not central to the delivery of the Spatial Strategy, the total number of dwellings to be allocated by the District Council between 2013 and 2033 in the Sub-Regional Centre, Service Centres and Principal Villages is in the region of 8,806 dwellings. In allocating sites for housing development, the following percentages will be met:

- Sub-Regional Centre – 60% of overall growth
- Service Centres – 30% of overall growth
- Principal Villages – 10% of overall growth

#### Employment Land Provision:

According to Spatial Policy 2, the employment land requirement for Newark & Sherwood District between 2013 and 2033 is a minimum of 83.1 hectares. This figure is distributed amongst the five Areas of the District (Newark Area, Southwell Area, Nottingham Fringe Area, Sherwood Area and Mansfield Fringe Area).

#### HRA Findings:

The HRA Report of the Plan Amended Core Strategy (PACS) concludes that the likelihood of in-combination effects with the PACS is negligible, therefore no in-combination effects have been identified. The HRA Report recommends working closely with neighbouring authorities surrounding Sherwood Forest to improve the understanding of potential visitor pressures at Sherwood Forest ppSPA and Birklands & Bilhaugh SAC. The HRA Report of the Publication Allocations and Development Management DPD initially screened in Birklands and Bilhaugh SAC and Humber Estuary SPA, SAC and Ramsar site. In addition, the Sherwood Forest ppSPA was screened in. Following Appropriate Assessment and adoption of the HRA recommendations, it was concluded that the DPD would not have adverse impact on site integrity at Bilhaugh SAC; Humber Estuary SPA, SAC and Ramsar site and Sherwood Forest ppSPA.

#### Mansfield District Local Plan 2013-2033 (September 2020)

Mansfield is located to the south of Bassetlaw District.

The Mansfield Local Plan was adopted in 2020. The Local plan is currently being reviewed to cover upto 2041.

#### Housing Provision:

Policy S2: The spatial strategy states that at least 6,500 new homes will be provided between 2013 and 2033. This will be distributed as follows:

- Mansfield urban area – 90% or at least 5,850 new homes; and
- Warsop Parish – 10% or at least 650 new homes.

#### Employment Land Provision:

Policy S2: The spatial strategy states that existing employment areas will be safeguarded, and 41ha of employment land for development will be identified between 2013 and 2033.

**HRA Findings:**

The HRA Report accompanying the adopted Local Plan concludes that no likely significant effects on the SAC will arise from the Mansfield Local Plan either alone or in combination with other plans and projects. Furthermore, no adverse effects will arise from the Mansfield Local Plan in relation to Sherwood ppSPA, either alone or in combination with other plans or projects.

**Local Plan for Bolsover District (adopted on 4<sup>th</sup> March 2020)**

Bolsover is located south west of Bassetlaw District. Bolsover District Council have decided to prepare a Growth Plan for Creswell. The Growth Plan will set out plans for how Creswell could grow and prosper over the next five years and beyond. The Creswell Growth Plan will be a non-statutory planning document that will sit on top of the Local Plan for Bolsover District. The Growth Plan will be a material consideration.

**Housing Provision:**

Policy SS2: Scale of Development states that the Local Plan will accommodate new growth and investment in Bolsover District by making provision for:

- Sufficient land to accommodate the delivery (proposed modification: 'a minimum') of 5,168 dwellings (272 new homes per year) to meet the Council's Housing Objectively Assessed Need across the period 2014 to 2033.
- An additional housing land supply buffer of 10% for site flexibility applied across the period 2014 to 2033 (up to a planned scale of housing provision of 5,700 dwellings).

**Employment Land Provision:**

Core Strategy Policy SS2: Scale of Development states that the Local Plan will accommodate growth and investment in Bolsover District by making provision for:

- Sufficient land to accommodate 92 hectares of employment land across the period 2015 to 2033.

**HRA Findings:**

The Publication Draft HRA concludes that most aspects of the plan will have no adverse effects on the integrity of any European sites, alone or in combination with other plans or projects. Where residual effect pathways remain, appropriate policy-based mitigation measures have been incorporated into the plan policies to ensure that proposals coming forward under the Local Plan either avoid affecting European sites entirely (no significant effect) or will have no adverse effects on site integrity. The Local Plan for Bolsover District: Habitats Regulations Assessment Adoption Note (2020) confirms that this still applies to the adopted Local Plan.

