Mansfield
District Council

Local Plan Consultation Draft

Habitat Regulations Assessment – likely significant effects screening report

February 2016

In partnership with AECOM

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1. Introduction

1.1. Aims of the Report

1.1.1. Mansfield District Council is in the process of preparing its Local Plan and other related development plan documents. As part of this work, consideration must be given to whether any of these plans may result in a likely significant effect on sites of European importance for nature conservation, otherwise known as the Natura 2000 network.

1.1.2. Potential impacts are identified and assessed through a process informally called a Habitats Regulations Assessment (HRA), triggered by Articles 6 (3) and 6 (4) of the European Community Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora, which is implemented in England and Wales through the Conservation of Habitats and Species Regulations 2010 (as amended).

1.1.3. This document addresses the Screening or Likely Significant Effects stage of HRA. In the event that likely significant effects are identified, or if effects are unknown, a subsequent study (Appropriate Assessment) is undertaken in order to assess these in further detail. In this case that has not proven necessary. The screening process includes the following:

- Identify European site(s) that might be affected, and key site characteristics, vulnerabilities and conservation objectives
- Identify issues that might affect site integrity
- Confirm the methodology used
- Screen local plan preferred policies for any potential significant effects (alone and in-combination) on identified European sites
- Present recommendations and conclusions
- Provide a basis for further HRA related work

1.1.4. There is a single European designated site near to Mansfield district which falls within the legal coverage of HRA. This is Birklands & Bilhaugh SAC, located within the adjacent district of Newark & Sherwood.

1.1.5. This document also includes discussion of impacts on an area of land informally known as the Sherwood possible potential Special Protection Area (ppSPA). Despite the name, this site is not designated or officially proposed as a Special Protection Area. There is thus no legal requirement to consider impacts on the ppSPA in this document at all. However, for completeness and good practice, it has been decided to include this site. In reading the assessment in this report, it is however important to bear in mind the distinction between the high level of protection afforded to the Birklands & Bilhaugh SAC and the much lower level of protection afforded by law to the area dubbed Sherwood ppSPA, which has no actual legal status as a site. The assessment must be proportionate to the difference in status of these two sites.

1.1.6. This document includes an assessment of the draft Local Plan submitted for public consultation in January-February 2016. Work on this HRA report began early on in the local plan process following the Mansfield District Local Plan Issues and Options stage in 2010. This assessment was started by Mansfield District Council (MDC) and completed by Aecom consultants on behalf of MDC in 2016 to help inform the final stages of the Mansfield District Local Plan.

1.2. Background

1.2.1. The Natura 2000 network was set up under Article 3 of the Habitats Directive (92/43/EEC) to ensure key sites are designated for protection. These sites are recognised as being of the highest ecological importance (European importance) based on the presence of rare, endangered and/or vulnerable natural habitats and species.

1.2.2. Natura 2000 sites, which are also referred to as European Sites[1], consist of Special Areas of Conservation (SACs) and Special Protection Areas (SPAs). SACs are identified for habitats listed on Annex I and for species listed on Annex II of the 1992 Habitats Directive (92/43/EEC). SPAs are classified under Article 4 of the 1979 Birds Directive (79/409/EEC). In addition, sites designated under the Ramsar Convention (Ramsar sites) also receive the same degree of protection under the NPPF[2] and the ODPM Circular 6/2005[3]. According to both these documents, candidate SACs (cSCA) and potential SPA (pSPA) are also to be considered in the same way as if they had been classified or designated.

1.2.3. There are no European or Ramsar sites located within Mansfield district, and only one site is within a reasonable distance (15 km)[4] of the district boundary[5]. This is Birklands and Bilhaugh SAC (Ref: UK0012740) which lies to the east of Market Warsop, near to Edwinstowe (see Appendix A.1). It is located in Newark and Sherwood district but is approximately 0.7km from the Mansfield district boundary and approximately 3km from Warsop village.

1.2.4. Under the Habitats Directive a ***competent authority*** is required to carry out an assessment of whether a plan or project is likely to significantly affect the integrity of a European site, in relation to its vulnerabilities and conservation objectives. Assessments should be carried out on all plans and projects that are not directly connected with or necessary for the management of the site.

1.2.5. For issues relating to planning, the Local Planning Authority, in this case Mansfield District Council, is considered the *'competent authority'.* The definition of *'plans'* extends to land use: plans such as the Mansfield District Council Local Plan and related documents. These plans cannot be adopted by planning authorities unless:

- There has been a determination by the planning authority based on objective information that the plan is **not** likely to have a significant effect on any European site; or

[1] The terms European site and Natura2000 site are used interchangeably in this document.
[2] National Planning Policy Framework 2012
[3] Office of the Deputy Prim Minister Government Circular 06/2005: Biodiversity and Geological Conservation – Statutory Obligations and Their Impact within the Planning System (16 August 2005)
[4] There is no set distance that must be considered, rather a reasonable and precautionary approach must be taken in order to consider those sites that might be affected by a plan. 15km was chosen as a reasonable distance (15km buffer from Mansfield District boundary) to identify sites likely to be affected as this is appears to be the standard distance used in HRAs. It is based on a reasonable travel distance by car in which a majority of people travel to such sites/areas.
[5] The Sherwood Forest area is currently being considered as a possible future Special Protection Area (possible potential SPA or ppSPA). It is being assessed along-side a UK-wide Review Programme led by Defra (work currently on-going). If the area is formally proposed and then classified as a potential SPA (pSPA) or full SPA, all plans would be subject to provisions under the Conservation of Habitats and Species Regulations 2010. Although this area is not formally a pSPA nor a SPA, Natural England advises that Councils adopt a risk-based approach to planning proposals (letter dated 28 June 2010, further revised July 2011). This issue is further discussed in Section 2.4.

- An **appropriate assessment** has been carried out in respect of the provisions of the plan which **are** likely to have a significant effect on any European site, which has then concluded that there will be no adverse effect on the integrity of any European site - in line with the requirements of Article 6 (3) and 6 (4) of the Habitats Directive.

1.2.6. The overall process of assessing the impacts of a plan or project on a European site is informally known as a Habitat Regulations Assessment (HRA). Henceforth, this is the term used in this document for the overall assessment process. An Appropriate Assessment is simply a step within the HRA and is required to address likely (if any) significant effects identified in the Screening Stage (alone or in combination) and to identify mitigation measures. Table 1.1 below summarises the HRA process[6]. Further information is available in Section 4.

Table 1-1 Summary of the HRA Process

Stage One: Screening	The process which identifies the likely impacts upon a Natura2000 site of a project or plan, either alone or in combination with other projects or plans, and considers whether these impacts are likely to be significant. If significant impacts are identified in the Screening stage of the HRA process, then it is necessary to carry out an Appropriate Assessment (Stage 2 below).
Stage Two: Appropriate Assessment	The consideration of the impact of the project or plan on the integrity of the Natura2000 site, either alone or in combination with other projects or plans, with respect to the site's structure and function and its conservation objectives. Additionally, where there are adverse impacts, an assessment of the potential mitigation of those impacts.
Stage Three: Assessment of alternative solutions	The process which examines alternative ways of achieving the objectives of the project or plan that avoid adverse impacts on the integrity of the Natura2000 site.
Stage Four: Assessment where no alternative solutions exist and where adverse impacts remain	An assessment of compensatory measures where, in the light of an assessment of imperative reasons of overriding public interest (IROPI), it is deemed that the project or plan should proceed (it is important to note that this guidance does not deal with the assessment of imperative reasons of overriding public interest).

[6] European Commission Environment DG. November 2001. Assessment of plans and projects significantly affecting Natura2000 sites: Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC. Oxford Brookes University, UK.

1.3. HRA and the Mansfield District Council Local Plan

1.3.1. Work is currently underway to create an updated Mansfield District Council (MDC) Local Plan which will shape future planning and development of Mansfield district (from the present to 2033). This replaces the 1998 Mansfield District Council Local Plan.

1.3.2. The Local Plan sets out strategic issues and policies, as well as more detailed development management policies and site allocations. It is important to demonstrate that the Local Plan will not have an adverse effect on European sites, or that it includes an adequate policy framework to enable the delivery of measures to prevent adverse effects on the integrity of the Birklands and Bilhaugh Special Area of Conservation (SAC).

1.3.3. A similar screening assessment has also been carried out for a possible potential Sherwood SPA (ppSPA), based on guidance from Natural England. This is not a formal HRA process as this is not currently a European protected site. It is also not subject to an Appropriate Assessment under legislation, but care should be taken to ensure key impacts are addressed proportionately. Please see Section 3 for more details.

1.3.4. The HRA must be carried out in an objective and transparent way taking into account possible significant impacts (alone and in combination) with other plans and projects. It assesses the overall scale, location, timing and nature of new development.

2. European Site to be considered

2.1.1. As noted in Section 1.2, there are no Natura 2000 sites located within Mansfield District. The Birklands and Bilhaugh Special Area of Conservation (SAC) is the only Natura 2000 site located within close proximity (approximately 0.7km from the Mansfield district boundary and approximately 3km from Warsop village).

2.1.2. A possible potential Sherwood Special Protection Area (ppSPA) based on the presence of nightjar and woodlark populations has also been assessed through this report, based on the adoption of a precautionary approach (see Section 2.3). This site is located partly within Mansfield. Maps are available in Appendix A.1.

2.2. Location and Setting

2.2.1. The Birklands and Bilhaugh SAC is located in Newark and Sherwood district near Edwinstowe within the Sherwood Forest Natural Area[7]. The SAC overlaps with three other designations including the Sherwood Forest National Nature Reserve (NNR), Birklands and Bilhaugh Site of Special Scientific Interest (SSSI) and Birklands and Bilhaugh Local Wildlife Site (LWS). There are other LWSs and UK Biodiversity Action Plan priority habitats (Lowland Parkland and Wood Pasture, Broadleaved, Mixed and Yew Woodland, and Dwarf Shrub Heath) within close proximity of the SAC (see Appendices A.1 to A.3). Together, this cluster of designated sites and priority habitats form an important biodiversity reservoir[8] within Nottinghamshire.

2.2.2. The setting of the SAC is rural, with only villages (such as Edwinstowe, Ollerton, New Ollerton and Market Warsop) surrounding it. Mansfield urban area (including Mansfield town or central area, Forest Town and Mansfield Woodhouse) is located 5.8km to the south-west.

2.2.3. It is important to assess any combined effects from adjacent local authorities' local planning policies and existing and planned future developments, including roads and waste facilities, within and around these settlement areas. As such, each part of Chapter 5 of this document contains an 'in combination' assessment which places Mansfield within the context of development in the surrounding authorities.

2.3. Characteristics, Conservation Objectives and Site Vulnerability

2.3.1. The role of the HRA is to identify if the Local Plan (alone and in-combination) would result in likely significant effects on the Birklands and Bilhaugh SAC and apply a similar risk-based approach to the possible potential Sherwood SPA.

2.3.2. In order to assess if any risk from policies and development is likely, it is important to understand:

- why the site has been designated - this is based on its 'qualifying feature(s) of interest'
- the condition of these features
- site vulnerability – what existing pressures are there and the site's (and its features') sensitivity to change and
- the overall Conservation Objectives for the site. Please see 'Methods and Approach' section for more information.

[7] http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/englands/naturalareas.aspx
[8] A biodiversity reservoir consists of large collective patches of habitat which have within them: a) a good variety of connected and high-quality natural or semi-natural habitats and b) support a rich diversity of species.

2.3.3. The following section describes the European site.

Table 2-1 Birklands and Bilhaugh SAC Site Characteristics[9]

Site Name	Birklands and Bilhaugh Special Area of Conservation (SAC)
Area	271.84 ha
Location	SK618679 (centroid) Nottinghamshire; Newark and Sherwood DC
General site character	• Heath. Scrub. Maquis and garrigue. Phygrana (1%) • Dry grassland. Steppes (3%) • Broad-leaved deciduous woodland (89%) • Coniferous woodland (5%) • Other land (including towns, villages, roads, waste places, mines, industrial sites) (2%)
Annex I habitats on site	• Old acidophilous oak woods with *Quercus robur* on sandy plains • European dry heaths[10]
Qualifying Features	Old acidophilous oak woods with *Quercus robur* on sandy plains for which this is one of only four known outstanding localities in the United Kingdom and is the most northerly site selected for old acidophilous oak woods. The site is notable for its rich invertebrate fauna, particularly spiders, and for a diverse fungal assemblage, including *Grifoa suphurea* and *Fistulina hepatica*.
Condition/Health (based on Natural England assessment of SSSI as of 1st November 2013)	• 99.35% of site is in 'unfavourable recovering' condition. This condition is applied to areas of the SSSI/SAC which do not currently meet the criteria for favourable condition but are progressing towards that state and are expected to meet them in the future. The woodlands have been identified as benefiting from improved management, including, improving and maintaining the structure and function of the woodland system and a continuity of dead-wood habitats. There are older trees and younger trees but none in middle age classes to replace the veteran/ancient trees as they die off. Targeting the composition and structure of trees present would make a big difference to the health of the identified features of interest (see above). Pollution and climate change are also contributing factors of poor health and likely to exacerbate stresses[11]. These impacts may be more difficult to address directly, except through policy and indirectly through continued habitat management. • 0.65% of site in unfavourable, 'no change' condition (i.e. no positive change since the previous condition assessment) due to the presence of the current visitor centre and car park which needs to be re-located before native habitats can be re-established. Impacts from visitor pressures are mainly focused around this area. This area of the SAC is 3.27 hectares (ha). For more information on Condition/Health: http://www.sssi.naturalengland.org.uk/Special/sssi/sssi_details.cfm?sssi_id=1003476

[9] These are based on the Natura 2000 Standard Data Form (Produced by JNCC. Version 2.1, 23/05/02).
[10] European dry heaths are not a qualifying feature of the SAC because they make up a very small proportion of the overall site. The status of heathland as an Annex 1 habitat places certain obligations on the local authority with regards to Section 74 of the Countryside & Rights of Way (CRoW) Act but compliance with the CRoW Act is not part of the HRA process..
[11] Aspeden, L, et al. 16 Aug 2013. Assessing the potential consequences of climate change for England's landscapes: Sherwood. Natural England Research Report NERR049.

	SSSI Units (areas) included within the SAC boundary: 4, 5, 6, 7 10, & 12 (based on November 2013 assessment).

