

**Strategic Environmental Assessment & Habitat Regulations Assessment Screening Statement**

Nether Langwith Neighbourhood Plan

20 September 2023

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# Introduction

* + - * 1. This document contains the Screening Statements for the Nether Langwith Neighbourhood Plan - (the Plan) - with regard to whether a Strategic Environmental Assessment (SEA) and / or Habitat Regulations Assessment (HRA) are required to be undertaken. The document also includes an assessment of the policies proposed in the Plan with regard to Impact Risk Zones for Sites of Special Scientific Interest (SSSI).
        2. Regulation 15 of the 2012 Neighbourhood Planning (General) Regulations sets out the information that must accompany a Neighbourhood Plan when submitted to the local planning authority. In February 2015 amendments to the Neighbourhood Plan Regulations came into force; this is known as the Neighbourhood Planning (General) (Amendment) Regulations 2015. Regulation 2(4) of these amendments adds additions to the list of documents that a qualifying body must submit to a local planning authority with a Neighbourhood Plan. The additional document which must be submitted is either an environmental report prepared in accordance with the relevant regulations or, if the outcome concludes that an SEA or HRA is not necessary, a statement that sets out how environmental issues have been taken into account and considered during the preparation of the Neighbourhood Plan.
        3. The National Planning Policy Framework (para 167) advises that assessments should be proportionate, and should not repeat policy assessment that has already taken place. In view of this, only a high level screening assessment of the Plan has been undertaken, and this assessment should be read in conjunction with the relevant reports produced for [Bassetlaw District Councils Local Development Framework](https://www.bassetlaw.gov.uk/planning-and-building/planning-services/planning-policy/core-strategy-and-development-policies/core-strategy-adopted-development-plan/what-is-the-core-strategy/).
        4. As the responsible authority under relevant regulations, Bassetlaw District Council has undertaken the Screening Assessment contained in this document, working with the Neighbourhood Plan Steering Group and their appointed consultant.

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### Strategic Environmental Assessment (SEA)

* + - * 1. The requirement for a SEA to be undertaken on development plans and programmes that may have a significant environmental effect is outlined in European Union Directive 200142/EC. The Environmental Assessment of Plans and Programmes Regulations 2004 (the 2004 Regulations) state that this is determined by a screening process, utilising a specified set of criteria, outlined in Schedule 1 of the Regulations. The results of this process must be set-out in an SEA Screening Statement, which must be publicly available.
        2. The objective of undertaking a SEA is “to provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes with a view to promoting sustainable development, by ensuring that, in accordance with this Directive, an environmental assessment is carried out of certain plans and programmes which are likely to have significant effects on the environment.”[[1]](#footnote-1)

### Habitat Regulations Assessment

* + - * 1. European protected sites (the ‘Natura 2000 Network’) are of exceptional importance for the conservation of important species and natural habitats within the European Union. The network of European protected sites comprises Special Protection Areas (SPAs) designated under the Birds Directive (79/409/EEC), Special Areas of Conservation (SACs) designated under the Habitats Directive (92/43/EEC) and Ramsar sites designated under the Ramsar Convention 1975. Government guidance advises that potential SPAs (pSPA), candidate SACs (cSAC) and potential Ramsar (pRamsar) sites are also included in HRA’s.
        2. As a land use plan, an assessment of the Nether Langwith Neighbourhood Plan may be required under the Conservation of Habitats and Species (Amendment) Regulations 2012 (the Habitat Regulations) and Article 6(3) of the EU Habitats Directivein order to determine whether the Plan may result in significant effects on identified sites.
        3. As with the SEA, a screening process is employed to establish whether any elements of the Draft Plan could have a significant effect on these sites. Regulation 32 of the Neighbourhood Planning (General) Regulations 2012 (as amended) further reemphasises the importance of carrying out this assessment by stating that one of the basic conditions that must be met before the Plan may be ‘made’ is that “*the making of the neighbourhood plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2012) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007 (either alone or in combination with other plans or projects*)”[[2]](#footnote-2).

