Draft Managing Recreational Impact at Clumber Park SSSI SPD

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Bassetlaw
DISTRICT COUNCIL
— North Nottinghamshire —

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1. Introduction

1.1 The purpose of this SPD is to provide a framework to manage potential recreational impacts from new residential development on the Clumber Park Site of Special Scientific Interest (SSSI) which, without mitigation, will damage or destroy the interest features for which the SSSI has been notified.

1.2 Clumber Park, managed by the National Trust, covers c.1,600ha of historic parkland and woodland and is located to the south-east of Worksop in Bassetlaw District. For the purposes of this SPD, it is the designation of part of the site as a SSSI that is important. Evidence shows that a significant proportion of visitors to the park annually come from the local area. The Local Plan recognises that there is potential for the residents from new housing sites of 50 or more to have an adverse impact upon the protected characteristics of Clumber Park SSSI. In those circumstances, mitigation would be required.

1.3 It is the collective statutory responsibility of the Council as a public body and the National Trust as landowner to take steps to conserve and enhance the SSSI and to mitigate against its deterioration for the enjoyment of current and future generations.

1.4 This draft SPD provides technical planning guidance to support the delivery of the Bassetlaw Local Plan, Policy ST38: Biodiversity and Geodiversity. On adoption, the SPD will be a material consideration in the assessment of planning applications.

2. Clumber Park SSSI

2.1 Clumber Park is a former ducal estate which was once part of Sherwood Forest. Located either side of Clumber Lake and the River Poulter, it has been owned and managed by the National Trust since 1946. It supports a range of habitats, including mature, semi-natural woodland, conifer plantations and heathland, and incorporates the smaller Clumber Park SSSI (see map overleaf).

2.2 Clumber Park SSSI comprises one of the largest areas of mixed habitat in Nottinghamshire and consists of discontinuous blocks of habitat completely within the larger Clumber Park site. It supports extensive areas of lowland (floristically rich) acid grassland, heath, and mature deciduous woodland, characteristic of the English North Midlands, as well as areas of scrub, marsh, streamside vegetation, and lake.

2.3 The site incorporates areas of oak-dominated deciduous woodland, alongside areas of mixed woodland, which support an exceptionally rich saproxylic beetle fauna. The latter assemblage includes an impressive array of nationally rare and scarce species, and the site is also important for a range of other invertebrate taxa (particularly spiders and moths). Further information can be found within the Designated Sites Notification SSSI detail

2.4 The SSSI also supports a notable and diverse breeding bird community, including Nightjar, Woodlark, Hawfinch, and Gadwall alongside an array of common woodland, heath, and marsh breeding species. The wetland areas on site also host good numbers of wintering wildfowl. The woodland and wetland habitats on site are also particularly important for bats, with the SSSI supporting a number of species with restricted ranges within Nottinghamshire.

Map 1: Study area (inset provides wider geographic context)



3. Legislation, Policy and Guidance

3.1 The Wildlife and Countryside Act 1981 (as amended) places a legal duty on the Council to consider whether development proposals would cause harm to the special features of a SSSI and, where they might, to consult Natural England and take their advice into account in the decision-making process.

3.2 In planning terms, the National Planning Policy Framework and the Bassetlaw Local Plan 2020-2038 (Policy ST38) state that SSSIs should be given a high level of protection from harm from development. In general, this means that proposals which harm these sites will be found to be unacceptable unless there are exceptional circumstances that identify the benefits of the proposal clearly outweigh any harm to the protected characteristics of the SSSI.

Recreational Impact at Clumber Park

3.3 The Clumber Park SSSI Recreation Impact Assessment 2022 (RIA) identifies that visitor pressure is known to be posing a significant risk to notified site features, to the extent that this is currently or will imminently affect SSSI favourable condition status.