SSSI name: Birklands And Bilhaugh

% Area meeting PSA target	% Area favourable	% Area unfavourable recovering	% Area unfavourable no change	% Area unfavourable declining	% Area destroyed / part destroyed
99.35%	0.00%	99.35%	0.65%	0.00%	0.00%

Table 2-2 Birklands & Bilhaugh SAC Site Vulnerabilities and Conservation Objectives

Vulnerability (as this relates to pressures from development)[12]	• Visitor pressure (access to and recreational activities within the site) • Air pollution from the industrial towns causing a reduction in lichen diversity is a problem. • Lack of appropriate management e.g. lack of grazing and establishment of new tree species (especially oak) • Subsidence from mining which has the potential to affect woodland condition • Habitat fragmentation • Anti-social behaviour including burning and fly-tipping • Water abstraction and drainage

[12]JNCC. 23 May 2002. Birklands and Bilhaugh Natura2000 Data Form. Version 2.1, 23/05/02 and SSSI 'Operations likely to damage the special interest of Birklands and Bilhaugh.' OLD1003476.

Summary of Conservation Objectives[13]	Avoid the deterioration of the qualifying natural habitats and the habitats of qualifying species, and the significant disturbance of those qualifying species, ensuring the integrity of the site is maintained and the site makes a full contribution to achieving Favourable Conservation Status of each of the qualifying features. Subject to natural change, to maintain or restore: • The extent and distribution of qualifying natural habitats and habitats of qualifying species; • The structure and function (including typical species) of qualifying natural habitats and habitats of qualifying species; • The supporting processes on which qualifying natural habitats and habitats of qualifying species rely; • The populations of qualifying species; • The distribution of qualifying species within the site.

[13] http://www.naturalengland.org.uk/ourwork/conservation/designations/sac/eastmidlands.aspx

3. Possible Potential Sherwood Special Protection Area (ppSPA)

3.1. Location and Setting

3.1.1. A portion of the Sherwood Forest area is currently being considered as a possible potential Special Protection Area, with regard to birds of European importance (nightjar and woodlark) that this area supports. It is referred in this document as a ppSPA. Based on 2004-2006 survey results, the Sherwood Area contains greater than 1% of the UK's population of each of these species; this percentage is a first step (Stage 1) towards considering if an area qualifies as an SPA or potential SPA (pSPA)[14]. This information is currently being assessed along-side a UK-wide review programme led by Defra[15].

3.1.2. If the area were to be formally proposed as a potential Special Protection Area (pSPA), meaning it is on its way to becoming a formally classified SPA, *plans* and *projects* would have to be subject by law to the provisions under the Conservation of Habitats and Species Regulations 2010 that apply to assessment of impacts on all European sites. This is because the National Planning Policy Framework (NPPF 2012) requires authorities to afford the same protection to pSPAs as they do to formal SPAs (see paragraph 118).

3.1.3. Until the Sherwood Forest area is formally proposed by government as a pSPA there is no legal obligation to undertake HRA. However, Natural England (NE) still advises that in order to reduce future risks should the site ever be proposed, it is logical for Local Authorities to satisfy themselves that current planning applications contain *'sufficient objective information to ensure that all potential impacts on the breeding nightjar and woodlark populations have been adequately avoided or minimised'*. In doing so, NE advises that this should be done '*using appropriate measures and safeguards',* in order to *'ensure that any future need to review outstanding permissions under the 2010 Regulations is met with a robust set of measures in place*' (letter from Natural England, 28 June 2010 updated July 2011 and March 2014).

3.1.4. In addressing the above, Natural England advises that local authorities take a '*risk-based approach'* to forward planning and decision making, such that, development plans and proposals are accompanied by an *'additional and robust assessment of the likely impacts arising from the proposals on any breeding nightjar and woodlark in the Sherwood Forest area.'*

3.2. Characteristics, Conservation Objectives and Site Vulnerability

3.2.1. Currently, since the site is not officially proposed for designation, there are no formal conservation objectives or site boundaries available; therefore it is difficult to provide the same level of detail regarding site vulnerabilities as has been given to Birklands and Bilhaugh SAC. In the absence of this information, a more informal approach has been taken.

3.2.2. According to evidence submitted for the Rufford Energy Recovery Facility (ERF) Public Inquiry (February – September 2010), a draft ppSPA boundary was drawn and was

[14] For more information, see the Joint Nature Conservation Committee's website on SPA classification: http://jncc.defra.gov.uk/page-1405

[15] The time schedule of this UK SPA Review has been changeable and the most recent deadline for its first phase is March 2014. There are many issues included in this review, including a more realistic alignment with the European Habitats Directive. This may have implications in how sites are selected and what complimentary areas are included. For more information, see the Joint Nature Conservation Committee's website (Review of the UK SPA Network): http://jncc.defra.gov.uk/page-162

based on combined Indicative Core Areas submitted by Natural England, and Sherwood Important Bird Areas submitted by RSPB. See Appendix A.1 for the approximate boundary of the ppSPA which is subject to change if the site was ever designated. The updated advice letter submitted by Natural England March 2014, advises that it is the combined boundaries of these areas that form an informal SPA boundary. The Birklands and Bilhaugh SAC is included within this boundary. Draft *Conservation Objectives* and *Qualifying Features of Interest* were submitted by Natural England as part of the ERF public inquiry, of which Natural England has advised that these are used to inform a 'risk-based approach'. These are summarised in Table 3.1 below.

Table 3-1 Sherwood ppSPA probable interest features and conservation objectives

Conservation Objective	'To maintain the species features in favourable condition, which is defined in part in relation to their population attributes. On this site favourable condition requires the maintenance of the population of each species feature. Maintenance also implies restoration, if evidence from condition assessment suggests a reduction in size of population.'
Qualifying Features of Interest	• Nightjar and woodlark populations including breeding sites and occupied territories • Nightjar and woodlark habitats including lowland heathland, coniferous woodland with a mosaic of bare ground and low vegetation amongst young scrub, scattered trees or dense stands of young conifer trees.

3.2.3. In response to Natural England's original advice letters dated July 2011 and June 2012, Mansfield District Council's Planning Section developed and implemented a 'Risk-based Approach' through a decision tree and advice papers to be followed and referenced with planning applications as of 1st April 2012. Consultation, with Natural England, the Nottinghamshire Wildlife Trust, RSPB and Nottinghamshire County Council', was undertaken in 2011 on the decision tree and associated appendices, to inform this approach.

3.2.4. In accordance with Natural England's advice, as reinforced by the Secretary of State, an informal HRA scoping opinion is provided in this report. Caution should be placed on the fact that Sherwood Forest is not an SPA or a pSPA (i.e. neither designated nor formally proposed for designation) such that the strict application of Regulation 62 is not required. However, it is still necessary for the local authority to take into account other Regulations e.g. Regulations 9A. Comments are provided, as best is possible, to address this alongside this HRA review, particularly in Section 5.5 as it relates to fragmentation and loss of nightjar or woodlark habitat, whether within the ppSPA or not.

3.3. Regulation 9(A) of the Habitats Regulations (2010) as amended (2012)

3.3.1. Through amendments made in 2012 to the Habitat Regulations Assessment 2010 (as amended), Regulation 9A(2) places a duty on Local Authorities and other public bodies to preserve, maintain and re-establish habitats for wild birds and to ensure that these areas are not further degraded. How this duty is implemented is at the discretion of each public body. The amendment to the Habitats Regulations (2010) further reinforces duties placed on Local Authorities (including those duties under the Town and Country Planning Act) to protect and enhance biodiversity through Section 40 of the NERC Act.

9A (2) Except in relation to the marine area, the Environment Agency, the Forestry Commissioners(14), local authorities, the Broads Authority(15) and National Park authorities must take such steps in the exercise of their functions as they consider appropriate to contribute to the achievement of the objective in paragraph (3).

3.3.2. Regulation 9A (3) objective is to protect, maintain and re-establish (i.e. through creation and/or re-creation of habitat) habitats important to wild birds in exercising their duties as stated above. It aligns the Habitats Regulations 2010 with the EC Wild Birds Directive.

9A (3) The objective is the preservation, maintenance and re-establishment of a sufficient diversity and area of habitat for wild birds in the United Kingdom, including by means of the upkeep, management and creation of such habitat, as appropriate, having regard to the requirements of Article 2 of the new Wild Birds Directive.

3.3.3. Article 2 of the Birds Directive requires that Member States 'take measure to maintain the population of all wild birds at a level which corresponds to ecological, scientific and cultural requirements, while taking into account of economic and recreational requirements, or to adapt the population of these to that level.' This equates to the need for the diversity and area of habitats should be protected and maintained as such that wild bird populations are capable of maintaining themselves on a long-term basis throughout their natural ranges.

3.3.4. Regulation 9A(7) states economic and recreational requirements must be taken into consideration but does not expand on what this might mean in practice.

9A (7) In considering which measures may be appropriate for the purpose of securing or contributing to the objective in paragraph (3), appropriate account must be taken of economic and recreational requirements.

3.3.5. Regulation 9A (8) & (9) provide further duties to use all reasonable endeavours to avoid pollution or deterioration of habitats of wild birds. This applies to all bird habitats, both within and outside protected areas. Competent authorities should seek to avoid, or where not practicable mitigate, all such pollution or deterioration.

(8) So far as lies within their powers, a competent authority in exercising any function in or in relation to the United Kingdom must use all reasonable endeavours to avoid any pollution or deterioration of habitats of wild birds (except habitats beyond the outer limits of the area to which the new Wild Birds Directive applies).

(9) The appropriate authority must take any steps they consider necessary to facilitate or co-ordinate arrangements to secure the taking of steps under paragraphs (1) and (2) by the bodies mentioned in those paragraphs.

3.3.6. There is a lack of guidance from Defra on how to practically interpret these Regulations, but it would suggest that regardless of whether an SPA or pSPA in Sherwood is designated, based on Regulations 9(A) 2, 3, 7 and 8, nightjar and woodlark nesting sites and habitats should preferably be safeguarded through planning process. In addition to HRA, all endeavours are made in this report to address Regulation 9(A) of the Habitats Regulations (2010) 2012 Amendment as they relate to the ppSPA, particularly in section 5.5. At the same time, locations of known nightjar and woodlark nests are not disclosed in this report in order to protect these locations.

4. Method and Approach

4.1. Background

4.1.1. A Habitats Regulations Assessment (HRA) should act as a quality-control measure for assessing all relevant documents (plans and projects); this must include the ability to accommodate changes and re-test modifications where and when necessary (i.e. in relation to mitigating identified likely significant effects). Therefore the HRA process is often a rolling one with continual updated until the plan is submitted to the Secretary of State. The HRA process should be completed before the adoption of the final version of a plan or project. The process includes the following key stages, which follow on from one another as needed:

- evidence gathering & screening (judging Likely Significant Effects)
- Appropriate Assessment & Assessment of Alternative Solutions (if needed); and
- assessment where no alternative solutions exist and where adverse impacts remain (if needed).

4.1.2. It is important to note that the Habitat Regulations Assessment (HRA) is separate from the Sustainability Appraisal, has a much narrower remit and a much more strict definition of a significant effect. However, the HRA and SA usually take place during the same stages and clearly the conclusions of the HRA are relevant in informing the conclusions of the SA regarding biodiversity impacts. Both processes help to inform final policy development in the Local Plan. The HRA process has informed the MDC Sustainability Appraisal process as follows:

- <u>Alignment of generated options at the Issues and Options and the Preferred Option stages.</u> This was to ensure that the same options were appraised by the HRA and SA and to reduce confusion and ensure efficient use of resources. Separate HRA and SA assessments were then conducted.
- <u>The SA screening of sites allocations was used as an initial filter in assessing the potential impacts on the SAC and possible potential SPA under the SA Objective 6</u> (e.g. Impacts from recreation, air pollution and cat predation using buffering). The HRA built upon this to determine likely significant effects using more detailed information.
- The consultation Sustainability Appraisal (December 2015) has been informed by the HRA. There are references throughout the SA report to the HRA and both Birklands & Bilhaugh SAC and Sherwood ppSPA. For example, paragraph 1.1.1 of the SA report discusses impacts from Policy M4 on Sherwood ppSPA and draws upon the analysis presented in this HRA report and concludes that '*As identified in the HRA, it will be necessary to undertake application-specific assessments when these sites are brought forward for development, in order to determine the effects more accurately and identify appropriate mitigation'*.

4.1.3. This document covers the 'Evidence Gathering & Screening' stage of the HRA process. This was completed to help inform the writing of policies and location of proposed development sites during preparation of the Local Plan Consultation Draft (Preferred Options) stage. Applying this assessment 'as early as possible' was necessary in order to identify and respond to any possible information needs or gaps and ensure policies are soundly based; in other words, that they are based on the most relevant, up-to-date and objective information available at the time of preparation.

4.1.4. Figure 4.1 below[16] summarises the steps involved in the Screening Stage.

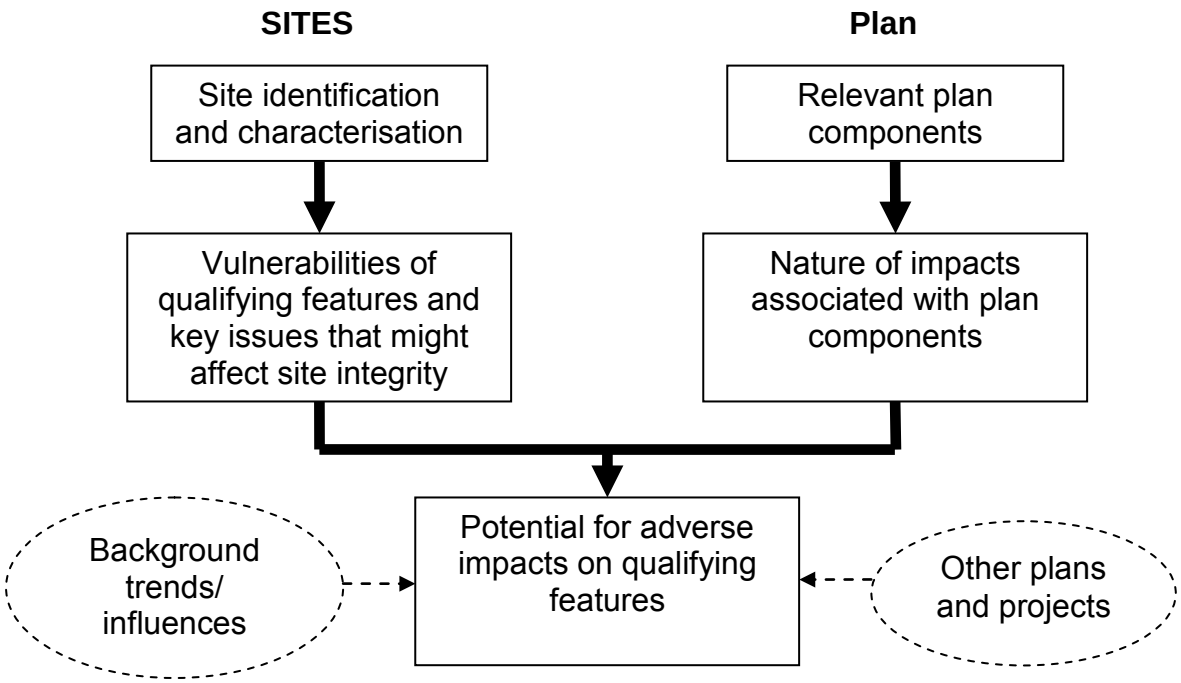

Figure 4-1 Process involved in HRA screening (assessing Likely Significant Effects)

4.2. Identifying Sites for Assessment and Specific Vulnerabilities

4.2.1. As noted in Section 2 of this document, an initial search area of 15km was used to identify which Natura 2000 sites to include in this assessment; Birklands and Bilhaugh SAC was identified. The possible potential Special Protection Area (SPA) within the Sherwood Area was also considered upon consultation with Natural England.