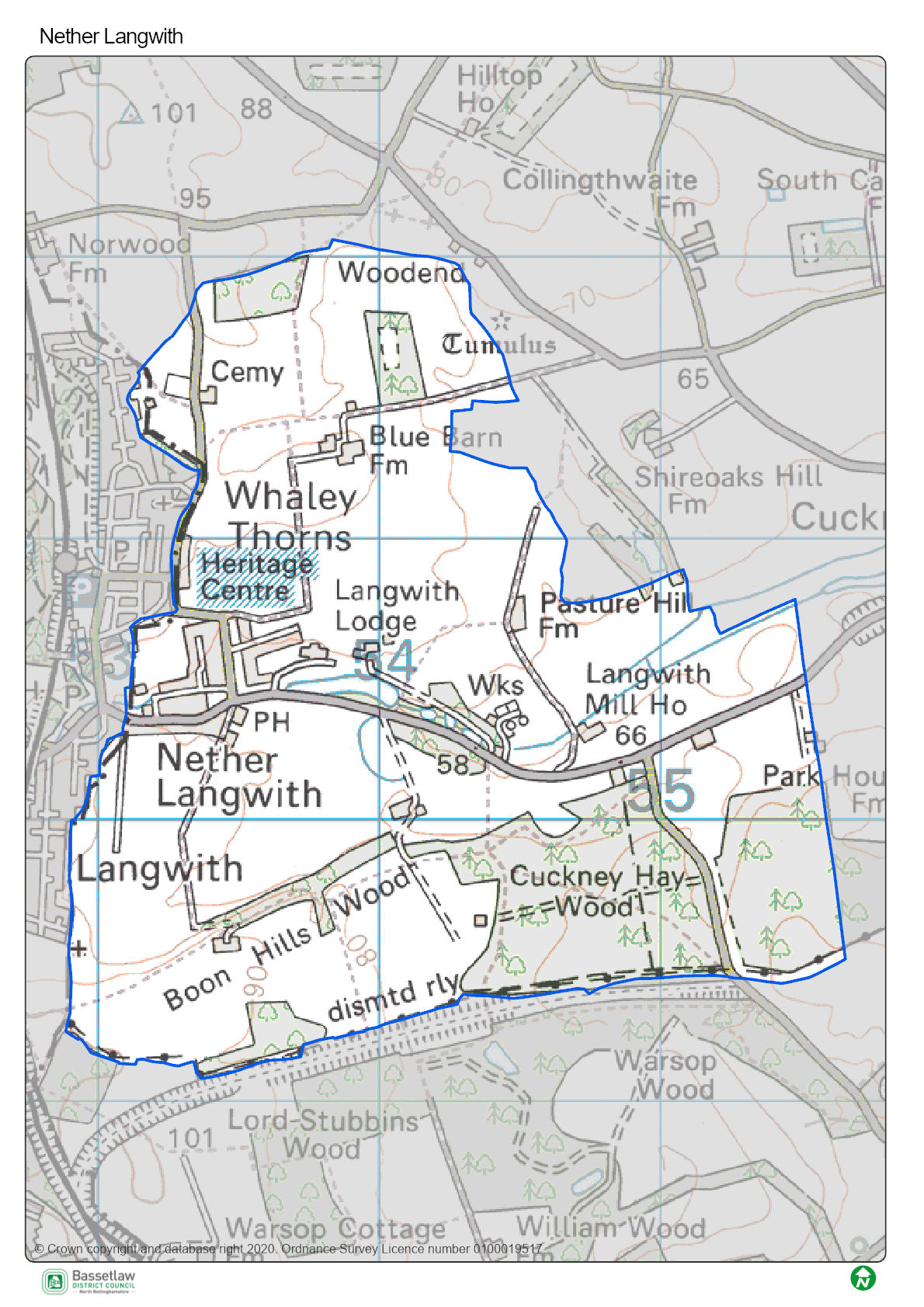
### Summary of Findings

* + - * 1. Following the undertaking of the Screening Assessments it is concluded that the Plan, in its current form, is unlikely to result in significant negative effects on the environment, or on any identified European sites. It is concluded, therefore, that there is no requirement for a full environmental assessment or a habitat regulations assessment.
        2. This determination has been reached by assessing the contents of the Pre-Submission Draft Neighbourhood Plan, published in June 2023. The Plan has been assessed against criteria provided in Schedule 1 of the 2004 Regulations and with regard to Regulation 32 of the 2015 Neighbourhood Planning Regulations & the Habitat Regulations. The conclusions are detailed in full in Section 6 (page 31) of this report.

# The Nether Langwith Neighbourhood Plan

* + - * 1. The Neighbourhood Plan is being developed by Nether Langwith Parish Council, the Qualifying Body for the Nether Langwith Neighbourhood Area in Bassetlaw District, Nottinghamshire, as depicted in Figure 1, below. The Plan has been devised to cover the period to 2038.

**Figure 1: Designated Neighbourhood Area**



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### Plan Overview

* + - * 1. As detailed below, the priorities of the Plan are encapsulated in the Vision and Community Objectives (see page 8 and 9 of the Plan), to be delivered through the application of seven Development Management Policies specific to the Neighbourhood Area.

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### Vision

* *Protect what we’ve got and make it better.*

Our aim is to conserve and enhance the inherent character, heritage and history of the Neighbourhood Area.

* *Improve the visual appeal and accessibility of our environment.*

We will maximise the attractiveness of our natural assets; the river, rural character, flora and fauna, pathways and landscape.

* *Champion the sentiment that it’s a great place to live.*

Whilst maintaining the integrity of the conservation area, we will encourage development that will create a greater sense of community and cohesion with outlying streets and farms.

* *We aren’t against all new housing development.*

Smaller, incremental housing schemes, designed to be sympathetic to the visual amenity of our village, we be considered.

* *The village inherently lacks resilience to some forms of development.* The safety of residents and buildings must be prioritised in decision making.

Development within the existing village boundary should be located on sites which make a positive contribution to the village, but minimise negative impacts such as traffic, parking and flood risk.

* *Renovation of brown field sites and existing property to protect open spaces.*

Development beyond the existing village boundary must utilise existing infrastructure and protect the appeal of the rural landscape to the full extent of the Neighbourhood Area.

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### Community Objectives

1. To provide a balanced range of housing choices which meet the diverse needs of allgenerations, by increasing the supply of smaller homes and homes for elderly ‘down-sizers’;
2. To encourage high-quality design reflecting the rural character of the Neighbourhood Area;
3. To protect and improve the provision of current facilities and assets which contribute to a vibrant community spirit;
4. To promote the development of new community facilities which enhance and enrich community life;
5. To safeguard the most valued and ‘special’ open spaces in the Neighbourhood Area from inappropriate development;
6. To enhance the biodiversity characteristics of the Neighbourhood Area;
7. To promote development that is safe and that respects the character of neighbouring properties and preserves the rural aspect of the village providing a strong ‘sense of place’;
8. To ensure that the Neighbourhood Area is at the forefront of technological advancements that will support village employment opportunities;
9. To ensure that all listed buildings and any identified community or environmental heritage ‘assets’ are protected and improved;
10. To ensure development is compliant within the NPPF and the Core Strategy/strategic policies in the emerging Local Plan and growth identified by Bassetlaw District Council.