**Rotherham Core Strategy (Adopted September 2014)**

**Rotherham Sites and Policies (Adopted June 2018)**

Rotherham is located north east of Bassetlaw District.

The Sites and Policies document identifies development sites to meet targets set out in the adopted Core Strategy 2013-2028. Rotherham Metropolitan Borough Council are currently working towards a partial update of the Local Plan Core Strategy.

**Housing Provision:**

Land is allocated in the Sites and Policies document to meet Rotherham's housing requirement of 850 net additional dwellings per annum or 12,750 for the period 2013 to 2028, plus any shortfall in the delivery against that annual target from April 2008 to March 2013 (estimated to be 1,621 dwellings). According to Policy CS 1: Delivering Rotherham's Spatial Strategy, most new development will take place within Rotherham's urban area and at Principal Settlements for Growth. At Principal Settlements and Local Service Centres development will be appropriate to the size of the settlement, meet the identified needs of the settlement and its immediate area and help create a balanced sustainable community.

## Appendix C

### Plans with the Potential for In-Combination Effects with Bassetlaw District

Bassetlaw Local Plan Main Modifications: Habitats Regulations Assessment  
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#### **Employment Land Provision:**

Some 230 hectares of land is allocated in the Sites and Policies document for business and industrial development, whilst 5 hectares of land is allocated in the Sites and Policies document for office floorspace over the plan period.

#### **HRA Findings:**

The HRA Screening, included in a letter to Natural England dated September 2015, concluded that the Pre-Submission Draft Rotherham Local Plan Sites and Policies Document is not likely to have any significant effects on Natura 2000 sites. Therefore, an Appropriate Assessment was not required.

#### **Doncaster Local Plan 2015 – 2035 (Adopted September 2021)**

Doncaster is located to the north of the District of Bassetlaw.

Doncaster Council adopted its Local Plan in September 2021.

#### **Housing Provision:**

Policy 2 (Level of Growth (Strategic Policy)) of the Local Plan states that the Council aims to facilitate the delivery of at least 920 (net) new homes each year over the remaining plan period 2018-2035 (15,640 net new homes in total). New allocations will be distributed according to Policy 5 (Housing Allocations (Strategic Policy)). At least 45% of new homes will go to the 'Main Urban Area', approximately 40% to the 'Main Towns' and about 15% to the 'Service Towns and Villages'.

#### **Employment Land Provision:**

Policy 2 (Level of Growth (Strategic Policy)) of the Local Plan states that the Council aims to facilitate the delivery of at least 481 hectares of employment land over the plan period (2015-2035) to help grow and diversify the Sheffield City Region economy. This includes accommodation of businesses, light industry and manufacturing and distribution and warehouse uses to meet future employment needs.

Policy 3 (Employment Allocations (Strategic Policy)) allocates five employment sites and identifies one 'potential employment development site', which may be developable beyond the plan period.

#### **HRA Findings:**

The HRA of the Local Plan Submission Version identified the potential for significant effects to arise as a result of 11 policies at the screening stage. These policies were considered in detail in the Appropriate Assessment and for the majority the potential impacts were ruled out. A small number of amendments to policies were suggested in order to avoid adverse effects on the integrity of European sites. These have now been implemented in the Local Plan and therefore the HRA concludes that the policies in the local plan are not likely to result in adverse effects on integrity of any European site. The HRA addendum of the proposed Main Modifications to the Local Plan for Doncaster (Publication February 2021) concluded that, subject to a small change suggested for one policy, the impacts from all the proposed modifications to the Local Plan on European Sites can be ruled out. These changes to Policy 59 have been implemented in the Adoption version of the plan.

An HRA Addendum was prepared in May 2021 to consider the implications of minor and major modifications to the Local Plan, including two new policies. New Policy 59, Wind Energy Development, was screened as having the potential to negatively impact nightjar populations on Thorne and Hatfield Moors SPA. The HRA concluded that, providing proposed amendments to strengthen and clarify Policy 59 were made, there would be no adverse effect on the integrity of any European site. These amendments are included in the adopted Local Plan.