4.2.2. Section 2 shows the ecological vulnerabilities of the Birklands and Bilhaugh SAC site.

4.2.3. Section 3 shows the ecological vulnerabilities of the nightjar and woodlark within the Sherwood Area.

Integrity recognises that the health of a site is based on the collection of complex relationships that sustain habitats, and populations of species for which the site was designated.

4.3. Key Issues that Could Affect Site Integrity

4.3.1. Key issues were identified which could affect site *integrity* of the Birklands and Bilhaugh SAC and Sherwood ppSPA. These key issues were identified based on a combination of:

- site vulnerabilities outlined in Section 2

[16] Diagram from the *East Midlands Regional Plan Partial Review: Habitats Regulations Assessment Screening Report of Options, Consultation Paper* (June 2009) Prepared for EMRA by Land Use Consultants.

- a review of previous HRA work undertaken at the East Midlands regional level and through other local authority Habitat Regulation Assessments (HRAs)[17]
- the environmental context of the area surrounding the SAC and ppSPA (e.g. open heathland and similar habitats)
- known deficiencies or sources of environmental stress (e.g. lack of accessible open space, climate change); and
- known levels of use and existing development pressures in the area.

4.3.2. Climate change is considered alongside all the key issues identified below, with a specific focus on air quality and water abstraction, as this is an influencing factor for these key issues.

4.3.3. Key issues identified for the Birklands and Bilhaugh SAC:

- air quality
- tourism and recreation and
- water abstraction.

4.3.4. Key issues identified for the nightjar and woodlark and a possible potential SPA (ppSPA) in the Sherwood area:

- air quality
- tourism and recreation
- habitat fragmentation
- water abstraction and
- proximity of development in relation to impacts from cats and density of development.

4.4. Consultation

4.4.1. Before the publication of the final Local Plan, Mansfield District Council will need to submit the final Habitats Regulations Assessment and Sustainability Appraisal to Natural England for review. While there is no legal obligation to consult Natural England on the assessment as it relates to the ppSPA (since the ppSPA is not a formally proposed or designated site) it is logical to do so. Moreover, under the Duty to Cooperate, as part of the Localism Act, councils are required to consult with statutory bodies such as Natural England and neighbouring local authorise on strategic issues.

4.4.2. Prior to consultation on this full report therefore, consultation with Natural England has been undertaken during preparation of the Local Plan on several occasions. This included consulting with Natural England with regards to evidence gathering, designing the methods approach and assessment outcomes prior to commencing the assessment.

4.4.3. The stages of consultation were as follows:

- Consultation with Natural England, RSPB, Nottinghamshire Wildlife Trust and Nottinghamshire County Council on a risk-based approach to the possible potential SPA (2010) with regards to assessing planning applications.
- Citizen's Panel consultation on recreational use patterns of green spaces and countryside in and around the district (2010)

[17] East Midlands Regional Plan (RSS) (2009); Newark and Sherwood District Council Core Strategy Options Report-Assessment under the Habitat Regulations (2009); and the Bassetlaw District Council Habitats Regulation Assessment Methodology Final Draft (May 2010)

- Consultation on HRA method approach (2011) with Natural England
- Consultation on HRA assessment conclusions on a Local Plan topic paper used to inform the strategic issue of where and how much development should take place in the district (2011) with Natural England
- Discussion with Natural England regarding specific key issues: habitat fragmentation (2014) and recreation (2014)
- Discussion with Mansfield District Council Environmental Health regarding air quality issues and impacts (April 2014)
- Interim meeting with Natural England to discuss HRA approach and updates on ppSPA (October 2014)

4.5. Screening Stage

4.5.1. The main purpose of this stage is to identify whether a policy or plan as a whole are ***likely to have a significant effect*** (LSE) on a Natura 2000 site. This determines whether an Appropriate Assessment is required under the Habitats Regulations (2010) as amended. UK case law has concluded that it is permissible to take measures that could reduce or avoid effects into account in making the judgment of Likely Significant Effects.

4.5.2. The process of assessing whether policies and proposed development sites (or allocations) might lead to likely significant effects (LSEs) in the local plan can be very complex. Impacts may include[18]:

- Types of change that are inherently damaging
- Quantity or magnitude of change because it is too large
- Location of change
- Blocking other options
- Justifying damaging development
- Combined effects (in-combination)
- Unforeseen effects of a programme

Likely Significant Effect (LSE) is any negative impact that might be predicted if a plan or project might pose an adverse risk to a designated site's status or health, otherwise known as 'integrity'.

4.5.3. The Local Plan and its policies should be assessed on its own and in combination with other plans and projects, where necessary. Please see **Appendix C** for a table summarising the types of policies and possible cumulative impacts to consider in relation to the key issues that could affect site integrity.

4.5.4. The emphasis should be on objectively demonstrating, with supporting evidence, that: **there will be no likely significant effects** on a Natura 2000 site. This includes using the most up-to-date and scientific information available. Conclusions should be based on sound judgement. However, for any HRA of a plan there will be limitations and uncertainties. Section 4.6 summarises these.

Regarding the Precautionary Principle the European Commission states that '*When human activities may lead to unacceptable harm that is scientifically plausible but uncertain, actions shall be taken to avoid or diminish that harm*'.

[18] Guidance from the EC1, the judgement of the European Court of Justice in the case of EC v the UK, case C – 6/04 and the opinion of the Advocate General in this case.

4.5.5. Likely significant effects are triggered when:

- there is a probability or a genuine realistic risk of a plan or project having a negative effect on a European site
- that this effect is likely to undermine the site's conservation objectives; or
- such an effect cannot reasonably be excluded on the basis of objective information.

4.5.6. The Habitats Directive requires that the **precautionary principle** should be applied where there is any uncertainty in determining whether or not there are any 'likely significant effects', or in other words, if any LSE cannot be ruled out.

4.5.7. Table 4.1 below presents the approach taken with regards to the HRA Screening stage; it is based on Natural England draft guidance.[19]

[19] Tyldesley, D. for Natural England. January 2009. The habitats regulations assessment of local development documents (revised draft guidance). Natural England.

Table 4-1 Initial Screening Categorisation

Category	Purpose of Policy	General Action
No Negative Effect		
A1	The option/policy will not itself lead to development (e.g. it is a policy about design or other qualitative criteria for development or they are not a land use policy).	No action required
A2	The option/policy is intended to protect the natural environment including biodiversity.	No action required
A3	The option/policy is intended to conserve or enhance the natural, built or historic environment, where enhancement will not have an effect on a European Site.	No action required
A4	The option/policy helps steer development away from the European site and associated sensitive areas.	No action required
No Significant Effect		
B	The option/policy might have an effect but it is likely that the option/policy would not have a (negative) significant effect on a European site or associated sensitive areas because the effects are trivial or „de minimis", even if combined with other effects. Identifying such policies or proposals needs to be approached with caution, so as to ensure compliance with the requirements for „in-combination" effects and the application of the precautionary principle. Also, this may be because no development could occur through the policy itself, as the development would be implemented more detailed policies and/or site development level.	Adopt precautionary approach: Adapt policy where possible. AND/OR note where/how might this be addressed in an assessment of an associated lower tier document.
Likely Significant Effect Alone		
C	The option/policy is likely to have a direct or indirect impact on a European Site as it: 1) chooses land or steers future built development in an area where a European site is located (on or adjacent to). 2) is of particular magnitude or type of development that, regardless of where it is located, could impact a European site. 3) Could block options or alternatives to development and thus, prevent impacts from being avoided. 4) Would be vulnerable to failure at the implementation stage. 5) Effects include developments that may by ecologically, hydrologically or physically connected to it and/or also increase/compound existing pressures.	Remove or amend option/policy as to avoid likely significant effect(s). If it is not possible to do so, conduct a full Appropriate Assessment.
Likely Significant Effect in Combination		
D	The option/policy when considered in combination with other options, policies, plans or projects is likely to have a significant effect on a European site.	Remove or amend option/policy as to avoid likely significant effect(s). If it is not possible to do so, conduct a full

	This could include proposals or developments that form part of a series, implemented over time and/or where earlier projects can affect later projects. Cumulation of development?	Appropriate Assessment.
Depends on how the plan is implemented		
F	The effect(s) of an option, policy or proposal depends on how they are implemented in due course, through the development management process. There is uncertainty if through the implementation process, the policy or proposal could have a significant effect on a European site.	Include restrictions or a caveat in the policy or proposal in order to exclude support for potentially damaging impacts. Once this is in place, the policy or proposal may then be reassessed.

4.6. Limitations and Uncertainties

4.6.1. Natural England[20] recognises that dealing with uncertainty is one of the most difficult aspects of undertaking a Habitat Regulations Assessment (HRA).

4.6.2. In most cases, it will not be possible for a Habitats Regulations Assessment of a Local Plan (i.e. local development document or LDD) to apply the same level of detail as would be applied to a specific project, which is the subject of an application for consent. It is widely recognised that assessing plans is by nature more variable, and usually a broader, level of assessment.

4.6.3. In the assessment of a plan, there will not always be full information about:

a) the changes that may be predicted as a result of implementing a policy or proposal in a LDD; or
b) what the effects of the changes may be on the site(s) potentially affected, or
c) how the effects may be avoided or reduced and if necessary, how the effects may be compensated for.

4.6.4. Other uncertainties include:

- Scientific uncertainty: this is due to uncertainty of predicted effects due to a lack of ecological knowledge or lack of up-to-date data. A precautionary approach should be taken if this type of uncertainty arises.
- Regulatory uncertainty: local plans may rely on/make reference to other plans outside the Local Planning Authorities (in this case Mansfield District Council) control.
- Implementation uncertainty: It will be important to include a caveat in the Core Strategy advising that any development that could cause adverse effects on a European site will not be in accordance with the Core Strategy.

4.6.5. Such uncertainties are taken into account through an appropriate use of the precautionary principle. This approach also takes into account the fact that most plans will be followed by subsequent more detailed plans (which can then by assessed in more detail) or by planning applications and projects (which can be assessed in the fullest detail). This substantially minimises the risks associated in the inevitably broad level of assessment possible at the Local Plan level, since the subsequent tiers in the planning process effectively consist of inbuilt further checks and safeguards before the development being assessed is actually delivered on the ground.

[20] Unpublished (revised draft guidance) from Natural England: The Habitats Regulations Assessment of Local Development Documents produced for Natural England by David Tyldesley and Associates (January 2009).

5. Determination of Likely Significant Effects

5.1.1. This section outlines the key issues or risks that may impact site integrity of the Birklands and Bilhaugh SAC and the possible potential Sherwood SPA (ppSPA). It takes into consideration possible in-combination effects (i.e. impacts from this plan alongside others).

5.1.2. Many of these impacts are relevant for both the SAC and ppSPA as the SAC is included within the draft ppSPA boundary. Where there are important distinctions between the two designations, this is noted in the text. However, since one site (the SAC) is a European designated site and is must legally be covered by the HRA process, it is treated and discussed separately from the ppSPA, which is essentially an informal designation included for completeness. The conclusions for both sites are also written separately. The main differences between the vulnerabilities of the two sites are centred on recreational pressures. The ppSPA is more sensitive to disturbance from recreational pressures and from domestic pets (dogs and cats) as it supports ground nesting bird species.

5.1.3. The first stage in the screening process has been an analysis (using the classification criteria identified in Section 4.5) of every proposed policy and proposed development site in the Mansfield District Local Plan. The exercise is reported in Appendix B. Subsequently, any policies or development sites that could not be immediately screened out were subject to more detailed consideration in the remaining sections of this chapter.

5.1.4. The identification of whether the impacts of the Local Plan's (consultation draft) policies and proposed developments are likely to significantly affect the sites in question, depends on whether or not a clear 'pathway' can be identified. A 'pathway' in this context is a direct or indirect relationship between the key issue and the site's sensitive qualifying features.

5.2. Air Quality

5.2.1. The information in this section applies to both the SAC and possible potential SPA (ppSPA) since air pollution affects these sites in very similar ways, as they relate to the sites' conservation objectives, vulnerabilities and qualifying features of importance.

5.2.2. Nitrogen (N) is an important nutrient for all plants and some need more than others. When nitrogen is present in excess, a loss of diversity can result because more competitive (and often more common and widespread) species benefit at the expense of more sensitive (and generally less common) plant species, leading to the loss of important habitat, such as those within the Sherwood Forest. This process is called eutrophication. Increases in nitrogen can also increase heathland and woodland species' sensitivity to frost and drought and can affect overall soil health.[21]

5.2.3. Nitrogen deposition is the process of gaseous nitrogen (in the form of nitrogen oxides (NOx) and ammonia (NH_3)) transferring from the atmosphere to the ground.

5.2.4. Sources of NOx and ammonia include road traffic, incineration (including crematoria), livestock, power facilities, and heavy industry (e.g. cement works).

[21] DEFRA information leaflets. 27 Aug 2010. The impacts of acid and nitrogen deposition on: lowland heathland. UK Research on The Eutrophication and Acidification of Terrestrial Ecosystems, www.bangor.ceh.ac.uk/terrestrial-umbrella.

5.2.5. One way of determining when there is too much pollution is by assigning a measurement called the critical level (for concentrations of pollution in the atmosphere) and critical load (for rates of pollution deposition to ground). Calculating critical load is a way of estimating an area's exposure to one or more pollutants which could significantly harm certain sensitive environment receptors like heathlands and woodlands.

5.2.6. The UK Air Pollution Information System (www.apis.ac.uk) provides information and guidance about critical loads for various habitats. The methods for calculating critical loads are based on internationally agreed approaches.

Climate change

5.2.7. Climate change forms the background context for development across the UK. Climate change is expected to have an effect on the SAC, as indicated in Natural England's study on the impacts of climate change in the Sherwood area. At the same time it is a national and international issue and climate-change related effects on European sites cannot be directly attributed to the impact of particular developments or development plans. For that reason, it is not discussed as a specific key issue within this assessment. This is because it has rather an indirect impact on the health or integrity of the European sites. However, because climate change contributes additional stress to species and their habitats, Appendix B has highlighted policies within the Local Plan which seek to address climate change through the mitigation of greenhouse gas emissions and adaptation.