### 

### Development Management Policies

| **Policy** | **Summary** |
| --- | --- |
| Policy HBE1: Settlement Boundary | Identifies a settlement boundary, within which development will be supported, subject to compliance with other Neighbourhood Plan policies. |
| Policy HBE3: Housing Mix | Requires that new housing developments provide a mix of housing to meet local needs, including a preference for two and three bedroom dwellings. |
| Policy HBE4: Affordable Housing | Supports the provision of affordable housing, but requires it to be indistinguishable from market housing in style and distribution. |
| Policy HBE5: Windfall Sites | Provides support to limited residential infill development within the development boundary, subject to criteria, including design, layout and access. |
| Policy HBE6: Design | Seeks to maintain and enhance the character and distinctiveness of the Neighbourhood Area, through identifying design-based criteria that new development should reflect – with reference to the accompanying Design Guide. |
| Policy ENV1: Local Green Space | Identifies one Local Green Space (Village Green), to be protected in recognition of its value to the local community. |
| Policy ENV2: Important Open Spaces | Identifies six important amenity green spaces, and seeks to protect them from loss to development, unless deemed to be surplus, or subject to proposals for replacement by a space of equal or greater value. |
| Policy ENV3: Sites and Features of Natural Environmental Significance | Requires that development proposals have due regard to their impact on sites identified for their natural environment significance. |
| Policy ENV4: Biodiversity and Habitat Connectivity | Requires that development proposals safeguard habitats and species, seek to deliver biodiversity net gain, and respect the habitat connectivity provided by an identified wildlife corridor across the Plan area. |
| Policy ENV5: Sites of Historical Environment Significance | Requires consideration of the impact of new development on identified features of historical significance. |
| Policy ENV6: Ridge and Furrow | Requires consideration of the impact of new development proposals on identified areas of ridge and furrow earthworks. |
| Policy ENV7: Important Views | Identifies six key views that development proposals should respect or protect. |
| Policy ENV8: Footpaths and Other Walking Routes | Requires that new development proposals respect, or mitigate their impact upon, the existing network of footpaths. |
| Policy ENV11: Flood Risk Resilience | Provides detailed stipulations about how new development should consider and manage surface water, flood risk, and climate change. |
| Policy CF1: The Retention of Community Facilities and Amenities | Identifies and seeks to secure the future of community facilities within the Plan area. |
| Policy E1: Employment Development | Discourages the loss of existing employment uses, and supports the development of new or expanded employment facilities, subject to consideration of their impact. |
| Policy E2: Working from Home | Provides support for small-scale development to support home-based employment uses, subject to criteria. |
| Policy E3: Reuse of Agricultural Buildings | Provides support for the reuse, conversion, and adaptation of rural buildings, subject to criteria. |
| Policy E4: Tourism | Provides support for developments that enhance and promote tourism, subject to criteria. |
| Policy E5: Broadband Infrastructure | Provides support for developments that seek to improve digital communications, and requires new developments to incorporate provision for superfast broadband. |
| Policy T1: Traffic Management | Requires that new development be designed to manage potential impacts on the highway network, and to enhance opportunities for non-vehicular travel. |
| Policy T2: Car Parking | Discourages development that results in the loss of off-street parking spaces, and provides support for the establishment of a new public car park. |
| Policy T4: Electric Vehicles | Encourages the provision of electric vehicle charging infrastructure at new dwellings, and in communal locations within the Plan area, subject to impact. |

# 

# SEA Screening – Assessment

* + - * 1. The table below includes the assessment of the Nether Langwith Neighbourhood Plan, including its Objectives and Development Management Policies, against the criteria included in Schedule 1 of the 2004 Regulations. The Neighbourhood Plan is being assessed as a whole against the criteria listed below to allow for the consideration of its effects on the environment.