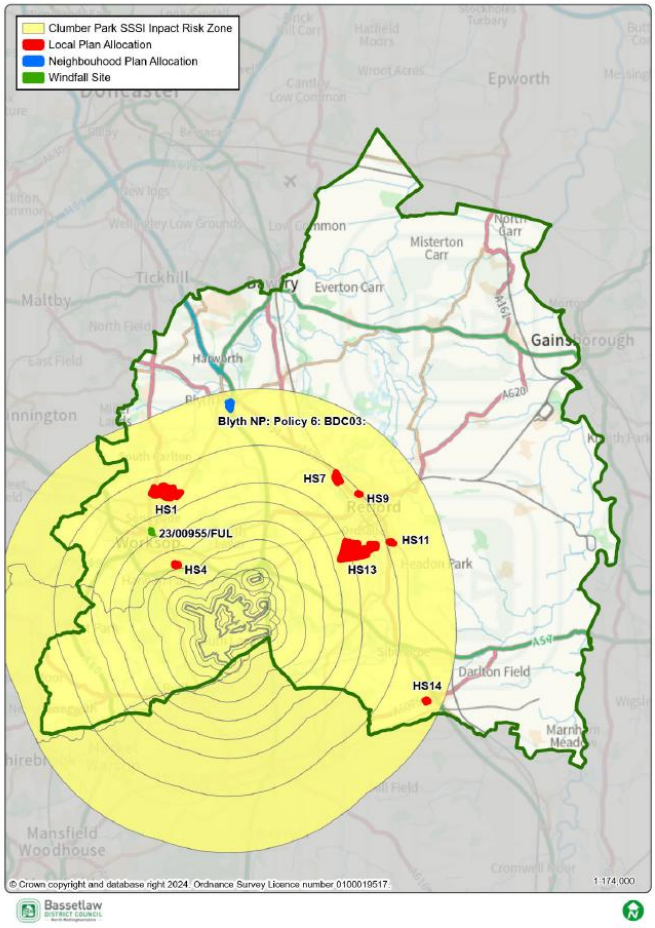
3.4 The RIA identified the following impacts of recreational disturbance on habitats and bird species:

- Trampling and compaction of ground flora and soils
- Damage to tree roots within woodland areas
- Enrichment from dog fouling
- Damage caused to veteran trees
- Disturbance and potentially predation from dogs to ground nesting Woodlark and Nightjar
- Negative impact on Nightjar which favour less heavily utilised areas where any increase in footfall can potentially affect the birds present
- Visitor disturbance to Woodlark which are distributed across the sites.

3.5 The results from the RIA's visitor behaviour survey show that a quarter of all interviewees visited Clumber Park 1 to 3 times per week, and notably dog walkers were the group who visited the most frequently, with >16% visiting most days or daily. It is the impact that these regular visitors who tend to live close to Clumber Park that the SPD focuses on.

3.6 The RIA identifies that there would be an increase in visitor use of Clumber Park SSSI of 26% compared to the current level, as a result of the increase in dwellings from the allocations in the Bassetlaw Local Plan. Many of these allocations are within a 10km radius – Impact Risk Zone - of Clumber Park.

3.7 An Impact Risk Zone (IRZ) is a GIS tool developed by Natural England to make a rapid initial assessment of the potential risks to SSSIs posed by development proposals. IRZs define zones around each SSSI which reflect the particular sensitivities of that SSSI's features and indicate the types of development which could potentially have adverse impacts. IRZs are available to view via Magic Map Application (defra.gov.uk).



4. Which developments does recreational impact apply to?

4.1 To reduce the impact of potential additional recreational pressure, Local Plan Policy ST38 requires all planning applications of 50 or more dwellings falling within the 10km impact zone of Clumber Park SSSI to include a site-specific assessment of recreational pressure. This should include appropriate mitigation measures, where appropriate.

4.2 The policy requirement applies to all proposals falling within Use Class C3, Use Class C4 and Houses in Multiple Occupation (Sui Generis). This includes, for example, the conversion of existing houses into smaller flats, or the change of use of other buildings to dwellings. It excludes replacement dwellings and extensions to existing dwellings (where there is no net gain in dwelling numbers).

4.3 Reflecting the approach taken by other local planning authorities, where tourist accommodation is considered to generate additional recreational pressure, mitigation would be required based on the increase in potential visitor capacity adjusted to reflect overall visitor occupancy levels over a year. The starting point would be the provision of mitigation for each additional bedroom or unit of visitor accommodation, with an allowance for the highest annual occupancy level (Visit Britain show a highest annual level of bedroom occupancy of 78% in England for a five year period), unless clear evidence is provided to justify a different approach.

4.4 Recreational impact applies to: Full, Outline, Hybrid and S73 applications, Prior approvals and Reserved Matters if not provided for at outline stage.

4.5 Developers are strongly encouraged to discuss proposals with the Council at pre-application stage to ensure all aspects relating to recreational impact have been considered and addressed appropriately.

5. Assessing and Mitigating Recreational Impact at Clumber Park SSSI

5.1 The Council expects the effects of recreational pressure to be appropriately considered and adverse impacts mitigated through a site-specific recreational impact assessment. Proposals should take a robust and proportionate approach in accordance with CIEEM best practice guidelines Combined-EclA-guidelines-2018-compressed.pdf Adequate justification should be provided to inform any decision to screen out potential recreational impacts.

5.2 Assessment of recreational pressure should be based on recent visitor survey data, to establish the baseline and to enable prediction of the likely increase in visitor levels associated with the development. The need for visitor surveys to inform the assessment will be dependent on a range of factors including the scale of development and the availability and reliability of any existing data.

5.3 The recommended combined approach to mitigation is a financial contribution secured from relevant proposals to be used to mitigate recreational impacts at Clumber Park and/or provision of/contribution towards a Suitable Alternative Natural Greenspace on the development site/in the locality of the development to alleviate the adverse impact of growth on the SSSI and help prevent further deterioration.