Birklands & Bilhaugh SAC

Road Traffic

5.2.8. There is a standard method for assessing the impacts of road traffic on European sites that is used by Highways England (formerly the Highways Agency) on their schemes and which Natural England and the Environment Agency also support. This is a three-part process which involves:

a) Considering if the change in vehicle flows, as a result of new development, on any roads within 200m of the European site is likely to exceed 1,000 Annual Average Daily Traffic (i.e. average vehicle movements per day) or 200 Heavy Duty Vehicles per day.
b) Considering whether the habitat and species that might be affected would be likely to be affected by an increase in nitrogen deposition and NOx concentration.
c) If so, then air quality calculations can be undertaken to determine if the change in nitrogen oxide (NOx) concentration or nitrogen deposition rate will exceed relevant thresholds (critical level/load).

5.2.9. If the change in vehicle flows due to the proposed increase in development during the Local Plan period is unlikely to exceed 1,000 AADT or 200 Heavy Duty Vehicles per day, the plan's impact (and its contribution to any in combination effects) can be considered essentially neutral and no further investigation is required.

Mansfield District

5.2.10. A 200m buffer around the SAC was used to identify the potential area that could be affected by nitrogen deposition from road traffic[22]. No such roads were identified within Mansfield District. There are also no new road infrastructure projects planned during the Local Plan's period that would be within 200m of the SAC.

5.2.11. The only road within 200m of the SAC is Swinecote Road (B6034) located in the town of Edwinstowe in Newark and Sherwood District. This is unlikely to be a commuter route for traffic arising from Mansfield. Trips arising from Mansfield are most likely to be recreational visitors to the Sherwood Forest visitor centre, but they are very unlikely to be sufficiently numerous for flows to increase by more than 1,000 AADT (i.e. an average of 500 extra cars visiting the Centre per day) purely due to new Mansfield residents. As such, the B6034 is very unlikely to experience a change in flows of over 1,000 AADT as a result of the Mansfield District Local Plan. Air quality considerations therefore do not need to be taken further for the SAC.

5.2.12. Moreover, preferred Policies MCA3 (Accessing the Town Centre), ST1 (Protecting and Improving Our Sustainable Transport Network), ST2 (Encouraging Sustainable Transport) and ST3 (Impact of Development Upon the Highway Network) all set out a strong policy framework for Mansfield Council to encourage and facilitate delivery and use of sustainable transport and public transport, which given the potential for reduction in reliance on private vehicles could reduce emissions across the local transport network. Equally, policies CC1 (Mitigating and Adapting to Climate Change in New Development) and CC2 (Standalone and Community-wide Energy Generation) promote sustainable energy generation which will contribute towards improving the overall background air quality in the district.

In-combination

5.2.13. The Newark and Sherwood Local Plan HRA notes that the B6034 contributes very little to the overall nitrogen deposition rate around the SAC; since flows are very unlikely to change on this route by over 1,000 AADT as a result of the Mansfield Local Plan, no 'in combination' effect would arise.

Conclusion

5.2.14. Considering the information above and existing positive policies to improve local air quality and reduce private vehicle use, it is considered that increases in vehicle use within 200m of the SAC from road traffic within the District will be very limited. Strategic policies, development management policies and proposed development sites in the Local Plan (alone and in-combination) will not have a likely effect on the SAC in this respect.

Industrial Development

Mansfield District

5.2.15. In general, the only types of industrial and commercial development, proposed in the Local Plan, fall within the definition of:

- B1: Business (offices, research and development of products and processes, light industry appropriate in a residential area)

[22] Design Manual for Roads and Bridges: Volume 11 Environmental Assessment, Highways Agency, May 2007.

- B2: General Industrial Use (for industrial process other than one falling within class B1, excluding incineration purposes, chemical treatment or landfill or hazardous waste) and
- B8: Storage or distribution.

5.2.16. For the most part, such uses do not involve significantly harmful emissions of atmospheric pollutants, other than those associated with vehicle exhausts and (to a small extent) central heating boilers. As such, it is normal practice when undertaking a HRA of a local plan to focus upon the most likely source of emissions associated: transport exhaust emissions. Any minerals and waste-related industry (which can be associated with significant emissions) will be covered, not by the Mansfield District Local Plan, but by the Minerals and Waste Plans for Nottinghamshire, under the remit of Nottinghamshire County Council. In the event that an application was submitted for an industrial proposal that fell within the classification of B2 and had significant potential emissions, it would be covered by the Environment Agency and Mansfield District Council environmental permitting processes, which would ensure no adverse effect on any European sites. No such applications are expected within Mansfield district at time of writing. Any impacts from existing or proposed developments outside the district are addressed below.

5.2.17. Given this, it is considered that there is little prospect of an industrial development with significant atmospheric emissions being associated with the Local Plan. Additionally, the inbuilt safeguards in the Environment Agency and Mansfield District Council Environmental Health permitting processes create further safeguards to ensure that no likely significant effect on any European sites would arise. Policy NE9 (Air Quality) provides an additional safeguard within the plan itself by requiring all development proposals to assess impacts on air quality (and mitigate if necessary) where they may significantly affect European designated sites.

In-combination

5.2.18. A 10km buffer around the SAC was used to identify existing areas of industrial development that may significantly impact on air quality. Potential sources include:

- existing employment sites (areas safeguarded for employment in Policy S8)
- employment allocations within Mansfield District
- the District's crematorium; and
- the district heating network.

5.2.19. Based on consultation with the Council's Environmental Health team, there were no concerns raised. The Council also has one biomass boiler (>0.4mW) in use in the District that is monitored via a permit with no breach of air quality issues to report. The most recent Air Quality Updating and Screening Assessment for Mansfield District Council (2012) states that no sites were identified in the District of existing, new or recently changed industrial installations, or in neighbouring authorities in which emissions have increased substantially or in which exposure levels have been significantly introduced. It is envisaged that most measures put in place through environmental permits and the monitoring of these permits (issued by the Mansfield District Council and the Environment Agency) will address likely risks.

5.2.20. A search of existing industrial sites and infrastructure outside Mansfield district but within a 10km radius from the SAC was conducted. The method for identifying significant risk was to use the Environment Agency's 'What's in Your Backyard' web resource. The Environment Agency's (EA) website identified a few industrial developments outside the

District with raised NO_2 and/or SO_2 levels, but these levels were not considered significantly harmful according to the EA. See table 5.1 below which highlights industrial sites identified by the Environment Agency with raised NO_2 and SO_2 levels[23].

[23] Search conducted December 2013 using the Environment Agency's 'What's in Your Backyard' website (Air Pollution option).

Table 5-1 Existing industrial sites within 10km of Birklands & Bilhaugh SAC

Site and Location	Type of Business	Total released[24]	Notifiable releases[25]	Latest Year Recorded	Compliance Rating Band[26]	Operator Performance Band[27]	Overall Risk
Toray Textiles Europe Ltd, Crown Farm Industrial Park	Coating, printing and textiles	NO_2: <100 tonnes	None	2011	Band A – which equates to low risk	Band A – which equates to low risk	None
Steetley Dolomite Limited, Whitwell Landfill Southfield Lane Whitwell Worksop Nottinghamshire	Cement and lime	NO_2: 5296 tonnes SO_2: 2117 tonnes	None None	2011 2011	Band A – which equates to low risk	Band A – which equates to low risk	Low
Whitwell Works, Southfield Lane, Worksop, S80 3LJ	Lime Kiln Plant	N/A	N/A	2011	Band B– risk raised but overall is low	Band B – risk raised but overall is low	None
Waste Recycling Group Limited, Bilsthorpe Landfill Site Brailwood Road Bilsthorpe Newark	Waste landfilling	NO_2: <100 tonnes SO_2: <100 tonnes	NO_2: None SO_2: None	2011 2011	Band E	Band A – which equates to low risk	Low
Greencore Sandwiches, Hazelwood Manton Wood Retford Road Manton Wood Enterprise Park Worksop, Nottinghamshire	Animal, vegetable and food	NO_2: <100 tonnes SO_2: <100 tonnes	NO_2: None SO_2: None	2011 2011	Band A – which equates to low risk	Band A – which equates to low risk	None
Solway Foods Limited, Hazelwood Manton Wood Business Park Retford Road, Worksop Nottinghamshire	Animal, vegetable and food	SO_2: <100 tonnes	SO_2: None	2011	Band A – which equates to low risk	Band A – which equates to low risk	None

[24] This is based on the annual mass emission calculated for each substance for allowed normal operations including point source and fugitive emissions.
[25] This is based on unplanned and unpermitted/unauthorised emissions of a particular substance or substances to the environment. They may result from an emergency, mis-operation, accident or plant failure.
[26] An Environment Agency's measurement of risk based on the level of permit breaches they've recorded at sites during the year and an assessment of the severity of these breaches, as determined by the EA's Compliance Classification Scheme (CCS). See In Your Backyard website.
[27] An Environment Agency's assessment that reflects the adequacy of the operator's management system to ensure the site is running correctly and any enforcement action taken.

5.2.21. The nature of the Environment Agency permitting process is that point-source emitters[28] are only permitted if they will not result in an adverse effect on European sites within 10km. If mitigation or moderating measures are required to ensure that no effect will arise then these are secured through the permitting process. Given this and the fact that new significant point-source emitters are not likely to be associated with the Local Plan, it is considered that there would be no 'in combination' effect through this pathway.

5.2.22. Employment allocations in neighbouring districts (immediately adjacent and with the 10km radius) with B2 and/or B8 reference were also identified. This included two allocations in Newark and Sherwood District (Rainworth and Clipstone). Newark and Sherwood District Council's HRA of their Allocations and Development Management Plan Document (Sept 2012) showed no significant effects. Given this conclusion and the fact that new significant point-source emitters are not likely to be associated with the Local Plan it is considered that there would be no 'in combination' effect through this pathway.

Conclusion

5.2.23. Considering the information above and existing positive policies (such as NE9) to improve local air quality that require project assessments to be undertaken where there may be a significant effect on European designated sites, it is considered that the Local Plan will not have a likely significant effect on Birklands & Bilhaugh SAC alone or in combination as a result of emissions from new industrial development. The Newark and Sherwood Local Plan includes a similar approach.

Sherwood ppSPA

5.2.24. Although there is no legal requirement to do so as part of the HRA process, the following section considers potential for impacts on the Sherwood ppSPA.

Road Traffic

Mansfield District

5.2.25. There are no new roads proposed within 200m of the draft ppSPA boundary. Policy M6 does propose new areas of employment through existing business parks (Sherwood Oaks Business Park and Ransom Wood Business Park) and Policy WP3 proposes two new employment areas at Market Warsop. There will also be an overall increase in employment development and housing via Policy S2 and associated policies. As such, there will generally be an increase in traffic flows in Mansfield district, although there are existing bus linkages from Mansfield to the business parks and also cycle routes that offer non-car modes of transport which are likely to provide an overall positive effect on air quality.

5.2.26. Table 5.2 summarises the roads that fall within 200m of the ppSPA within, and adjacent to, Mansfield District.

[28] Installations such as energy from waste plants, power stations and pig farms which are geographically fixed, unlike road traffic

Table 5-2 Sections of road that lie within 200m of Sherwood ppSPA

Section of road	Relevance to the ppSPA
The A60 at Harlow & Thieves Woods	The A60 is one of the most frequently used roads in Mansfield District with local and county level traffic. It lies within 200m of areas of woodland within the ppSPA. The potential for impacts on those parts of the ppSPA that are primarily woodland and plantation are discussed below this table.
The A617 MARR at Rainworth Heath SSSI	The A617 is one of the most frequently used roads in Mansfield District with local and county level traffic. It lies within 200m of areas of woodland within the ppSPA, immediately to the east of Mansfield district in the vicinity of Rainworth Heath SSSI. The potential for impacts on those parts of the ppSPA that are primarily woodland and plantation are discussed below this table.
Jubilee Way South at Ransomwood Business Park / Ratcher Hill Quarry	Jubilee Way South is situated within 200m of a part of the ppSPA which is currently a working quarry. In the future, this area may include plans to implement nature conservation improvements, including habitat creation. Detailed plans are not known at this point in time. Despite being contained within the ppSPA therefore, the zone within 200m of Jubilee Way South does not constitute nesting or foraging habitat for nightjar or woodlark. As such, there is no scope for air quality impacts on either species as a result of development in the Local Plan. There are also some narrow strips of heathland within the ppSPA situated within 200m of Jubilee Way South but these are narrow belts (typically 20-30m wide) sandwiched between the road and Oak Tree Business Park to the south and would not be used for nesting by nightjar or woodlark. Jubilee Way South lies within 200m of Oak Tree Heath Local Nature Reserve and SSSI, a 10ha block of heathland. However, this is not proposed to be part of the ppSPA.
Ekring Road at Sherwood Forest Golf Course SSSI / restored Rufford Colliery	Ekring Road carries very little traffic as it only leads to a small area of development (approximately 50 houses), the restored Rufford Colliery (which has no official car park facilities), and the Sherwood Forest Golf Course which is also a SSSI. As such it would not experience any significant change in traffic flow.
The A6191 (Southwell Road) north of Sherwood Oaks Business Park	There are areas of woodland within the ppSPA within 200m of this road at Ransomwood Business Park. Potential effects on woodland are therefore discussed in the paragraph below this table. There are areas of heathland or acid grassland within the ppSPA adjacent to the A6191 (Southwell Road) north of Sherwood Oaks Business Park but these are narrow strips immediately adjacent to the road and would not be used by nightjar or woodlark for nesting habitat.
The A6075 at Peafield Plantation, between Mansfield Woodhouse and Warsop The A6075 between Warsop and Kings Clipstone past Windmill Plantation / Birklands West and Ollerton Corner The B6035 between Warsop	The A6075 (Mansfield Woodhouse to Warsop) and A6075 (Warsop to Edwinstowe) are used mainly for local travel. There are areas of woodland within the ppSPA within 200m of these roads. Potential effects on woodland are therefore discussed in the paragraph below this table.

and Edwinstowe past Windmill Plantation / Birklands West and Ollerton Corner	

5.2.27. In summary, therefore, there are areas of ppSPA heathland within 200m of some of the above roads but these are narrow disturbed belts that would be unsuitable for nesting nightjar or woodlark. There are however several areas of pSPA plantation or woodland which also lie within 200m of six of the aforementioned roads (The A60, the A617, the A6191 (Southwell Road), the A6075, the A6075 and the B6035) which merit further consideration.

5.2.28. Whether any significant ecological effect will actually occur from increased nitrogen deposition depends on a wide range of factors, particularly site management. As identified in Table 5.2 the majority of the ppSPA within 200m of these roads is either:

1. Permanent woodland (particularly next to the road) which is likely to be unsuitable habitat for nesting nightjar and woodlark, or
2. Plantation woodland, which is felled and replanted on a regular cycle and therefore does provide suitable open habitat for these species on a temporary basis before the tree canopy is well-developed and the ground becomes unsuitable for nesting[29].