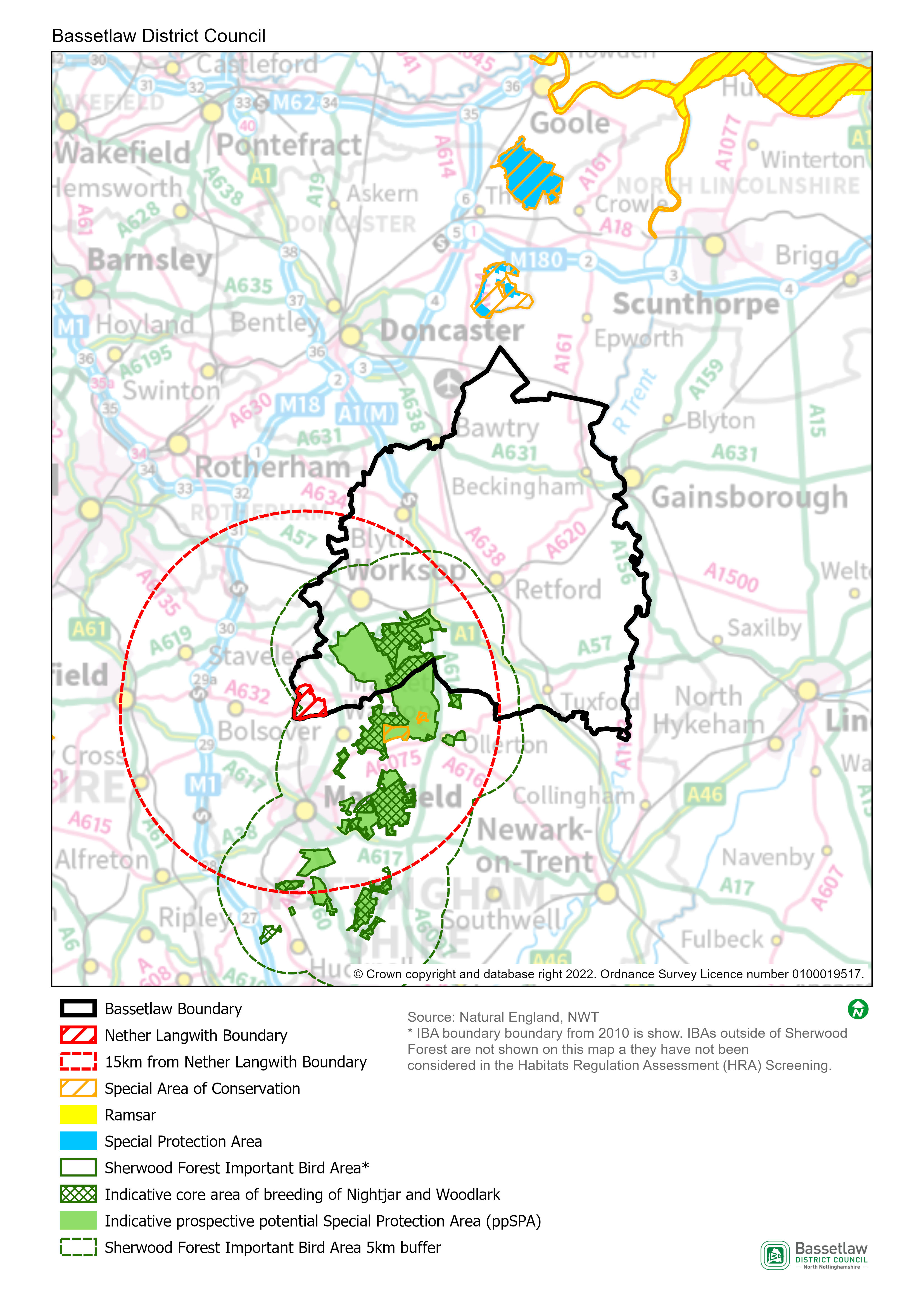
### SEA Assessment

| Criteria for determining the likely significance of effects (Annex II SEA Directive) | Significant effect likely? | Comment |
| --- | --- | --- |
| 1a The degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources. | NO | The Nether Langwith Neighbourhood Plan (the Plan) sets-out a spatial vision for the designated Neighbourhood Area and an accompanying framework to guide development proposals. This framework will be delivered by the development management policies contained within the Plan. The framework will have some impacts on the environment, noticeably the support for development proposals. However it is deemed that these impacts will not be significant, due to their small-scale and localised nature. |
| 1b The degree to which the plan or programme influences other plans and programmes including those in a hierarchy. | NO | The Plan, where possible, will respond to rather than influence other plans and programmes. It is part of a hierarchy, but is at the lowest tier, sitting below the Bassetlaw Core Strategy DPD (District level) and National Planning Policy Framework (National level), and has thus been influenced by these higher-tier and pre-existing plans, rather than having an influence on them.  The Plan has been developed with a view towards the emerging Bassetlaw Local Plan but, as above, will remain at the lowest tier of the hierarchy.  The policies within a neighbourhood plan apply only within the designated neighbourhood area, and so the Plan will not have a direct impact on adjoining areas. |
| 1c The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development. | NO | The Plan promotes sustainable development within the Neighbourhood Area through balancing environmental, social and economic objectives; this is clearly articulated in Section 3 (page 7). The Vision & Objectives, in conjunction with the development management policies, work to ensure that all development proposals brought forward in the Neighbourhood Area will take this balance into account.  Specifically, the forms of development supported by policies HBE1 – 5 and E1 – 5 are viewed as key to ensuring the long-term sustainability of the area. This projected growth is balanced by the protection of key environmental and social / cultural assets, both through criteria in the above policies themselves, and through policies HBE6, ENV1 – 11, CF1, and T1 - 4.  As a result, it is considered that the Plan effectively integrates and balances potential environmental considerations, and that potential impacts are, therefore, not likely to be significant. |
| 1d Environmental problems relevant to the plan or programme. | NO | As noted above, the Plan supports development on a number of fronts, including residential development and employment development, all of which could have some effects on the environment. However, existing national and local planning policies, the specific criteria included within the policies in the Plan, and the planning application process, will collectively ensure that these effects are not significant. |
| 1e The relevance of the plan or programme for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection). | NO | The Plan will be in compliance with the Bassetlaw Local Development Framework, which has taken into account the existing European and National legislative framework for environmental protection. The Plan will therefore have a positive effect on compliance with regards to relevant legislation and programmes. It is deemed that no proposals within the Plan will compromise this position. |
| 2a The probability, duration, frequency and reversibility of the effects. | NO | It is deemed highly unlikely that there will be any irreversible damaging environmental impacts associated with the Plan. The policies within the Plan seek to ensure new development is sustainable in context, and promotes the enhancement and protection of environmental assets. The Plan is intended to cover the period up to 2038.  Should any unforeseen significant effects on the environment arise as a result of the Plan, the intention to monitor the Plan and also to review/update the Plan when required will allow these effects to be addressed (see Section 8: *Monitoring and Review / p56*). |
| 2b The cumulative nature of the effects. | NO | It is considered that the Policies contained in the Plan cumulatively will have minimal negative effects on the environment and will in fact have moderate to significant positive effects. It is considered that all effects will be at a local level. |
| 2c The transboundary nature of the effects. | NO | Effects will be local, with no expected impacts on neighbouring areas. |
| 2d The risks to human health or the environment (for example, due to accidents). | NO | No obvious risks have been identified, as the overall aim of the Plan is to ensure the careful management of development and the continued sustainability of the Plan area. |
| 2e The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected). | NO | The Plan relates to, and will have an influence on, a designated neighbourhood area of approximately 527 hectares, with a resident population of approximately 526 people (Census 2011).    It is deemed the Plan as a whole will have a positive impact upon local residents through the protection and enhancement of local environmental and social / cultural assets, and the promotion of sustainable development. |
| 2f The value and vulnerability of the area likely to be affected due to:  (i) special natural characteristics or cultural heritage;  (ii) exceeded environmental quality standards or limit values; or  (iii) intensive land-use. | NO | The Plan is deemed unlikely to have an adverse effect on the natural characteristics of the neighbourhood area.  With respect to natural characteristics, Minster Wood and Collier Spring, Cuckney Hay Wood, and Lady’s Grove are notable features in the Plan area. These woods are designated as Ancient Woodlands and Local Wildlife Site (LWS). Graves Wood is designated as an Ancient Woodland. Lord Stubbins Wood SSSI is outside of the Plan area, but in close proximity, and the associated Impact Risk Zones covers all of the plan area. There are four further LWS within the Plan area; Cuckney Wet Meadow, Pasture Hill Pond and Swamp, the River Poulter, and Blue Barn Lane.  With respect to cultural heritage, there are no World Heritage Sites, Protected Wreck Sites, Registered Park and Gardens, Registered Battlefields, or Scheduled Monuments designated in the Neighbourhood Area. There are 12 Listed Buildings, all of which are Grade II. There are also 3 non-designated heritage assets in the Neighbourhood Area (Blue Barn Farm, Hose Cottage, and Boon Hills Farm).  The Nether Langwith Conservation Area covers the historic core of the village, the grounds of Langwith Lodge, and stretches west along the River Poulter to Cotton Mill. The grounds of Langwith Lodge, including elements since developed for housing, are identified as an unregistered park and garden.  Policy HBE6 (Design) takes a proactive stance in seeking to preserve or enhance the setting of listed buildings. It also requires a proportionate response in terms of non-designated heritage assets, and broader respect for the local vernacular. The accompanying Character Assessment adds significant value in terms of documenting the features that characterise the Neighbourhood Area.  It is considered that the development supported by the Plan will not result in significant effects on these assets. Furthermore, the Plan does not exceed environmental quality standards or limit values and does not provide specific policies in relation to intensive land uses. |
| 2g The effects on areas or landscapes which have a recognised national, Community or international protection status. | NO | It is considered that the Plan will not adversely affect areas of landscape which have recognised community, national or international protection. The need for new development to respect landscape setting is included as part of the criteria within the respective Policies. |