Suitable Alternative Natural Greenspace (SANG) provision

5.4 In accordance with the ecological mitigation hierarchy and unless it can be demonstrated that it is not feasible to do so, for sites of 100 dwellings or more, priority should be given to implementing avoidance measures on site to address adverse impacts. This generally includes delivery/contribution towards a SANG to minimise impacts by diverting residents

away from Clumber Park SSSI. This threshold aligns with the Local Plan requirement that sites of 100 dwellings or more provide on site open space where necessary.

5.5 Provision of sufficient quantity and quality of SANG within or close to the development boundary is important to alleviate recreational pressure on Clumber Park SSSI. It can help minimise any predicted increase in visitors by containing the majority of recreational activity within and around the development site boundary away from the more sensitive Clumber Park, thus avoiding adverse impact.

5.6 As a minimum, the Council expects that alternative accessible greenspace should include:

- High-quality, informal, semi-natural areas in accordance with Natural England's Green Infrastructure Framework: Principles & Standards and the open space standards in Local Plan Policy ST44
- Circular dog walking routes within the site and/or with links to surrounding public rights of way (PRoW) – the average requirement is 2.7 km
- Dedicated 'dogs-off-lead' areas and dog waste bins
- On-site signage and/or information leaflets to promote these areas for recreation
- Long-term maintenance and management provision agreed within a S106 agreement.

Further information is included in Appendix 1.

5.7 A SANG is not additional to the Local Plan requirement for recreational open space to meet the needs of the development. If carefully designed, open space requirements for larger housing sites should be able to accommodate a SANG within the site boundary or be able to provide strong connections to the wider green infrastructure/public rights of way network.

5.8 It should be designed to absorb significant proportions of every day recreational needs of new residents, such as walking, dog-walking, jogging / exercise, children's play facilities, and other informal recreation. It should be semi-natural in character, with significant proportion of semi-natural grassland, woodland, scrub and wetland habitat.

5.9 The identification of a SANG should avoid sites of high nature conservation value that are likely to be affected by habitat loss, damage, harm or disturbance by increased access or visitor numbers. Where sites of high nature conservation value are proposed as SANG, the impact on their nature conservation value should be assessed and considered alongside relevant policies and legislation

5.10 Where SANG is not able to deliver the relevant aspects of the guidelines, this would be considered on a case-by-case basis as part of the application process.

5.11 Details would need to be submitted as part of a planning application to demonstrate satisfactory design and delivery of the SANG. Additionally, a detailed management plan will need to be submitted setting out arrangements in perpetuity, for management and monitoring of the SANG, including how this would be funded. The design, management and monitoring arrangements would need to be agreed with Natural England and the council prior to the determination of the application.

Financial Contribution

5.12 A transparent and consistent solution must be put in place to guide development and ensure mitigation is fit for purpose. To ensure mitigation positively manages recreational pressure from new housing, all mitigation must manage/monitor visitor recreational activities at Clumber Park but cannot include habitat management.

5.13 The contribution per dwelling will depend on the house type/mix and the estimated occupancy rate for that house type below.

Number of bedrooms	Population	Contribution (£)
1	1.2	600
2	1.7	850
3	2.4	1200
4 or more	2.9	1450
District average dwelling	2.3	1150

5.14 For outline applications where the development is expected to be developed in phases, for proposals where incremental development is expected or where the housing mix has not been identified, the overall requirement will be based on the number of dwellings expected to be accommodated on the site as a whole. An assumed occupancy of 2.3 persons will be used (average occupancy in the district, Census 2021). Developers will be expected to re-visit the position at full/reserved matters stage to ensure the contribution mitigates the associated recreational pressure.

5.15 For other forms of development where mitigation is required, the Council would consider the most appropriate rate in the context of the specific proposal. For example, for tourist accommodation the contribution may be adjusted to reflect occupancy rates, as set out in paragraph 4.3.

5.16 The contribution reflects that tested through the Whole Plan Viability Assessment for the Bassetlaw Local Plan. The approach is considered to be financially viable alongside other development costs, S106 costs and where relevant CIL so is appropriate in this context.

5.17 Financial contributions will be pooled so that they can contribute to and potentially accelerate project delivery but are not expected to wholly fund projects.

6. Recreational Impact Management Projects (RIMP)

6.1 The Council have been working with the National Trust to ensure that recreational pressure at Clumber Park SSSI can be suitably managed. The National Trust have identified the following Recreational Impact Management Projects (RIMP) which they intend to implement between 2026-2031. All are at Feasibility or Design & Plan Stage and are required to support National Trust's Clumber Park Visitor Business and Residential Estate Plan.