5.2.29. In the first case, the fact that neither nightjar nor woodlark will be present in the permanent woodland means that increased nitrogen deposition would not affect either bird species. In the second case, there are three elements that are very likely to prevent any adverse effects occurring on nightjar or woodlark as a result of an increase in nitrogen deposition:

- Firstly, the belt of permanent woodland next to the road is very likely to intercept a large proportion of the emitted pollutants before they progress far into the ppSPA[30] (or suitable nightjar/woodlark habitat area);
- Secondly, most of the time the potential nightjar/woodlark habitat will be semi-mature or mature plantation, which will absorb a large proportion of the emitted pollutants at a time when nightjar and woodlark will be absent; and
- Finally, the process of planting and felling the trees on a fifty to sixty year cycle is likely to have a much greater and long-term effect on ground vegetation in this area (and therefore its suitability for use by nightjar and woodlark) than atmospheric nitrogen deposition.

[29] Most plantations are managed on a 50-60 year cycle of felling and replanting as part of standard Forestry Commission practice. Generally, new plantation is suitable for nesting woodlark for the first six years before the tree growth becomes too dense and the birds move elsewhere to nest, while new plantation is suitable for nightjar for its first twenty years.

[30] Xu, Y. (2008) Modelling the effects of roadside trees, results and conclusions. Report for the London Borough of Harrow. AEA, Harwell, Oxon.
Air pollution removal by urban trees and shrubs in the United States (2006). David J. Nowak, Daniel E. Crane, Jack C. Stevens. Urban Forestry & Urban Greening 4 115–123
Freer-Smith, P.H., Beckett, K.P. and Taylor, G. (2005). Deposition velocities to Sorbus aria, Acer campestre, Populus deltoides x trichocarpa 'Beaupre', Pinus nigra and x Cupressocyparis leylandii for coarse, fine and ultra-fine particles in the urban environment. Environmental Pollution 133, 157–167.

5.2.30. For all these reasons it is considered that a likely significant effect on nightjar and woodlark in areas of plantation would not arise from air quality, either alone or in combination with other plans and projects. Nonetheless, in order to minimise air quality issues, the Local Plan contains a series of policies aimed at minimising reliance on private cars and focussing on improving access to public transport overall.

5.2.31. Similarly to the Birklands and Bilhaugh SAC, preferred Policies MCA3 (Accessing the Town Centre), ST1 (Protecting and Improving Our Sustainable Transport Network), ST2 (Encouraging Sustainable Transport) and ST3 (Impact of Development Upon the Highway Network) all set out a strong policy framework for Mansfield Council to encourage and facilitate delivery and use of sustainable transport and public transport, which given the potential for reduction in reliance on private vehicles could reduce emissions across the local transport network. Equally, policies CC1 (Climate Change and New Development) and CC2 (Standalone and Community-wide Energy Generation) promote sustainable energy generation which will contribute towards improving the overall background air quality in the district.

5.2.32. In addition, point (f) of Policy NE9 requires that any project which may result in significant increased pollutant levels on heathland to undertake detailed assessment and where necessary provide mitigation. This is similar to the approach discussed in the Newark and Sherwood[31] HRA, addressed through the Newark and Sherwood Core Strategy policy DM10: Pollution & Hazardous Materials.

It is however recommended that further guidance could be provided to prospective applicants in the supporting text for Policy NE9 in explaining that detailed consideration of air quality impacts may be required for projects that would significantly increase traffic flows[32] within 200m of the ppSPA.

In-combination

5.2.33. Housing in Newark & Sherwood and Ashfield districts is particularly relevant in considering potential for any impact in combination given that the ppSPA crosses the border between those districts and Mansfield and several of the roads mentioned in the preceding text (particularly the A617 and A6075) pass directly from one district to the other. As set out in their adopted Core Strategy (2011), Newark and Sherwood District Council plans for the delivery of 14,800 dwellings and up to 220ha of employment land and this may also add vehicle movements to the aforementioned roads that cross the district boundaries and lie within 200m of the ppSPA.

5.2.34. However, it has already been concluded that use of areas of plantation by nightjar and woodlark is unlikely to be affected by changes in air quality.

5.2.35. It has also been concluded already that development associated with the Mansfield Local Plan will not have a significant negative effect (alone) on areas of heathland within the ppSPA that will be used by nesting nightjar and woodlark, due to the separation between significant roads in the district and heathland parts of the ppSPA, Since the separation distances will still apply even when traffic associated with other plans is

[31] Newark and Sherwood - Allocations and Development Management Publication Development Plan Document - Assessment under the Habitats Regulations (Sept 2012)
[32] Defined in the Design Manual for Roads and Bridges as an increase of over 1,000 AADT or 200 Heavy Duty Vehicles per day

considered, it is concluded that there isn't likely to be a significant combined negative effect with other local authority plans.

Conclusion

5.2.36. Considering the information above and existing positive policies to improve local air quality and reduce private vehicle use, it is considered that increases in vehicle flows within 200m of the ppSPA within the district from road traffic as a result of the Mansfield Local Plan (alone and in combination) will not affect the pollution-sensitive habitats on which the ppSPA birds depend. Strategic policies, development management policies and allocations in the Local Plan (alone and in-combination) will not have a likely significant effect on the ppSPA in this respect.

Industrial Development

Mansfield District

5.2.37. The comments regarding impacts from industrial development to the Birklands and Bilhaugh SAC similarly apply to the possible potential Sherwood SPA (ppSPA).

In-combination considerations

5.2.38. The comments regarding impacts from industrial development to the SAC similarly apply to the possible potential Sherwood SPA. The main difference is that a 10km search buffer extends further to the west towards Ashfield District. No additional sources of industrial pollution were identified as part of this search.

Conclusion

5.2.39. Considering the information above and existing positive policies to improve local air quality, it is considered that the Local Plan will not have a likely significant effect on Sherwood ppSPA alone or in combination as a result of emissions from new industrial development. Given that the ppSPA is an informal designation, this provides sufficient confidence to take the plan forward.

5.2.40. If an SPA is designated in the future, it would be prudent for any new development proposed to be located within 200m to be assessed on a site by site basis, with regards to localised impacts from road traffic (air pollution and noise impacts) and be expected to provide appropriate mitigation, in line with Policy NE9.

5.3. Pressures from Recreation and Tourism

Birklands and Bilhaugh SAC

5.3.1. The conservation objectives for this SAC include avoiding deterioration of habitats and species for which the site was designated, and avoiding disturbance of these species.

5.3.2. According to the condition report for the Birklands and Bilhaugh SSSI, most of the areas also within the SAC designation are classified as 'unfavourable but recovering', except for Unit 12 which is within or close to the visitor centre compound and associated car parking areas. Unit 12 is an area in which recreational pressures are most likely to have the greatest impact. There are plans to move the visitor centre to a nearby location in Edwinstowe and to create a new visitor attraction designed and delivered by a consortium including RSPB.

5.3.3. People straying from paths can cause ground compaction and trampling of vegetation and micro-habitats important for supporting invertebrates and fungi. Most paths are within close proximity to the visitor's centre, the Major Oak (a popular attraction) and the car park. Measures (e.g. signage, fencing) have already been put in place to keep people on designated paths around these areas, minimising harmful impact on the woodlands.

Mansfield District

5.3.4. Visitor surveys of the Sherwood Forest Country Park[33] from various years, show that approximately 30-42% (over a third) of visitors to the site came from within Nottinghamshire (NG post code)[34], travelling from up to 20km. The proportion of NG postcode visitors within and around the Mansfield area (NG19, NG20 & NG21) was about 8%. Other nearby concentrations of visitors included Sheffield, Doncaster, Derbyshire and Lincolnshire. Based on the 2013 survey, the vast majority (88%) of respondents had visited Sherwood Forest before. This highlights that it is a popular tourist destination.

5.3.5. According to the ACK Tourism and RJS Ltd. 2009 spring visitor survey, the majority of visitors came for a walk or stroll (88%). A total of 78% said that they came for fresh air, the scenery and peace and quiet. The Major Oak was an important and enjoyable element of the day for 49% of visitors.

5.3.6. A 2010 Mansfield Citizen Panel questionnaire indicated that the Sherwood Forest Country Park receives an even distribution of visitors from all areas of the district. Therefore it is taken that any development within the district may, cumulatively impact on the SAC. This is a similar conclusion to the Newark and Sherwood Local Plan HRA findings (2009).

5.3.7. Table 5.3 presents a summary of part of the 2010 Mansfield Citizen's Panel survey in which residents were asked if they visited particular named woodlands or heathlands. The results indicated that Sherwood Forest Country Park/NNR (incorporating the SAC) is visited from all areas of the district.

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[33] Visitor surveys for Sherwood Forest Country Park were carried out by ACK Tourism and RJS Associates Ltd. and included results from: Winter 2004, Summer 2005, Autumn 2006, Spring 2008 and Spring 2009.

[34] WSP for Newark and Sherwood DC. October 2009. Newark and Sherwood Core Strategy Options Report- Assessment under the Habitats Regulations.

Table 5-3 High-level summary of the key parts of the 2010 Mansfield Citizen's Panel Survey relevant to Sherwood Forest

Area Name	Brief Description of Area (not provided with Citizen Panel questions)	Observed results
Sherwood Forest	Sherwood Forest Country Park. Accessed from the village of Edwinstowe. Includes a visitor car park, café and other visitor attractions (e.g. shop, information and interpretation displays). The Robin Hood Festival is held here every year in August.	This area had the highest visits from respondents with a very even distribution across the district. The reference 'Sherwood Forest' was meant to pertain to the Sherwood Forest Country Park but the interpretation of this may have had wider geographic meaning.
Birklands and Budby Forest	Encompasses a large area of ancient woodland, plantation woodland, other natural/semi-natural woodland and heathlands covering all of the Sherwood Forest National Nature Reserve (NNR) & plantation and mixed woodland between the NNR and Market Warsop (including Thynghowe Viking Heritage site). Access is from the Sherwood Forest Country Park car park plus public footpaths (approx. 1km walk) and unofficial car park areas north of the Country Park.	Responses indicate that there are few who visit this area but those who do visit, the results show a distribution from across the district, except from the areas of Pleasley, Oak Tree estate, and the south western areas of the District. No clear geographical pattern of visitors from a particular area nearer to this area such as Warsop could be concluded. Birklands and Budby Forest may not be that well known to most (in that it is only visited by a few) and/or that members of the Citizen's Panel don't recognise the name.

5.3.8. This gives an indication of what areas residents from Mansfield visit in and around the Birklands and Bilhaugh SAC. Generally, those areas with visitor attractions, car parking and/or cafés attracted the largest number of 'yes' responses with a geographically even distribution around the district. For those areas less well-known and with fewer or no visitor amenities, the 'yes' responses were far fewer with a more clumped distribution near to the particular site visited. This suggests a more localised geographic visitor trend for these sites.

5.3.9. Overall, these results show that: 1) the presences of visitor amenities are likely to attract a larger number of visitors and 2) popular sites such as the Sherwood Forest Country Park attract visitors from all areas of the district.

5.3.10. Correspondence was held with Natural England in 2014 as to whether the SAC was currently being damaged as a result of excessive recreational pressure. They responded that '*We do not have any evidence to suggest that the site is suffering as a result of recreational impacts. The condition assessments do not indicate that recreational pressure is a threat to the site and the conservation objectives/ supplementary advice does not highlight this as a potential issue either. Once the visitor centre is moved off the site the recreational impacts should reduce even further'.*[35]

[35] Natural England written advice to Mansfield District Council September 2014 'Mansfield District Council Habitats Regulations Assessment Scoping study of Preferred Options for the Local Plan'

5.3.11. In summary, over a third of visitors to the Sherwood Forest Country Park come from Nottinghamshire and a significant percentage of those (8%) derive from Mansfield. The SAC is a current key location for visitors in the Country Park largely due to the presence of the visitor centre within the SAC. Although the Country Park is a popular visitor destination for the region, there is no indication that visitor pressure is currently damaging the interest of the SAC or that it is expected to become unmanageable in the near future.

5.3.12. There are many existing footpaths on site and the author's experience of recreation in woodlands generally indicates that people are inclined to follow existing paths rather than create new ones, unless visitor pressure becomes exceptionally high. Sherwood Forest Country Park has well established footpaths and a majority of visitors don't stray from them. Although a popular reason for visiting the Sherwood Country Park is the 'forest', a large portion (84% in 2013) of people took in the Major Oak during their visit, indicating that most people visit key attractions accessed from established paths.

5.3.13. The most damaging activity recreational visitors could undertake regarding the interest features of the SAC is off-track recreation involving high ground-pressure such as heavy footfall activities (e.g. paint-balling) or those involving vehicles. This is highly unlikely given that the main recreational activity permitted within the country park is walking. Horse riding is also permitted but only on designated bridleways.

5.3.14. Moreover, the residents of Mansfield district have access to a good choice of accessible woodlands outside the SAC and other areas of nearby natural green space with visitor facilities (e.g. café and toilets). Many of these are closer to Mansfield district residents than the Sherwood Forest Country Park. Examples of nearby accessible woodland and heathland include[36]:

- Spa Ponds Nature Reserve in Forest Town between Mansfield and Clipstone
- Oxclose Wood near to the Mansfield Woodhouse train station
- Shirebrook Wood west of Sookholme, accessed from Longster Lane
- Shining Cliff Plantation, High Oakham, south-west Mansfield
- Cauldwell Plantation and Stonehills Plantation (south of Shining Cliff Plantation in Ashfield District)
- Black Scotch Plantation/Ponds Plantation/Lichfield Wood within and adjacent to Berry Hill Park
- Oak Tree Heath Nature Reserve
- Woods surrounding and north of Warsop Vale
- Woods west of Church Warsop; and
- Other wooded green corridors along rivers and restored mineral railway lines (some with heathland) within easy walking distances of the district's urban areas.

5.3.15. Examples of large natural areas with visitor facilities (other than the Sherwood Forest Country Park within the SAC) located within easy reach of Mansfield residents include:

- Vicar Water Country Park
- Pleasely Pit Country Park
- Newstead Abbey; and
- Sherwood Pines Forest Park

[36] http://www.woodlandtrust.org.uk/visiting-woods/. This weblink (accessed 03/02/16) contains interactive mapping displaying the location of some of these woodlands. Others are depicted on Appendix A.4.

5.3.16. Despite its attractions, Sherwood Forest Country Park and other accessible woodlands within the SAC are not the only large areas of woodland and publicly accessible natural greenspace available to Mansfield residents for outdoor recreation. Therefore, there are many alternative options.

5.3.17. A large permission for residential development in Mansfield district (known as Lindhurst and situated south of Mansfield urban area) has been approved outside the Local Plan process. However, any potential impact, of already approved planning applications, on the SAC will have been considered through the planning application process and does not therefore need to be discussed anew in the Local Plan or its HRA.