# HRA Screening – Assessment

* + - * 1. For the HRA screening assessment, the designated neighbourhood area was assessed to identify if any Special Protection Areas (SPA), Special Areas of Conservation sites (SAC), or Ramsar sites were located within the boundary, as well as those considered as potential sites (pSPA, ppSPA, cSAC & pRamsar). The assessment also identified if any of these internationally important sites were located within a 15km radius from the Neighbourhood Plan area. The results of this exercise are detailed on the map included as Figure 4 on page 14. The Birklands and Bilhaugh SAC is located approximately 5.12km to the south east of the border of the Plan area. Descriptions of the ecological attributes of this site is included as Appendix 2.
        2. 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 reflection of populations of breeding nightjar and woodlark. In [a note to Local Planning Authorities](http://www.mansfield.gov.uk/CHttpHandler.ashx?id=7529&p=0) dated March 2014, Natural England advocates a precautionary approach to any plans or projects which could affect such a site. This approach should ideally cover the potential direct, indirect and cumulative impacts, which may include, but may not be limited to, the following;
* disturbance to breeding birds from people, their pets and traffic;
* loss, fragmentation and/or damage to breeding and/or feeding habitat;
* bird mortality arising from domestic pets and/or predatory mammals and birds;
* bird mortality arising from road traffic and/or wind turbines.
  + - * 1. No formal assessments of the boundary of any future SPA has been made, therefore, it is not possible to definitively identify whether individual sites would fall inside or outside any possible future designated area. However, the Natural England note encloses a map which highlights the areas of greatest ornithological interest for breeding nightjar and woodlark. This has been included on Figure 4, and identifies that the ppSPA is approximately 3.22km east of the Plan area.
        2. The Screening Assessment on page 14 has considered the main potential sources of effects on the identified European sites arising from the Plan, possible pathways to the sites, and the effects on possible sensitive receptors. The assessment considers the impacts of the Policies in the Plan directly on the identified sites, as these are land use Policies which mostly are expected to have some direct or indirect impact on the local environment.

**Figure 4: Map of Special Protection Areas and Special Areas of Conservation in relation to the Nether Langwith Neighbourhood Area**



# HRA Screening Matrix

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 Nether Langwith Neighbourhood Plan. 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.