# Appendix D

## Consultation responses

**Appendix D**

Consultation responses

Bassetlaw Local Plan Main Modifications: Habitats Regulations Assessment  
August 2023

**Table D.1: Consultation comments received in relation to the January 2020 HRA Report and how these were addressed in the November 2020 HRA Report**

*Note that references in the final column to 'this report' or chapters/sections of the HRA report refer to the November 2020 HRA Report in which this table was originally published.*

Consultee	Consultee comment (summarised where appropriate)	LUC response
Natural England	Natural England has reviewed the Habitat Regulations Assessment of the Bassetlaw Local Plan. We acknowledge that the report follows accepted guidance and methodology.	Noted.
	We also welcome the detailed assessment of the Sherwood possible potential SPA which follows the risk based approach advocated by Natural England. We would however suggest that as the Plan progresses it would be clearer if the HRA presented the assessment on the Sherwood ppSPA separately from that of the European Sites. The ppSPA is not a yet a designation and the assessment of impacts on identified nightjar and woodlark habitat should be termed as a "shadow" HRA or other appropriate term to distinguish it from the HRA for the fully designated sites.	Noted. This iteration of HRA has presented present assessment of the ppSPA as a 'shadow' HRA.
	Raised concerns that Birklands and Bilhaugh SAC and Sherwood Forest National Nature Reserve (which overlaps with the SAC and the ppSPA) could be affected by recreational disturbance, particularly from the Garden Village proposal. These sites already experience high visitor pressure and this is potentially having a detrimental effect on the soils, ground flora and ancient tree health.	HRA focuses on likely effects on European sites, rather than national designations, although we acknowledge there are links between the two.  Potential effects of recreational pressure on the Birklands and Bilhaugh SAC have been considered further in this iteration of HRA.
	Natural England advises that robust evidence must be provided to show that the proposal would not significantly damage or destroy the interest features for which the SSSI has been notified.	We assume this relates to a comment about the Clumber Park SSSI, which overlaps with the ppSPA. Natural England identified potential for recreational and air quality impacts at this site. The HRA recognises potential for development in the Local Plan to affect the ppSPA via air pollution.  Similarly, the potential for the Local Plan to increase recreational pressure at the ppSPA was included in the HRA. On the advice of Natural England, further visitor information was requested from the National Trust, which manages the Clumber Park registered park and garden, which partly overlaps the Clumber Park SSSI and ppSPA.
	Consider that the HRA should have included the recreational and air quality impacts of the proposed garden village on the SAC and NNR designations. This evidence would need to consider appropriate mitigation measures such as buffer zones, sustainable alternative green spaces (SANGs) or other measures. The provision of these measures must be programmed at the right time to mitigate impacts on the environment (objective 14 of the plan). Without satisfactory evidence Natural England would have to declare the Plan unsound.	Air quality was screened out as the SAC and NNR are located more than 200m from a major road (motorway or A road). If residents of the proposed garden village were travelling south, it is likely they would use the A1 or Blyth Road, which is more than 200m from the SAC and NNR.

## Appendix D

### Consultation responses

Bassetlaw Local Plan Main Modifications: Habitats Regulations Assessment  
August 2023

**Table D.2: Consultation comments received in relation to the November 2020 HRA Report and how these were addressed in the August 2021 HRA Report**

*Note that references in the final column to 'this report' or chapters/sections of the HRA report refer to the August 2021 HRA Report in which this table was originally published.*