Development in Neighbouring Authorities (in-combination considerations)

5.3.18. The planned relocation of the Sherwood Forest Visitor Centre is itself expected to result in an increase in visitors to the Country Park (although not necessarily to the SAC due to the relocation of the centre elsewhere) compared to current visitor numbers of approximately 350,000[37]. The planned visitor centre will include a number of new attractions and increased visitor facilities. Impacts on the SAC from the new visitor attraction are not known at present. If any mitigation is required this will need to be addressed through the planning application for the visitor centre.

5.3.19. The Sherwood Forest Living Legends project informs plans for a Sherwood Regional Park. The Habitat Regulations Assessment report for the Sherwood Living Legend project, which included plans for the relocation of the visitor's centre, found no likely significant effect associated with this planned development. This conclusion was based on: 1) the ability of existing paths and visitor facilities to cope with further visitor numbers and 2) improved management of paths and visitor management[38].

5.3.20. Plans are also being devised to establish a Sherwood Forest Regional Park within Nottinghamshire[39]. These may increase the number of visitors to the region and the Sherwood Forest. Regional Parks, unlike National Parks, have no fixed definition but have been established across the UK and Europe. All regional parks use environmental enhancements as the foundation for economic and social improvements. They have no formal planning role and are mainly aimed economic regeneration. A Sherwood Forest Regional Park board has been established to bring this forward, although work is still in its early stages. The vision and objectives of the Sherwood Forest Regional Park include within them an emphasis on environmental enhancement and promoting the area in a sensitive manner.

5.3.21. 'The Vision that has been developed is for "a future for the Sherwood Forest area where the outstanding natural and cultural heritage is nationally and internationally recognised – where vibrant communities, economic regeneration and environmental enhancement thrive together in this inspiring natural setting". The Vision is supported by four broad objectives:

- *Objective 1: To manage, enhance and promote the landscape character of the Forest, including its biodiversity and geodiversity;*

[37] Nottinghamshire County Council webpage on Sherwood Forest Country Park- http://www.nottinghamshire.gov.uk/enjoying/countryside/countryparks/sherwood/

[38] Quoted from the Newark and Sherwood District Council's Allocations and Development Management publication Development Plan Document – Assessment under the Habitat Regulations, Sept 2012

[39] http://sherwoodforest.org.uk/sherwood-forest-trust-projects/sherwood-forest-regional-park/

- *Objective 2: To manage, enhance and promote the historic character of the Forest, its settlements, heritage assets and culture, including its industrial heritage;*
- *Objective 3: To promote sustainable leisure and tourism; and*
- *Objective 4: To support agricultural diversification, woodland and rural economy uses which respect local character'.*

5.3.22. The Sherwood Forest Country Park and SAC are located within Newark and Sherwood District. Newark. Newark and Sherwood District Council's HRA (Core Strategy HRA 2009 & HRA Allocations and Development Management Publication DPD September 2012) concluded that new residential development at all settlements with Newark and Sherwood district would have the potential for cumulative impact on the SAC, due to proximity of development (within 20km) of the site and its popularity with visitors. Policy wording was devised to enable mitigation to be delivered. This wording was included in both the Core Strategy and Development Management plans and through wording in relation to specific allocations. The main purpose of these policies has been to ensure that there is adequate provision of Suitable Alternative Natural Greenspace[40] (SANGs) in Newark and Sherwood district (Policy DM7 and Core Policy 12).

5.3.23. Ashfield District Council's HRA of their Preferred Approach to the Local Plan (December 2012) concluded no likely significant effect on the SAC with regards to recreational impacts. Likewise, Bassetlaw District Council's HRA for their Site Allocations DPD (Preferred Options) – Draft Screening Report (February 2014) concluded no significant effect based on the following: '*although an increase* [in] *housing numbers (principally in Worksop, but also in Retford and Tuxford) will increase the number of people living near to Birklands and Bilhaugh,* [the] *Core Strategy Policy* [which was a general policy regarding provision of adequate green infrastructure rather than something related to SANG] *will ensure quantitative and qualitative growth in green infrastructure* [the network of greenspace across the district]*, diverting potential recreational pressure'.* No new issues were identified with regards to the site allocations put forward.

5.3.24. The new visitor centre and introduction of Local Plans in Mansfield and the surrounding authorities is therefore within the context of an abundant and increasing range of alternative areas of publically accessible natural greenspace.

Conclusion

5.3.25. Natural England has recently (October 2014) indicated to Mansfield District Council that the Sherwood Forest Country Park (incorporating the SAC) is a major regional attraction (this is supported by visitor surveys) and that in this case new showpiece areas of alternative natural greenspace, while generally beneficial, are unlikely to entirely draw people away from the SAC. As such, addressing impacts from recreational pressures in this site requires a combined approach including:

- Improving appropriate use of the SAC itself through visitor education(where required)
- providing and promoting adequate networks of green spaces (green infrastructure) outside the SAC (which should be evidenced through the preparation of a GI strategy) and
- access management within the SAC rather than purely seeking to draw visitors away to other specific 'showpiece site' locations.

[40] In other words, large sites consisting of natural habitat (as opposed to closely managed formal parks) over which residents and visitors can walk freely as an alternative and supplement to the Country Park

5.3.26. Within this context, the movement of the visitor centre would be expected to result in a significant reduction in visitor activity within the SAC part of the Country Park and if this move occurs during the Local Plan period, is likely to help offset any increase in visitors resulting from an increase in the population of Mansfield district over this time frame. Based on advice from Natural England there is no reason to expect recreational pressure within the SAC to become unsustainable in the early years of the plan period and the relocation of the visitor centre could entirely avoid an unsustainable increase in visitors that might otherwise occur over the plan period.

5.3.27. Although Mansfield District Council has no control over access within, or the management of, the SAC, it is creating and promoting a strong green infrastructure network and producing Green Infrastructure and Biodiversity supplementary planning guidance to assist with the implementation of policies in the Local Plan. Outside of Mansfield town itself, the district is largely rural and has very good access to natural areas including other areas of accessible forestry, as illustrated earlier in this section.

5.3.28. As such, it is considered unnecessary for the Mansfield Local Plan to include specific interventions targeted particularly at the SAC interest features, since the most effective possible intervention (relocating the visitor centre) has already been identified and is being taken forward. In addition, the Council, through the Local Plan, is making a strong contribution towards the protection and enhancement of integrated green infrastructure networks. A forthcoming community open space assessment of the district also includes provision for access to natural green space. Generally this will ensure an adequate supply of accessible semi-natural greenspace within its own boundaries. It is therefore concluded that a likely significant effect on the SAC would not arise (either alone or in combination) via recreation due to new housing in Mansfield district.

Sherwood ppSPA

5.3.29. Disturbance of ground nesting birds by people and dogs can leave nests vulnerable to predation and can influence nesting behaviour[41] and, as a result, breeding success. Recreational pressures on areas supporting nightjar and woodlark are likely to increase with increasing numbers of residential developments. A proportion of new residents will likely pursue recreational activities on nearby areas of green and open space including open countryside, heathlands and woodlands within and surrounding these areas.

5.3.30. A long-term (10 year) study on nightjar habitat in the Sherwood Forest area compared a heavily visited area (containing a café, shops, an adventure ropes course and 28.3 km of walking and cycling tracks) with a more lightly visited area (containing no amenities and only 3.3km of tracks). The study found that overall, nightjar density was significantly lower and there were significantly fewer breeding pairs in the heavily disturbed habitat compared with the less disturbed habitat, although, verage breeding success per pair, in terms of eggs and fledglings produced, was not significantly different between the two sections (heavily visited and lightly visited) across years, either because of different behavioural tolerance levels to disturbance or through confounding effects due to population density. The study concluded that, while male birds were largely unaffected, females more actively avoid settling in heaving disturbed areas. The report concluded that managing access patterns by the public to heathland areas during critical nesting periods could reduce the effects of disturbance. Previous studies have suggested that the control of dogs and restriction of access to dog walkers would be particularly

[41] Underhill-Day, J.C. (2005). A literature review of urban effects on lowland heaths and their wildlife, Report No. 624. English Nature, Peterborough.

important considerations. The research also reported a recent model that predicted that the spatial distribution of visitors may have a greater negative impact than visitor numbers on populations of ground-nesting birds. The research concluded by stating that creating an increased number of potential nest sites for female nightjars may also help reduce the effects of recreational disturbance, particularly if they are in areas where human access can be managed to keep disturbance levels low[42].

5.3.31. The previously mentioned visitor survey data for Sherwood Forest Country Park indicates that visitor origins are spread over a large geographic area. Approximately 30-42% (over a third) of visitors to the Country Park come from across Nottinghamshire, with visitors also being spread across the East Midlands and South Yorkshire (at these greater distances visitor origins become more dispersed). Residents of Mansfield district constitute approximately 8% of visitors to the Country Park[43]. Other than the Country Park (which is not likely to be representative of the rest of the ppSPA since it is a 'showpiece' site) survey results from the Mansfield District Citizens Panel (Sept 2010) suggest that Clipstone Forest, Vicar Water and Sherwood Pines are the most visited heathland/forest sites. Many of these results were from a geographically uniform distribution of respondents (in other words, people did not necessarily visit the area closest to them), suggesting that sites with visitor facilities (e.g. car parks, café, toilets) generally attract people from all areas of the district. More local sites without visitor facilities such as Strawberry Hills Heath SSSI and Rainworth Heath, Birklands and Budby Heath were visited in lower numbers and generally by residents who live near these areas.

5.3.32. In summary:

- the core recreational catchment for the Sherwood Forest Country Park component of the ppSPA covers much of Nottinghamshire
- other parts of the ppSPA (with visitor facilities) attract visitors from across Mansfield district and
- sites without visitor facilities and lesser known sites attract people from the immediate local areas.

5.3.33. As such, the remainder of this assessment concludes that a net increase in housing (and thus potentially population) anywhere within Nottinghamshire, and particularly Mansfield district, may make a contribution to increased recreational pressure within at least some parts of the ppSPA. This is discussed further below.

Mansfield District

5.3.34. A total of 7,520 dwellings are expected to be delivered between 2013 and 2033 according to Preferred Policy S2, 90% of which would be located within the Mansfield urban area according to Policy S4. However, as of April 2015, a substantial number of these (5,232) already had planning permission (or had achieved a Resolution to Grant permission subject to legal agreements). A total of 2,288 dwellings that would contribute towards the Local Plan target were still to gain planning permission as of April 2015 (including those with a permission that has lapsed). Assuming an average occupancy of

[42] Lowe, A., A. C. Rogers, and K. L. Durrant. 2014. Effect of human disturbance on long-term habitat use and breeding success of the European Nightjar, *Caprimulgus europaeus*. Avian Conservation and Ecology 9(2): 6. http://dx.doi.org/10.5751/ACE-00690-090206

[43] Visitor surveys for Sherwood Forest Country Park were carried out by ACK Tourism and RJS Associates Ltd. and included results from: Winter 2004, Summer 2005, Autumn 2006, Spring 2008 and Spring 2009.

2.4 residents per dwelling would mean that these 2,588 dwellings could be associated with a total population increase of 5,491 if they were all occupied by people who do not currently reside in Mansfield district. This would be a roughly 5% increase in the population of the district[44]. This is likely to be a worst-case prediction, since in reality it is probable that a proportion of the new dwellings will be occupied by people who already live within Mansfield district.

5.3.35. It has already been established that Mansfield makes a fairly large contribution to visits to Sherwood Forest Country Park (8% of visitors) and also to other parts of the ppSPA nearest to Mansfield district, particularly Clipstone Forest, Vicar Water and Sherwood Pines. The number of visitors from Mansfield district (although not necessarily the overall percentage) can potentially therefore be expected to increase by approximately 5% due to population increase over the plan period if we assume that behaviour patterns stay essentially similar. A modest but significant increase in visitors can thus be expected, particularly when the Mansfield Local Plan is considered in combination with other Local Plans across Nottinghamshire (since approximately a third of visitors to the Sherwood Forest Country Park live in the county).

5.3.36. While trampling effects on the SAC are likely to be avoided through relocation of the visitor centre (see earlier), an increase in recreational activity may increase disturbance of nesting nightjar and woodlark in heathland and plantation clearings in absence of counter-balancing site management, access management or other mitigation.

5.3.37. In the Thames Basin Heaths area, specific new 'showpiece' areas of accessible natural greenspace known as SANG (in addition to access management and education) were considered necessary to offset any increase in visitors because of the large existing population (over 750,000 people) living within easy walking/driving distance of the Thames Basin Heaths SPA, its relatively small core catchment (5km) and the relative lack of other non-SPA forms of large-scale accessible natural greenspace in some of the surrounding authorities (such as Woking district and Surrey Heath district). Other parts of the country have smaller populations and more alternative greenspace already in existence than the Thames Basin Heaths. In these areas (such as the Breckland SPA) provision of additional 'showpiece' alternative greenspace (SANG), has been considered a less important component of mitigation. Rather, good general natural green infrastructure network provision has been considered adequate when coupled with access management and education. .

5.3.38. The approach to managing recreational pressure in Breckland and other parts of the country is in closer alignment to the current advice from Natural England provided to the Nottinghamshire authorities. In particular, Natural England has advised Mansfield Council to be cautious about utilising a mitigation approach which is based too closely on the Thames Basin Heaths SPA model. Rather, there needs to be a focus on a more creative and flexible approach to addressing recreational pressures. This includes a combination of:

- improving (and promoting) natural green space (GI) nearby
- providing improved access management (including ranger services)
- providing improved visitor education and information[45] and

[44] According to 2011 estimates the population of the district is 104,600

[45] '*SANGS was the mitigation solution developed for TBH where alternative areas of green space are created to alleviate pressure on the SPA habitats, however there may be other more practical options including access management or enhancement of other green space which may be more appropriate for*

- alternative habitat creation (without public access) for nightjar and woodlark.

5.3.39. As already discussed in the section on Birklands & Bilhaugh SAC Mansfield district has numerous large accessible woodlands (including areas with visitor facilities and those without) which are publically accessible but lie outside the SAC or ppSPA. There are also other large areas of natural green space accessible to the public outside the draft ppSPA boundary, namely along river and restored mineral railway lines. Larger natural green spaces also include nine Local Nature Reserves.

5.3.40. These areas of greenspace are well distributed around Mansfield district and many of them are in close proximity to the Mansfield urban area (the focus of the district's population). Many of them are also already connected via major trails or public rights of way. In terms of overall quantity, more of the accessible natural greenspace and woodland within Mansfield district are located outside the ppSPA designation, than within it. Mansfield district is therefore in a good position to join up these areas of accessible natural greenspace (woodland and other habitats) and expand upon them in identified areas of deficiency to provide a strong GI network including accessible woodlands and heathlands outside the ppSPA but within easy access to residents.