| **Policy** | **Likely activities (operation) to result as a consequence of the proposal** | **Likely effects if proposal**  **implemented** | **European site(s) potentially affected** | **Could the proposal have likely significant effects on European sites?** |
| --- | --- | --- | --- | --- |
| Policy HBE1: Settlement Boundary | Residential development.  Economic development.  Increase in vehicle traffic.  Increase in recreation pressure. | Physical loss and damage.  Air pollution.  Disturbance from recreation. | Birklands and Bilhaugh SAC    Sherwood Forest prospective potential Special Protection Area (ppSPA) | No significant effects anticipated.  The area covered by the Settlement Boundary is approximately 7.32km at the nearest from the Birklands and Bilhaugh SAC, and 5.43km at the nearest from the Sherwood Forest ppSPA. Physical loss and damage is, therefore, not possible.    It would not be expected for birds to be dependent on the habitat within the existing developed footprint of Nether Langwith Village.  This Policy alone would not be expected to cause a significant increase in traffic and air pollution in the area.  With regard to pathways, it is considered that the nature and small scale of the development supported in this Policy, including the distance between the potential development sites and the European sites, and intervening infrastructure, will not result in significant effects occurring. |
| Policy HBE3: Housing Mix | None – this policy is designed to ensure that any residential development facilitated by other policies reflects the needs of potential occupants. It will not itself result in new development. | n/a | n/a | No |
| Policy HBE4: Affordable Housing | None – this policy is designed to ensure that any residential development facilitated by other policies reflects the needs of potential occupants. It will not itself result in new development. | n/a | n/a | No |
| Policy HBE5: Windfall Sites | Residential development.  Increase in vehicle traffic.  Increase in recreation pressure. | Physical loss and damage.  Air pollution.  Disturbance from recreation. | Birklands and Bilhaugh SAC    Sherwood Forest prospective potential Special Protection Area (ppSPA) | No significant effects anticipated.  The areas where development is supported by the Policy (within the development boundary) are approximately 7.32km at the nearest from the Birklands and Bilhaugh SAC, and 5.43km at the nearest from the Sherwood Forest ppSPA. Physical loss and damage is, therefore, not possible.    It would not be expected for birds to be dependent on the habitat within the existing developed footprint of Nether Langwith Village.  This Policy alone would not be expected to cause a significant increase in traffic and air pollution in the area.  With regard to pathways, it is considered that the nature and small scale of the development supported in this Policy, including the distance between the potential development sites and the European sites, and intervening infrastructure, will not result in significant effects occurring. |
| Policy HBE6: Design | None. This policy sets out principles to influence the design and layout of residential developments - it will not itself result in new development. | n/a | n/a | No |
| Policy ENV1: Local Green Space | None – this policy requires new development to protect Local Green Space, it will not itself result in development or increase traffic or visitor numbers. | n/a | n/a | No |
| Policy ENV2: Important Open Spaces | None – this policy requires new development to protect Important Open Spaces, it will not itself result in development or increase traffic or visitor numbers. | n/a | n/a | No |
| Policy ENV3: Sites and Features of Natural Environmental Significance | None – this policy provides to development proposals that enhance the setting and biodiversity of the plan area. It will not itself result in development or increase traffic or visitor numbers. | n/a | n/a | No |
| Policy ENV4: Biodiversity and Habitat Connectivity | None. This policy supports the improvement of environment assets and biodiversity in the Plan area - it will not itself result in new development. | n/a | n/a | No |
| Policy ENV5: Sites of Historical Environment Significance | None. This policy ensures that the heritage assets within the Plan area are respected and, where possible, enhanced – it will not itself result in new development. | n/a | n/a | No |
| Policy ENV6: Ridge and Furrow | None. This policy only provides support to development proposals that would affect areas of ridge and furrow earthworks where the benefits outweighs the harm – it will not itself result in new development. | n/a | n/a | No |
| Policy ENV7: Important Views | None. This policy ensures that the important views listed within the Plan area are respected and, where possible, protected – it will not itself result in new development. | n/a | n/a | No |
| Policy ENV8: Footpaths and Other Walking Routes | None. This policy only provides support to development proposals that would not result in the loss of, or have a significant adverse effect on, the existing network of footpaths – it will not itself result in new development. | n/a | n/a | No |
| Policy ENV11: Flood Risk Resilience | None. This policy ensures that development plays appropriate reference to flood risk management and incorporates measures to avoid or mitigate impacts – it will not itself result in new development. | n/a | n/a | No |
| Policy CF1: The Retention of Community Facilities and Amenities | Development of community facilities  Increase in vehicular traffic | Physical loss and damage.  Air pollution. | Birklands and Bilhaugh SAC    Sherwood Forest prospective potential Special Protection Area (ppSPA) | No significant effects anticipated.  The areas where development could be supported by the Policy are 5.12km at the nearest from the Birklands and Bilhaugh SAC, and 3.22km at the nearest from the Sherwood Forest ppSPA. Physical loss and damage is, therefore, not possible.    It would not be expected for birds to be dependent on the habitat within the existing developed footprint of Nether Langwith.  This Policy alone would not be expected to cause a significant increase in traffic and air pollution in the area.  With regard to pathways, it is considered that the nature and small scale of the development supported in this Policy, including the distance between potential development sites and the European sites, and intervening infrastructure, will not result in significant effects occurring. |
| Policy E1: Employment Development | Economic development.  Increase in vehicular traffic. | Physical loss and damage.  Air pollution. | Birklands and Bilhaugh SAC    Sherwood Forest prospective potential Special Protection Area (ppSPA) | No significant effects anticipated.  The areas where development could be supported by the Policy are 5.12km at the nearest from the Birklands and Bilhaugh SAC, and 3.22km at the nearest from the Sherwood Forest ppSPA. Physical loss and damage is, therefore, not possible.    It would not be expected for birds to be dependent on the habitat within the Neighbourhood Area.  This Policy alone would not be expected to cause a significant increase in traffic and air pollution in the area.  With regard to pathways, it is considered that the nature and small scale of the development supported by this Policy, including the distance between potential development sites and the European sites, and intervening infrastructure, will not result in significant effects occurring. |
| Policy E2: Working from Home | Residential development.  Increase in vehicle traffic.  Increase in recreation pressure. | Physical loss and damage.  Air pollution.  Disturbance from recreation. | Birklands and Bilhaugh SAC    Sherwood Forest prospective potential Special Protection Area (ppSPA) | No significant effects anticipated.  The areas where development is supported by the Policy (within the development boundary) are approximately 7.32km at the nearest from the Birklands and Bilhaugh SAC, and 5.43km at the nearest from the Sherwood Forest ppSPA. Physical loss and damage is, therefore, not possible.    It would not be expected for birds to be dependent on the habitat within the existing developed footprint of Nether Langwith Village.  This Policy alone would not be expected to cause a significant increase in traffic and air pollution in the area.  With regard to pathways, it is considered that the nature and small scale of the development supported in this Policy, including the distance between the potential development sites and the European sites, and intervening infrastructure, will not result in significant effects occurring. |
| Policy E3: Reuse of Agricultural Buildings | Economic development.  Increase in vehicle traffic. | Physical loss and damage.  Air pollution. | Birklands and Bilhaugh SAC    Sherwood Forest prospective potential Special Protection Area (ppSPA) | No significant effects anticipated.  The areas where development is supported by the Policy (within the development boundary) are approximately 7.32km at the nearest from the Birklands and Bilhaugh SAC, and 5.43km at the nearest from the Sherwood Forest ppSPA. Physical loss and damage is, therefore, not possible.    It would not be expected for birds to be dependent on the habitat within the existing developed footprint of Nether Langwith Village.  This Policy alone would not be expected to cause a significant increase in traffic and air pollution in the area.  With regard to pathways, it is considered that the nature and small scale of the development supported in this Policy, including the distance between the potential development sites and the European sites, and intervening infrastructure, will not result in significant effects occurring. |
| Policy E4: Tourism | Economic / tourism-related development.  Increase in vehicular traffic. | Physical loss and damage.  Air pollution. | Birklands and Bilhaugh SAC    Sherwood Forest prospective potential Special Protection Area (ppSPA) | No significant effects anticipated.  The areas where development is supported by the Policy (within the development boundary) are approximately 7.32km at the nearest from the Birklands and Bilhaugh SAC, and 5.43km at the nearest from the Sherwood Forest ppSPA. Physical loss and damage is, therefore, not possible.    It would not be expected for birds to be dependent on the habitat within the existing developed footprint of Nether Langwith Village.  This Policy alone would not be expected to cause a significant increase in traffic and air pollution in the area.  With regard to pathways, it is considered that the nature and small scale of the development supported in this Policy, including the distance between the potential development sites and the European sites, and intervening infrastructure, will not result in significant effects occurring. |
| Policy E5: Broadband Infrastructure | None – this policy supports the provision of improvements to communications infrastructure as part of new development – it will not itself result in new development. | n/a | n/a | No |
| Policy T1: Traffic Management | None – this policy ensures that all new development must minimise any increase in vehicular traffic – it will not itself result in new development. | n/a | n/a | No |
| Policy T2: Car Parking | None – this policy ensures that new developments should provide adequate off-street parking – it will not itself result in new development. | n/a | n/a | No |
| Policy T4: Electric Vehicles | None – this policy supports the provision of electric vehicle charging points – it will not itself result in new development. | n/a | n/a | No |

### In-combination effects

* + - * 1. 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 Nether Langwith Neighbourhood Plan in combination with other plans or projects.
        2. The first stage in identifying ‘in-combination’ effects involves identifying which other plans and projects in addition to the Nether Langwith Neighbourhood Plan may affect the European sites that were the focus of this assessment. There are a large number of potentially relevant plans and projects which could be considered, therefore, the review focused on planned spatial growth within Bassetlaw District, with the [Habitats Regulations Assessment](https://www.bassetlaw.gov.uk/media/6475/hra-report-for-reg-19_summer-2021.pdf) of the emerging Bassetlaw Local Plan (August 2021) the key source of reference.
        3. In respect to the Sherwood Forest ppSPA, the HRA initially identified likely significant effects resulting from the development proposed in the Bassetlaw Local Plan. Through further investigation of the impact pathways and proposed mitigation, however, it was concluded that no adverse effects on the integrity of the ppSPA would occur. In respect to the Birklands and Bilhaugh SAC, the assessment identified potential effects as a result of increased recreational pressure. However, protections proposed in the Plan (then Policy ST40 – Biodiversity and Geodiversity), and an ongoing Recreational Impact Assessment, allowed for potential adverse effects on the integrity of the SAC to be ruled-out.
        4. The scale of development proposed by the Nether Langwith Neighbourhood Plan is in conformity with the Bassetlaw Local Plan and has been devised to meet the proposed minimum housing requirement figure for the Neighbourhood Area of 12 dwellings up to 2038, contributing to the emerging Local Plan’s housing growth projections for Bassetlaw as a whole. This scale of housing development, together with the area’s distance from the Birklands and Bilhaugh SAC and Sherwood Forest ppSPA, means that its ‘incombination’ effect is insignificant.