6.2 Identifying projects in for a 5 year period will ensure project delivery can be aligned with anticipated housing delivery, thereby ensuring mitigation is in place to manage adverse impacts associated with new development. Housing delivery is based on the Council's Five Year Housing Land Supply and Housing Trajectory. To ensure the mitigation package is responsive, including to changing opportunities, the projects will be re-visited every 5 years.

Project	Description	Cost (£)
New Car Park and Visitor Arrival Experience	All-weather year-round car parking to sustain current visitor numbers and cope with anticipated growth	4,250,000

Project	Description	Cost (£)
3 New Peripheral Car Parks	3 small car parks (c50 vehicles) on the periphery of the estate for locals that do not wish to access the central part of the Park	250,000
Hardwick Village Visitor Facilities	New visitor facilities at the lake on the edge of Hardwick Village to include toilets, including disabled facilities, changing place, parent facilities and seating	650,000
Paddocks Outdoor Hub	New hub away from the core to support access by walking and cycling	1,500,000
Paths and Path Infrastructure	2m wide path with self - binding gravel surface and wooden edging; general path repairs and maintenance. Budget therefore flexible and available to pay for path improvements/repair as necessary and informed by monitoring.	2,000,000

7. How will mitigation be secured?

7.1 The approach to mitigation would need to be satisfactorily agreed prior to the grant of planning permission. Section 106 legal agreements would be used to secure financial contributions, along with the delivery, availability and management/maintenance of any SANG provided. The cost will be reviewed for inflation annually using the BCIS index.

7.2 To ensure that recreational pressure is not experienced at the SSSI, mitigation would need to be in place prior to occupation of any new housing. It is likely therefore that any financial contribution to facilitate the delivery of mitigation would be sought upon commencement of the development. There may be some scope for phasing delivery of contributions towards mitigation for larger sites; this would be considered on a case by case basis, payable before commencement of each phase.

7.3 Any SANG agreed on site or to be delivered in conjunction with it, should be provided to be available in time for the first occupation of the site. There may be some scope for phasing of mitigation in line with occupation rates for larger sites, this would be considered on a case by case basis.

7.4 The National Trust will be expected to submit a detailed project management schedule and costings prior to requesting funding for mitigation from the Council. To ensure transparency and accountability, the Council will expect the National Trust to provide detailed evidence of spend annually for inclusion within the Council's annual Infrastructure Funding Statement.

Appendix 1: Suitable Alternative Natural Greenspace (SANG) guidance checklist

This checklist is based on guidance for the creation of SANG provided by Natural England (August 2021).

'Must haves':

- SANG must be perceived as semi-natural spaces with little intrusion of artificial structures except in the immediate vicinity of car parks (where provided). Visually sensitive way-markers and some benches are acceptable.
- Paths must be easily used and well-maintained but most should remain unsurfaced to avoid the site becoming urban in feel.
- Access within the SANG must be largely unrestricted with plenty of space provided for dogs to exercise freely and safely off lead.
- It should be possible to complete a circular walk of 2.7km to 3.2km around the SANG, unless it is possible to connect to a wider network to create such a walk (e.g. via the public rights of way network)*
- SANG must be designed so that they are perceived to be safe by users, e.g. paths should follow routes with good visibility.
- The accessibility of the site must include access points appropriate for the particular visitor use the SANG is intended to cater for.
- SANG must be free from unpleasant intrusions (e.g. sewage treatment works smells, etc.)
- For all SANG larger than 4 ha there must be adequate parking for visitors, unless it is intended for local use, i.e. within easy walking distance of the developments linked to it. The amount of car parking should be determined by the anticipated use of the site and reflect the visitor catchment of both the SANG and Clumber Park.
- Where provided, car parks must be easily and safely accessible by car and should be clearly sign posted.
- The SANG must have a safe route of access on foot from the nearest car park and/or footpaths. All SANGs with car parks must have a circular walk which starts and finishes at the car park.
- All SANG larger than 12ha must aim to provide a variety of habitats for users to experience.

'Should haves':

- SANG should be clearly signposted or advertised.
- SANG should have leaflets and/or websites advertising their location to potential users.
- SANG should include multi use bins at key entrances to the site, that are easily accessible for emptying. Such bins should be signposted as being multi use (for general and dog waste).

Desirable:

- Where possible, choose sites with a gently undulating topography for SANG.
- Appropriate provision of benches to be made within the SANG.
- For an owner to be able to take dogs from the car park (where provided) to the SANG safely off the lead.
- For access points to have signage outlining the layout of the SANG, its purpose, and the routes available to visitors, as well as details on the habitats, species and other features that may be seen and how they are managed.
- SANG provide a naturalistic space with areas of open (non-wooded) countryside and areas of dense and scattered trees and shrubs. The provision of open water on part, but not the majority, of sites is desirable.

*These distances reflect the median distance of a dog walk and median distance of a walk from the on-site visitor survey