5.3.41. An assessment of type, amount and quality of community open space within the district is currently in review at the time of this HRA. The report is still being produced but the data are complete and the main findings are:

- Accessible natural green space makes up approximately 76% of the total area of green space in the district. In addition, there are other urban parks which have substantial natural features and settings, thus also offering access to natural spaces. Combined, these areas make up 52% (96 out of 185) of the total number of open spaces identified in the assessment. These range in size from 0.17 hectares to 196 hectares.
- Many of the larger areas of natural green space are located outside but immediately adjacent to the urban area. These are mainly restored collieries. Exceptions to this are some well-used green corridors that contribute positively to accessible natural green space. These are made up of smaller, joined up areas of natural green space and are mainly located along former mineral railway tracks and along the district's river valleys. These include:
    - Maun Valley and Ravensdale Local Nature Reserves (LNRs) located in the wards of Carr Bank, Maun Valley and Yeomanhill
    - Land around Kings Mill Reservoir, Oakham, Hermitage and Quarry Lane LNRs located in the wards of Grange Farm, Oakham, and Portland
    - Disused railway green spaces extending from Racecourse Park all the way through Rainworth located in the wards Earkring, Lindhurst, Oaktree and Ransom Wood; and
    - Oak Tree LNR in Oaktree ward.

5.3.42. Where natural green spaces meet up with formally managed parks, these offer good opportunities for long-distance walking and cycling opportunities. Examples include the green infrastructure corridor along the river Maun stretching from Kings Mill Reservoir to

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Sherwood and should be explored before going down the SANGS route, which can prove costly'. Email advice from Natural England to Mansfield District Council dated September 2014. This advice has also been reflected in the notes of a meeting held between Natural England and Mansfield District Council in October 2014.

Titchfield Park near Water Meadows and a section of the River Meden stretching from Carr Lane Park in Market Warsop to The Bottoms LNR in Meden Vale.

5.3.43. Approximately 6.8% of the total area of natural green space is located within the urban area. These urban green spaces account for approximately 56% of the total number of natural green space sites within the district. This would suggest that there is a good balance of smaller, urban natural green space sites and larger sites located on the urban edge. Wards with access to these larger, urban edge natural green spaces include:

- Meden
- Warsop Carrs
- Ransom Wood
- Oak Tree
- Sherwood
- Market Warsop
- Newlands

5.3.44. These wards are located on the eastern side of the district, with the majority of these green spaces located outside the draft ppSPA boundary. Exceptions to this include, the restored Rufford Colliery near Vicar Water Country Park, a large area of woodlands east of Market Warsop, and Clipstone Forest. All three of these sites lack formal visitor facilities and car parking is limited or absent. The woodlands east of Market Warsop are accessed via public footpaths with no car parking facilities and along busy roads. There is also a railway line between Market Warsop and the woodland, potentially acting as a further deterrent for accessing this site easily on foot.

5.3.45. The assessment looked at reasonable walking journeys to natural green space (10 minute walking journey based on a variety of sources) and identified areas in the district where this was met and not met. It concluded that overall, residents have good access to areas with natural green space. This included formally managed parks with significant natural spaces/features (i.e. making up a third or more of the park's area) and the countryside via public rights of way. There are only five wards where over 50% of households lacked access to natural space or the countryside within a 10-minute walking journey.

5.3.46. Residents in the following wards would benefit from improved access to natural green space and/or access to the countryside:

- Abbott - improved access across Chesterfield Road and improvements to existing amenity spaces
- Broomhill - improved natural quality existing green spaces
- Kingsway - improved natural quality of existing green spaces and improvements to access barriers
- Penniment - improved natural quality existing green spaces and ensure continued access to countryside via public rights of way and
- Portland - improved natural quality existing green spaces.

5.3.47. Kingsway, within the Forest Town areas of the district, is the only ward on the eastern side of the district with identified access improvement needs. Much of the ppSPA area within Forest Town is located within an industrial area (Crown Farm) and not within accessible green space. The closest large are of accessible natural green space is Vicar Water Country Park, which is outside the ppSPA draft boundary. This can be easily accessed via public rights of way and cycle ways by residents in this area of the district, within at least a 15 minute walk.

5.3.48. Generally, natural green spaces (e.g. restored collieries, urban woodland sites, green corridors and other areas primarily managed for natural habitats) were assessed as 'average' quality. The quality assessment criteria were designed to take account of the different types of green spaces, but there may be a slight bias towards sites with established facilities such as trails and benches. For the most part, the more established natural green spaces such as Local Nature Reserves and Vicar Water Country Park, scored 'good' to 'very good'.

5.3.49. Improvements to natural green space are required across district in order to promote and encourage greater use of these sites. Overall, enhancements are needed to improve the quality of natural green spaces in the district, particularly in relation to their 'place shaping' and 'accessibility' qualities. This is especially important within areas that currently lack access to formal green space.

5.3.50. There are still opportunities to increase the availability, quality and accessibility of areas of greenspace to ensure that opportunities are maximised to improve access to natural green space within easy walking distance (10 minute walking distance), especially for residents living on the eastern side of the district closer to the ppSPA, where gaps exist.

5.3.51. It is considered that improving the quality of nearby formal parks and amenity spaces would help towards addressing these shortfalls. In order to encourage further visitor use, it will be important that the quality of natural green spaces in the district are also improved, where relevant.

5.3.52. The Local Plan has commenced the process of mapping the strategic green infrastructure and devising policy to protect these and produce a Mansfield Green Infrastructure & Biodiversity SPD. The SPD is addressed in policy NE2 (Green Infrastructure) point (a). The process of improving the interconnected network of existing natural greenspaces, including improving the safety through design, access, quality and management will be documented in a Parks Strategy which is currently being prepared by Mansfield Council outside the local plan process, but is likely to be informed by its evidence (i.e. open space assessment). As such, the Council is already undertaking the most important step available to it to ensure that the ppSPA does not experience a disproportionate recreational pressure due to a future increase in the population of the district[46].

5.3.53. The authors of this report consider that, in addition to the existing commitment to a strong GI network, new applications for large housing developments (over 50 dwellings) located within 400m of parts of the ppSPA likely to be used by nightjar and woodlark may need to include an appropriate bespoke mitigation package for recreational pressure on the ppSPA, depending on whether existing disturbance levels are low and access to alternative semi-natural green infrastructure is limited. . This is in line with advice given to Mansfield Council by Natural England in October 2014 that with regard to the ppSPA '…*we recommend that instead the proposed allocations are screened for their potential to impact on the identified nightjar and woodlark habitats. This would need to be done on a case by case basis, depending on the nature of the habitat, the ownership, footpaths and facilities. The proximity of other alternative greenspace would need to be taken into account too'*. It is recommended that this requirement is included in

[46] It should be borne in mind that since Sherwood Forest is not formally proposed as an SPA there is a limit to the degree to which Mansfield can enforce mitigation measures at a strategic level. Taking this into account it is considered that the development and promotion of a strong green infrastructure network incorporating large areas of natural open space is the best strategic response available to Mansfield district through which to manage the district's contribution to recreational pressure within the ppSPA.

Policy NE7 and proposed wording is included in the section of this report dealing with development within 400m of the ppSPA.

5.3.54. Policy NE7 (Biodiversity) is the policy which would apply to the Sherwood ppSPA, given it is not a formal designated site, as it would afford protection to nightjar and woodlark wherever they occur. The policy states that '*All development proposals which [negatively] affect ecological networks or protected species must be accompanied by an ecological assessment'*.

5.3.55. The policy then lists a series of criteria setting out how the assessment must demonstrate that the development has prioritised protection and avoidance fragmentation of the ecological network, how it will restore habitats and how it will prioritise retention and creation of habitats. Refer to the text of Policy NE7 for the full wording. Policy NE7 therefore provides the policy hook for impacts on the ppSPA to be taken into account in planning decisions.

5.3.56. The Council should also promote sensitive tourism to residents and visitors through the provision of educational leaflets regarding the nightjar and woodlark and their sensitivities. The Council should also ensure that nearby attractions are promoted in addition to the Sherwood Forest Country Park. However, it is acknowledged that this is not appropriate for inclusion in the Local Plan and is therefore not discussed further.

5.3.57. In the event that Sherwood became a formal proposed SPA (pSPA) then Policy NE8 would become the applicable policy. The policy already states that '*Planning permission for development which impacts on designated sites of importance for biodiversity and geodiversity, their features of interest and their role in the wider ecological network*, *directly or indirectly, will only be granted where:*

a) the benefit of the development outweighs the significance of the protected site and its position in the hierarchy, and the harm caused;
b) it can be demonstrated that avoidance and mitigation has been followed in accordance with Policy NE7 and relevant legislation; and
c) they are accompanied by a relevant assessment to demonstrate the impact of development upon the designated site'.

5.3.58. Policy NE8 as currently written does not accurately represent the protection that would be afforded to any formal pSPA. Specifically, development which results in an adverse effect on the integrity of a pSPA (rather than just an impact) could only be permitted if there were no alternatives, imperative reasons of over-riding public interest why the development should still proceed and adequate compensatory provision agreed. In order to future-proof the policy without the need for a future alteration it might be considered advisable to amend the wording. Alternatively, since the protection of all European sites (including a pSPA) is a matter of legislation, it could be argued that the protection does not require reiterating in policy.

5.3.59. In the long term, if Sherwood Forest is formally proposed as an SPA (pSPA), it is considered that the visitor evidence base would benefit from improvement. In that event, the Nottinghamshire authorities should consider jointly commissioning bespoke visitor surveys of the main access points across the pSPA (in addition to the Sherwood Forest Country Park) to determine which parts of the pSPA are visited most heavily, clarify what proportion of visitors come from each district and identify potential access management (or other management) interventions on a parcel-by-parcel basis. At the moment the data for the Sherwood Forest Country Park are relatively good but the data for other parts of the pSPA are variable. It is recognised that this is not something that Mansfield

District Council would implement unilaterally but would need to involve all the relevant Nottinghamshire councils. It is also recognised that this would only be appropriate if a formal pSPA designation is made.

Conclusion

5.3.60. Once the recommended amendments to Policy NE7 are made, it can be concluded that an adequate policy framework would be in place to enable a proportionate response to the protection of the nightjar and woodlark habitat in the ppSPA from recreational pressure, given that the ppSPA is not a formal designation. This is particularly the case when considered within the context of the large amount of existing accessible semi-natural greenspace in Mansfield and the ongoing development and promotion of a strong managed green infrastructure network through the Green Infrastructure & Biodiversity SPD facilitated by Policy NE2 (a). These would also be key measures in ensuring that the Council's obligations regarding Regulation 9A are met.

5.3.61. In order for Policy NE8 to correctly reference the protection afforded to a proposed SPA, should Sherwood be designated, the wording would need to be amended. In addition, in the event a Sherwood pSPA was designated it is considered that the visitor evidence base would benefit from improvement, as a multi-authority initiative.

5.4. Water Abstraction

5.4.1. Severn Trent is responsible for providing drinking water throughout the district. This water is split between ground water sources, rivers and reservoirs. Water supplies in the Nottinghamshire zone come from a combination of local groundwater sources and links to the Strategic Grid zone (the name given by the water company to their largest supply zone, which covers an area from Derbyshire down to Gloucestershire). In Nottinghamshire, 80% of public supply is abstracted from the Sherwood Sandstone Aquifer[47], thus playing a strategic role in water use. The aquifer in Nottinghamshire is classified as 'over-abstracted' by the Environment Agency's (EA) Catchment Abstraction Management Strategies (CAMS March 2007), which means that further abstraction from the aquifer is unlikely to be permitted.

5.4.2. Without new investment, the Severn Trent Strategic Grid and Nottinghamshire zones face some significant supply shortfalls in the long term as a result of the need to reduce abstraction from unsustainable sources and the potential impacts of climate change which could by themselves result in increased drought and a lowering of water levels in the sandstone aquifer. These two zones will therefore require new sources of water supply. Severn Trent Water's strategy for the Nottinghamshire zone, as reflected in their adopted Water Resource Management Plan (2014), which takes the effects of climate change into account, is based around reducing leakage and demand for water, and relying more on water transfer from the Strategic Grid zone.

5.4.3. The main new supply scheme for this zone is therefore to provide a major treated water link to the Strategic Grid zone which will allow for a more flexible supply system better able to transfer water from that zone into Nottinghamshire in response to drought conditions (such as might arise more frequently due to climate change). Increased abstraction from the Sherwood Sandstone Aquifer (beyond current licenced levels) is not part of the future water supply solution and there is therefore no reason to expect any lowering of the groundwater levels in this area and thus any change in water levels within the designated sites.

Birklands & Bilhaugh SAC

5.4.4. The habitats within the SAC are not specifically reliant on water for their biological functioning as there is little to no open water on the site. These habitats are vulnerable to stress if groundwater levels are significantly altered, especially in relation to veteran trees but this will not occur from public water supply as there are no plans to increase abstraction from the Sherwood Sandstone Aquifer.

Sherwood ppSPA

5.4.5. The majority of the Sherwood ppSPA is underlain by the Sherwood Sandstone Aquifer. Generally speaking, lowland dry heathland habitats are not affected by present fluctuations in ground water supply. Nightjars sometimes forage over wetland areas (and many other types of habitat) but are not dependent on them. Since there are no plans to increase abstraction from the Sherwood Sandstone Aquifer as part of future public water supply, no effects on groundwater will occur from Mansfield local plan development.

[47]RPS. June 2009. Mansfield District Council Water Cycle Study- final report. An aquifer is a body of rock, gravel or sand which holds water underground.

Conclusion

5.4.6. It is concluded that a likely significant effect via the water supply pathway would not arise on the SAC or nightjar or woodlark habitat (i.e. area within the ppSPA) from development set out in the Local Plan, because there are no plans to increase abstraction from the Sherwood Sandstone Aquifer, the principal aquifer underlying both the SAC and ppSPA, as part of future public water supply.

5.5. Urbanisation

5.5.1. The natural environment is complex; most plants and wildlife rely on either a particular habitat type (e.g. broadleaved woodland, heathland) or a particular combination of habitats (habitat mosaic) to thrive. In addition to habitat type, habitat conditions and structure (e.g. south facing slope, dead standing wood, patches of bare soil, or areas of scrub adjacent to open areas of heathland etc.) are important factors for survival. Smaller organisms' (e.g. insects and fungi) immediate requirements are often on a more localised scale, for example a single tree, whereas other wildlife like birds may need vast areas for foraging in a single night.

5.5.2. Wildlife (and even plants) need to be able to move around in order to find food and suitable places to live, breed and raise young; they must also be able to move in order to survive changes in their environment, for example disturbances caused by climate change or development. Movement is also important for the exchanging of genes, the building blocks for diversity and survival. Without this, generations of wildlife and plants may become weaker and lack the ability to thrive.