Consultee	Consultee comment (summarised where appropriate)	LUC response
Natural England	Natural England is pleased to note that the HRA has now made a wider assessment of the recreational impact of the Local Plan for both the Birklands & Bilhaugh SAC and the Sherwood possible potential Special Protection Area (ppSPA), following our previous advice.	Noted, no action required.
	In particular the screening assessment now acknowledges that the Sherwood visitor centre potentially draws people from a wider area and the need for further consideration in the Appropriate Assessment has been followed through.	Noted. This iteration of HRA has also considered a catchment of around 65km which covers the whole of Bassetlaw District and a substantial area beyond this as well (see <b>Figure 4.1</b> ).
	The Appropriate Assessment is comprehensive and examines the recreational impact for both the SAC and the ppSPA explaining that the Local Plan could result in adverse effects on the integrity (AEoI) on both of these sites as a result of recreation. The Recreational Impact Assessment, commissioned by the Council will identify potential management and mitigation measures, which will feed into future iterations of the Local Plan. Natural England will continue to work with the Council and the RSPB to ensure that these mitigation measures are appropriately integrated into the Plan.	Noted, no action required.
	Natural England can therefore concur with the conclusions of the HRA that with the additional policy safeguards now provided and the ongoing Recreational Impact Assessment work, adverse effects on the integrity of the Birklands & Bilhaugh SAC should be able to be ruled out at the next stage of the Plan, both as a result of the plan alone and in-combination with other plans and programmes.	Noted, no action required. While the Recreational Impact Assessment work has not yet concluded <sup>49</sup> , this HRA recognises the wording of Policy ST38: Biodiversity and geodiversity, which ensures that the conclusions and recommendations of the Recreational Impact Assessment will be integrated into development. As such, this HRA has concluded that the Local Plan will not result on adverse effects on integrity of the Birklands and Bilhaugh SAC as a result of recreational pressure.
	We also agree with the conclusion of the shadow HRA which requires the submission of further information relating to traffic AADT figures and air quality modelling before the Plan is finalised.	Noted. However, on further consideration of the habitats present within 200m of major roads that pass in or near to the ppSPA, this HRA has concluded that an increase in traffic as a result of the Local Plan (both alone and in-combination) will not result in adverse effects on the integrity of the ppSPA as a result of air pollution.
National Trust	Raised concerns that the green bridge referred to in the Bassetlaw Garden Village Vision Statement could result in adverse effects on ground nesting species from predation by domestic cats.	The 400m 'exclusion zone' from the ppSPA as set out in Policy ST4: Bassetlaw Garden Village is included for the purpose of preventing cats accessing the ppSPA and potentially preying on nightjar and woodlark. As such, even with the garden bridge, all houses would be at least 400m from the ppSPA, which is expected to deter cats. This has now been explicitly addressed in the appropriate assessment.

<sup>49</sup> Note that the Recreational Impact Assessment has now concluded.

**Appendix D**

Consultation responses

Bassetlaw Local Plan Main Modifications: Habitats Regulations Assessment  
August 2023

**Table D.3: Consultation comments received in relation to the August 2021 HRA Report**

Consultee	Consultee comment (summarised where appropriate)	LUC response
<p>Natural England</p>	<p><b>Habitat Regulations Assessment</b></p> <p>Natural England is satisfied that the submission of this document ensures that a full assessment of the proposed policies within the Bassetlaw Local Plan has been carried out and the requirements of the Habitat Regulations have been met.</p> <p>We note that the Appropriate Assessment concluded that with the provision of both Policy ST40 (Biodiversity and Geodiversity), and the Recreational Impact Assessment (currently at draft stage), that adverse effects on the integrity of the Birklands and Bilhaugh SAC can be ruled out. Whilst we agree and support this approach, we would need to see a demonstration of a commitment that the recommended mitigation measures can be delivered before any development takes place to ensure compliance with the requirements of the Habitat Regulations.</p> <p><b>“Shadow” HRA</b></p> <p>We acknowledge that this document also incorporates a “Shadow” HRA for the Sherwood possible potential Special Protection Area (ppSPA). We can confirm that we agree with the conclusion of the “shadow” Appropriate Assessment that no adverse effects on integrity of the ppSPA would occur as a result of the identified impacts.</p>	<p>Noted.</p>
<p>National Trust</p>	<p>The Habitats Regulations Assessment states at paragraph 5.33 that ‘Recreational disturbance is listed as the highest level of threat in the IBA factsheet and is therefore also assumed for the [Sherwood Forest] ppSPA. At least 10,047 new dwellings are proposed within the District as a whole through the Local Plan...’. The means of addressing this impact are premised on the findings and recommendations of a Recreational Impact Assessment for the Clumber Park SSSI and Birklands and Bilhaugh SAC which has not yet been published.</p>	<p>The HRA considers that the provisions in Policy ST38: Biodiversity and Geodiversity are sufficient to ensure no adverse effects on integrity on any European site or the ppSPA.</p>