# Impact Risk Zones for Sites of Special Scientific Interest (SSSI)

* + - * 1. Sites of special scientific interest (SSSI) conserve and protect the best of our wildlife, geological and physiographical heritage for the benefit of present and future generations, under the Wildlife and Countryside Act 1981.
        2. Impact Risk Zones are a GIS tool developed by Natural England to make a rapid initial assessment of the potential risks to SSSIs posed by development proposals. They define zones around each SSSI that reflect the particular sensitivities of the features for which it is notified. The zones indicate the types of development proposal that could potentially have adverse impacts, generally decreasing in sensitivity with distance from the site. The location of SSSI and their associated Impact Risk Zones can be observed and queried via Natural England’s [MAGIC Map](https://magic.defra.gov.uk/magicmap.aspx) portal.
        3. Review of the data clarifies that there are no SSSI located within the Plan area itself, but there is one in close proximity to the boundary, and their Impact Risk Zones cover the majority of the Plan area:
* [Lord Stubbins Wood](https://designatedsites.naturalengland.org.uk/SiteDetail.aspx?SiteCode=S1000956&SiteName=Lord%20Stubbins%20Wood&countyCode=&responsiblePerson=&SeaArea=&IFCAArea=)
  + - * 1. The Plan area is also intersected by the Impact Risk Zones of a SSSI located 3 km to the north west in the neighbouring parish of Welbeck:
* [Welbeck Lake](https://designatedsites.naturalengland.org.uk/SiteDetail.aspx?SiteCode=S1001932&SiteName=Welbeck%20Lake&countyCode=&responsiblePerson=&SeaArea=&IFCAArea=)
  + - * 1. The development supported by the policies in the Plan has been assessed to determine how it relates to the SSSI Impact Risk Zones noted above, and whether the nature of the development is likely to trigger any of the associated criteria, as provided by Natural England. The finding are detailed below.

| **Neighbourhood Plan Policy** | **Impact Risk Zone Criteria Triggered?** |
| --- | --- |
| **Policy HBE1: Settlement Boundary** | No. The impact risk zone is not triggered by residential development. |
| **Policy HBE2: Residential Site Allocations** | No. The impact risk zone is not triggered by residential development. |
| **Policy HBE3: Housing Mix** | No. The Policy does not, itself, support development. |
| **Policy HBE4: Affordable Housing** | No. The Policy does not, itself, support development. |
| **Policy HBE5: Windfall Sites** | No. The impact risk zone is not triggered by residential development. |
| **Policy HBE6: Design** | No. The Policy does not, itself, support development. |
| **Policy ENV1: Local Green Space** | No. The Policy does not, itself, support development. |
| **Policy ENV2: Important Open Spaces** | No. The Policy does not, itself, support development. |
| **Policy ENV3: Sites and Features of Natural Environmental Significance** | No. The Policy does not, itself, support development. |
| **Policy ENV4: Biodiversity and Habitat Connectivity** | No. The Policy does not, itself, support development. |
| **Policy ENV5: Sites of Historical Environment Significance** | No. The Policy does not, itself, support development. |
| **Policy ENV6: Ridge and Furrow** | No. The Policy does not, itself, support development. |
| **Policy ENV7: Important Views** | No. The Policy does not, itself, support development. |
| **Policy ENV8: Footpaths and Other Walking Routes** | No. The Policy does not, itself, support development. |
| **Policy ENV11: Flood Risk Resilience** | No. The Policy does not, itself, support development. |
| **Policy CF1: The Retention of Community Facilities and Amenities** | No. The impact risk zone is not triggered by rural non-residential development. |
| **Policy E1: Employment Development** | Unlikely. The impact risk zone could be triggered by industrial/agricultural development which produces air pollution, however, as this policy primarily supports commercial development this is unlikely to be triggered. |
| **Policy E2: Working from Home** | No. The impact risk zone is not triggered by residential development. |
| **Policy E3: Reuse of Agricultural Buildings** | No. The impact risk zone is not triggered by residential or rural non-residential development. |
| **Policy E4: Tourism** | No. Any potential development supported by the Policy would be within or directly adjoining Nether Langwith, where rural non-residential development is not a trigger. |
| **Policy E5: Broadband Infrastructure** | No. The Policy does not, itself, support development. |
| **Policy T1: Traffic Management** | No. The Policy does not, itself, support development. |
| **Policy T2: Car Parking** | No. The Policy does not, itself, support development. |
| **Policy T3: Electric Vehicles** | No. The Policy does not, itself, support development. |

* + - * 1. As detailed above, although the whole of the area covered by the Plan is covered by an Impact Risk Zone, the type and scale of development supported through the Policies is unlikely to trigger the associated criteria. Natural England is invited to comment on this position.

# Conclusions

### Consultation

* + - * 1. As required by the regulations, a draft version of this report was issued for the purposes of consultation with the statutory bodies, specifically the Environment Agency, Historic England, and Natural England. On conclusion of the five-week consultation (15 August to 19 September 2023), responses had been received from all three bodies. The responses are included in full at Appendix 1, and can be summarised as follows:
        2. **Environment Agency**: does not disagree with the conclusion that the Neighbourhood Plan can be screened-out for a full SEA (and HRA).
        3. **Historic England**: on the basis of the information provided in the draft report, it is considered that the preparation of a SEA is not likely to be required.
        4. **Natural England**: on the basis of the material supplied, significant effects on statutorily designated nature conservation sites or landscapes are unlikely, and significant effects on Habitats sites, either alone or in combination, are unlikely.
        5. On the basis of the responses received, the initial conclusions are upheld, and no consequential amendments have been made to the report; the conclusions are detailed below.

### SEA Screening

* + - * 1. On the basis of the SEA Screening Assessment set out in this document, the conclusion is that the Nether Langwith Neighbourhood Plan will not have significant environmental effects in relation to any of the criteria set out in Schedule 1 of the SEA Regulations, and therefore **does not need to be subject to a full SEA**.

### HRA Screening

The HRA Screening Assessment concludes that no significant effects are likely to occur with regards to the integrity of the Birklands and Bilhaugh SAC or the Sherwood Forest ppSPA as a consequence of the implementation of the Plan. As such **a full HRA is not required to be undertaken**.

* + - * 1. The main reason for these conclusions is:
* The development that is supported in the Plan is deemed to be of a scale and nature and located on sites that will not result in any significant effects on the identified European sites.

# Appendix 1: Consultation Responses

**Environment Agency**

Received 19 September 2023

The Environment Agency does not disagree with your conclusion that the Nether Langwith Neighbourhood Plan can be screened out for a full SEA (and HRA).

**Historic England**

Received 13 September 2023

Thank you for your consultation of 15th August 2023 and the request for a Screening Opinion in respect of the Nether Langwith Neighbourhood Plan.

For the purposes of consultations on SEA Screening Opinions, Historic England confines its advice to the question, “Is it likely to have a significant effect on the environment?” in respect of our area of concern, cultural heritage. Our comments are based on the information supplied with the screening request.

On the basis of the information supplied and in the context of the criteria set out in Schedule 1 of the Environmental Assessment Regulations [Annex II of ‘SEA’ Directive], Historic England is of the view that the preparation of a Strategic Environmental Assessment is not likely to be required.

The views of the other statutory consultation bodies should be taken into account before the overall decision on the need for a SEA is made. If a decision is made to undertake a SEA, please note that Historic England has published guidance on Sustainability Appraisal / Strategic Environmental Assessment and the Historic Environment that is relevant to both local and neighbourhood planning and available at:

<https://historicengland.org.uk/images-books/publications/sustainability-appraisal-and-strategic-environmental-assessment-advice-note-8/>

Should it be concluded that, overall, a SEA will be required for the Plan, Historic England would be pleased to discuss the scope of the assessment in relation to the historic environment in due course.

I hope that this information is of use to you at this time. Should you have any queries, please do not hesitate to contact me.

**Natural England**

Received 30 August 2023

Thank you for your consultation on the above dated 15 August 2023, which was received by Natural England on 15 August 2023.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Screening Request: Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA)

It is Natural England’s advice, on the basis of the material supplied with the consultation, that:

* significant effects on statutorily designated nature conservation sites or landscapes are unlikely; and,
* significant effects on Habitats sites1, either alone or in combination, are unlikely.

The proposed neighbourhood plan is unlikely to significantly affect any Site of Special Scientific Interest (SSSI), Marine Conservation Zone (MCZ), Special Areas of Conservation (SAC), Special Protection areas (SPA), Ramsar wetland or sites in the process of becoming SACs or SPAs (‘candidate SACs’, ‘possible SACs’, ‘potential SPAs’) or a Ramsar wetland. The plan area is unlikely to have a significant effect on a National Park, Area of Outstanding Natural Beauty or Heritage Coast, and is unlikely to impact upon the purposes for which these areas are designated or defined. The plan is unlikely to have an effect on the Sherwood ‘possible potential SPA’ and its features.

Guidance on the assessment of Neighbourhood Plans, in line with the Environmental Assessment of Plans and Programmes Regulations 2004 is contained within the Planning Practice Guidance. This identifies three triggers that may require the production of an SEA:

* a neighbourhood plan allocates sites for development
* the neighbourhood area contains sensitive natural or heritage assets that may be affected by the proposals in the plan
* the neighbourhood plan may have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan.

Natural England does not hold information on the location of significant populations of protected species, so is unable to advise whether this plan is likely to affect protected species to such an extent as to require an SEA. Further information is included in Natural England’s standing advice on protected species.

Furthermore, Natural England does not routinely maintain locally specific data on all environmental assets. The plan may have environmental impacts on priority species and/or habitats, local wildlife sites, soils and best and most versatile agricultural land, or on local landscape character that may be sufficient to warrant an SEA. Information on ancient woodland, ancient and veteran trees is set out in Natural England/Forestry Commission standing advice.

We therefore recommend that advice is sought from your ecological, landscape and soils advisers, local record centre, recording society or wildlife body on the local soils, best and most versatile agricultural land, landscape, geodiversity and biodiversity receptors that may be affected by the plan before determining whether a SEA is necessary.

Natural England reserves the right to provide further advice on the environmental assessment of the plan. This includes any third party appeal against any screening decision you may make. If a SEA is required, Natural England must be consulted at the scoping and environmental report stages.

Please send any new consultations, or further information on this consultation to consultations@naturalengland.org.uk

# Appendix 2: Ecological attributes of the European sites

**Birklands and Bilhaugh Special Area of Conservation (SAC)**

**Description**

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.

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 Grifoa suphurea and Fistulina hepatica. The oak population consists of approximately equal numbers of the pedunculate oak Quercus robur and the sessile oak Q. petraea covering a wide range of size and age, including an exceptional population of ancient standing oaks. Although birch (mainly Betula verrucosa) 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 Deschampsia flexuosa and which contain such characteristic herbs as heath bedstraw Galium saxatile and tormentil Potentilla erecta.

**Area**

270.5ha

**Qualifying Features**

H9190: Old acidophilous oak woods with Quercus robur on sandy plains

Site Status (an assessment by Natural England of the status of the SSSIs within the SAC):

* 96.87% in unfavourable (recovering) condition
* 3.13% in unfavourable (no change) condition

**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 the qualifying natural habitats, and
* The supporting processes on which the qualifying natural habitat rely.

**Site Improvement Plan: 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. 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.

**Sherwood Forest prospective potential Special Protection Area (ppSPA)**

**Description**

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.

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 Forest, in the northern half of the site, is dominated by link 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** (an assessment by Natural England of the status of the SSSIs within the SAC):

The condition of the site was not assessed in the most recent IBA monitoring assessment. However, the IBA factsheet states that the mixed woodland habitat is in ‘very unfavourable’ condition, but the conditions of the nightjar and woodlark populations are favourable.

**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.

**Site Improvement Plan: 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.

1. SEA Directive, Article 1 [↑](#footnote-ref-1)
2. Planning Guidance - Paragraph: 079: Reference ID: 41-079-20140306 [↑](#footnote-ref-2)