5.5.3. Urbanisation essentially involves development encroaching on open spaces to such an extent that there is a regular background level of impact (whether recreational activity, cat predation, fly tipping of garden waste and other activities) due to the very close proximity of large amounts of housing. This can have a negative effect on wildlife causing them to retreat further into the body of a site and abandon the edge habitats, or impacting on their breeding success.

Birklands & Bilhaugh SAC

5.5.4. Based on the Birklands and Bilhaugh SAC's conservation objectives, it is considered that any development within Mansfield district is too far away from the SAC to negatively impact its habitats. As such, development within the district will not result in likely significant effects, alone or in combination with other plans or projects. Indeed, there are potential positive effects from the plan with respect to its proposals to improve the amount of woodland and heathland (and the extent to which it is connected) within the Sherwood Landscape Character network. Policy NE1 states that planning permission will only be granted for developments within a landscape policy zone where they positively contribute towards meeting the defined landscape actions for the relevant zone.

5.5.5. In addition, Policy NE7 seeks net gains in biodiversity for acceptable development sites where feasible, by maximising opportunities to incorporate biodiversity enhancements across a landscape-scale. Policy NE2 also seeks to enhance the role of development in providing an accessible, functional, healthy and robust natural environment.

5.5.6. A planned Green Infrastructure and Biodiversity SPD will also provide more detailed guidance for implementing these policies with respect to protecting and enhancing the ecological networks within the district.

Sherwood ppSPA

Mansfield district

5.5.7. Nightjars generally avoid settling on heathland within 250-500m of development land[48], although it is important to note that this is a generalisation; there are numerous instances of nightjar successfully breeding within 200-250m of some settlements, such as in Breckland Forest in East Anglia. This variation may be due to the type and design of green buffer areas separating nightjar from built up areas and also how access to sites containing nightjar habitat is managed.

5.5.8. The impact of domestic cat predation on ground-nesting birds is a recognised risk associated with increases in residential development. Research on the roaming distance of domestic cats varies from approximately 400m to over 1500m. Evidence suggests that about 60% of domestic cats roam up to 400m[49]. In addition, the analysis undertaken for the Thames Basin Heaths SPA concluded that there were other pressures associated with locating development within 400m of the SPA (recreational pressure, fly tipping and vandalism risk) that could not be mitigated by the provision of alternative natural greenspace, since the SPA was so close that it was unlikely alternative greenspace would provide sufficient alternative appeal.

5.5.9. It is reasonable to conclude that, at least for the heathland parts of the ppSPA, a similar conclusion could potentially be drawn regarding impact of housing within 400m[50]. It should be noted that the conclusion in the Thames Basin Heaths area to impose a prohibition on net residential development within 400m of the SPA was reached in particular because this was an area with a very high existing residential population density within 400m of the SPA and because there was a realistic prospect of a very large quantum of additional new development coming forward within that zone.

5.5.10. Neither circumstance applies to Mansfield district and its urban proximity to the ppSPA. Moreover, there is not a strong enough legislative basis to introduce a total prohibition on residential development within 400m of the Sherwood ppSPA, since it is not actually formally proposed for designation as an SPA or pSPA at the present time. Nonetheless, increases in development within 400m of the ppSPA present the greatest potential to reduce nightjar and woodlark densities in those parts of the ppSPA and therefore require particular scrutiny on a case-by-case basis.

Housing sites

5.5.11. There is a single urban extension in Mansfield district that is already in possession of an extant planning permission and located within 400m of the ppSPA boundary (Table 5.5). Since its impacts have already gone through scrutiny as part of the planning process, it can be concluded that provided the agreed mitigation for this site is delivered, it will have

[48] Liley, D & Clarke, R.T. 2003. The impact of urban development and human disturbance on the numbers of nightjar *Caprimulgus europaeus* on heathlands in Dorset, England. Biological Conservation 114: 219-230.

[49] Barratt, D.G. (1997) Home range size, habitat utilisation and movement patterns of suburban and farm cats Felis catus. *Ecography*, **20**, 271-280. Turner, D. C., and O.Meister. 1988. Hunting behaviour of the domestic cat. Pages 111–121 *in* D. C. Turner and P. Bateson, editors. The domestic cat: the biology of its behaviour. Cambridge University Press, Cambridge, UK.

[50] The situation for plantation is potentially different because a given area of plantation is effectively unsuitable for woodlark or nightjar for a large part of its life-cycle such that factors other than proximity of development might have a stronger influence over whether nightjar or woodlark select those areas to nest.

sufficiently addressed its impact (alone and in combination) to any urbanisation effect on the ppSPA and does not need to be assessed afresh in this HRA.

Table 5-4 Permitted housing sites within 400m of the SPA in Mansfield district

Area of Development	Type of Development	Location	Impact	Likely Significant Effect and mitigation
Lindhurst (approved outline permission) – south of A617 bordering Harlow Wood and Rainworth Lakes SSSI	Mixed development (including 1700 houses, hotel/leisure, school, shopping centre, employment areas)	Adjacent to the ppSPA	Currently existing arable land surrounded by woodland. Fire, tipping, recreational disturbance, cat predation	Mitigation measures have been written in as conditions including habitat creation adjacent to Harlow Wood and complimentary habitat near Newstead. Green Infrastructure network to be integrated into development. SUDS creation and management plan. Educational measures and access management including ranger service. In-combination – most likely some impact in combination with all other residential development. But not significant once planned mitigation is put in place.

5.5.12. There are also three currently proposed housing sites, located within 400m of the ppSPA in Mansfield district and allocated as part of the emerging Local Plan process. These are:

- M3(m) Clipstone Road East, Crown Farm Way, a large (6.53ha) site south-west of Clipstone, which had previously held an outline permission for a maximum of 215 dwellings that has since expired. It is allocated for 165-195 dwellings. Although part of the ppSPA does lie within 400m of this site, much of this is an existing industrial/employment site at Crown Farm. Another portion is wetland (private fishing ponds) with limited tree cover which would not be used by nightjar or woodlark. The other nearby area of land to the south of industrial estate is restored colliery site, which could provide some value for nightjar or woodlark in the long term. There are no records of either species on or near the site according to data from Nottinghamshire Biological & Geological Records Centre.
- M3(i) Helmsley Road, Rainworth. This includes previously developed land, located marginally within 400m of the ppSPA. It is allocated for 75-100 dwellings. This proposed housing site is located next to existing housing and separated by the A617 (MARR/Rainworth bypass) such that recreational disturbance effects are less likely to arise given the existing high disturbance background (noise and visual) caused by the A617 and exposure to existing housing. In addition, no new access roads are proposed within 200m of the ppSPA as a result of this development. There are no records of either nightjar or woodlark on or near the site according to data from Nottinghamshire Biological & Geological Records Centre.
- M3 (aa) Sherwood Avenue, allocated for 230-270 dwellings. This site is located to the south of the ppSPA and is separated by Sherwood Oaks Business Park

and the Southwell Road West (A6191) such that disturbance effects are less likely to arise given the existing high disturbance background resulting from existing exposure of this part of the ppSPA to noise and visual disturbance from the A6191 and existing business park, both of which are located closer than M3 (aa).

5.5.13. These are all predominantly residential sites. On balance, it is considered that none of the three are inherently incompatible with the ppSPA, given that larger developments have already been recently permitted in similar areas and any potential for negative effects on the ppSPA could be mitigated as they were for the Lindhurst development. However, given their size and close proximity to the ppSPA the applicant/site promoter should provide further information in planning application responses to development briefs confirming either that a) the ppSPA within 400m of the development site is unsuitable for nightjar or woodlark, b) that it is suitable but that disturbance would not arise, or c) that disturbance may arise and that a mitigation solution similar to that accepted for the Lindhurst site (albeit on an appropriately smaller scale) could be delivered.

Employment sites

5.5.14. In addition to residential development, there are five allocated employment sites (Policy M6) located within 400m of the SPA in Mansfield District. These are listed in Table 5.6 overleaf.

Table 5-5 Employment Sites Allocated in the Mansfield Local Plan and located within 400m of the ppSPA

Area of Development	Details	Within or Outside ppSPA boundary
M4(b) Ratcher Hill Quarry (south east), Southwell Road West M4(d) Ratcher Hill Quarry (south west), Southwell Road West	Allocated for B2 (general industrial) or B8 (storage and distribution) use Previously Developed Land	Within the ppSPA, but in a setting with other employment/industrial development (a working quarry) on previously-developed land such that new disturbance effects are less likely to arise given the existing disturbance/activity background. Since this is employment development, recreational impacts are unlikely to arise and no new access roads are proposed within 200m of the ppSPA. Although it is located within the ppSPA, none of the habitat within the site itself is suitable for nesting nightjar or woodlark and there are no records of either species on or near the site according to data from Nottinghamshire Biological & Geological Records Centre. Nonetheless, since it is within the ppSPA, it is recommended that a Phase 1 Habitat Survey is undertaken to confirm whether the site is suitable, followed if appropriate by a nightjar/woodlark survey to support the planning application, in accordance with policy NE7. Vehicle flows (and air quality) associated with this development will need to be assessed to ensure no adverse effects on the ppSPA would result, in line with the previous section of this HRA concerned with air quality and policy NE9.
M4(c) Ransom Wood Business Park, Southwell Road West	Allocated for office use (B1a) only. Greenfield	Within the ppSPA and surrounded by woodland, but in a location already occupied by existing office development. Disturbance is likely to be low since this will be offices (B1a) only. Since this is employment development recreational impacts are unlikely to arise and no new access roads are proposed within 200m of the ppSPA. Although it is located within the ppSPA and surrounded by suitable habitat there are no records of either nightjar or woodlark on or near the site according to data from Nottinghamshire Biological & Geological Records Centre. Nonetheless, since it is within the ppSPA it is recommended that a Phase 1 Habitat Survey is undertaken to confirm whether the site is suitable, followed if appropriate by a nightjar/woodlark survey to support the planning application, in accordance with policy NE7. Vehicle flows (and air quality) associated with this development will need to be assessed to ensure no adverse effects on the ppSPA would result, in line with the previous section of this HRA concerned with air quality and policy NE9.
M4(e) Sherwood Oaks Business Park, Southwell Road West	Allocated for mixed business use. Greenfield	Opposite the ppSPA, but in a very urban setting with other employment/industrial development and separated by the A6191 such that disturbance effects are less likely to arise given the existing high disturbance background resulting from existing exposure of this part of the ppSPA to noise and visual disturbance from the A6191 and existing business park. Since this is employment development, recreational impacts are unlikely to arise and no new access roads are proposed within 200m of the ppSPA. There are no records of either nightjar or woodlark on or near the site according to data from Nottinghamshire Biological & Geological Records Centre.
M4(a)	Allocated for mixed	Opposite the ppSPA, but in a very urban setting with other employment/industrial development

Anglia Way	business use. Greenfield	and separated by Southwell Road West (A6191), such that disturbance effects are less likely to arise given the existing high disturbance background resulting from existing exposure of this part of the ppSPA to noise and visual disturbance from the A6191 and existing employment/industrial development. Since this is employment development, recreational impacts are unlikely to arise and no new access roads are proposed within 200m of the ppSPA. There are no records of either nightjar or woodlark on or near the site according to data from Nottinghamshire Biological & Geological Records Centre.

5.5.15. Any planning application associated with these five sites should be subject to a project-level assessment. However, it is considered that none of the five are inherently incompatible with the ppSPA, given the developments that have already been recently permitted in these areas.

5.5.16. One potential way to mitigate, if it did prove to be required for these eight housing or employment developments, would be to introduce management to areas of plantation woodland or continuous cover forestry to increase the ability of these areas to support nightjar/woodlark over time. For example, nightjars use only the first 20 years of a typical fifty to sixty year forestry rotation, with bird densities declining progressively over that time until the canopy closes. Woodlark only use the first six years of a conventional forestry rotation. This means that under conventional management a given area of forestry actually supports no nightjar or woodlark for most of its existence. By managing a given area of plantation on a twenty-two year rotation (i.e. felling the timber after twenty years and then replanting after a two-year fallow period), it would therefore possible over a fifty to sixty year time period to achieve an approximate doubling in the total number of nightjar pairs it can support.

In-Combination Effects (outside Mansfield district)

5.5.17. The main housing and employment site allocations outside Mansfield District but within 400m of the ppSPA boundary are listed in Table 5.7 overleaf.

Table 5-6 Allocated sites outside Mansfield district but within 400m of the ppSPA

Allocation	Type of Development	Location	Impact – Habitat Fragmentation	Significant Negative Effect (Habitat Fragmentation)
Rushley Farm – located in Ashfield District south of A617 bordering Thieves Wood. Adjacent to Lindhurst development	Mixed development but primarily residential	Located adjacent to the ppSPA	Currently existing arable land surrounded by woodland. Potential fire, tipping, recreational disturbance, cat predation and air quality issues	Potential adverse effects could arise. However, a specific HRA was conducted and the conclusion was that implementation of a housing scheme at the site could be achieved without a significant effect on the integrity of any future SPA providing key design principles, mitigation and compensation measures were implemented.
Cl/Mu/1 Newark and Sherwood allocation in Clipstone	Mixed development but primarily residential (120 dwellings and 12ha employment space)	Located adjacent to the ppSPA	Former colliery site. The site currently accommodates the headstocks and powerhouse. Potential fire, tipping, recreational disturbance, cat predation and air quality issues	According to the HRA of the Newark and Sherwood Site Allocations and Development Management Plan (2013) there is a SANG solution proposed for this application, Vicar Water Country Park, located just to the south of Clipstone village is considered to provide sufficient SANGS to meet the needs of the settlement and associated growth. There is also Green Infrastructure provision through the partial restoration of the site and connections to the Sherwood Forest Pines Park, Vicar Water Country Park and Sustrans Route 6 through the design and layout of any planning application.
Ra/E/1 Newark and Sherwood employment site in Rainworth	Employment site	Located adjacent to the ppSPA on the opposite side of the A617	Currently rough grassland immediately adjacent to the A617 and an existing settlement. Potential fire, tipping and air quality issues	According to the HRA of the Newark and Sherwood Site Allocations and Development Management Plan (2013) for both these allocations the distance from European sites and existing policies within the Core Strategy and A&DM DPD means no significant effects anticipated and no actual mitigation is proposed. This is presumably partly associated with the barrier effect of the A617 (MARR/Rainworth bypass).
Ra/Ho/1 Newark and Sherwood allocation in Rainworth	Residential development (54 dwellings)	Located 200m south of the ppSPA	Currently grassland immediately adjacent to the A617 and an existing settlement. Potential fire, tipping, recreational disturbance, cat predation and air	

Allocation	Type of Development	Location	Impact – Habitat Fragmentation	Significant Negative Effect (Habitat Fragmentation)
			quality issues	
OB/Ho/1Newark and Sherwood allocation in Ollerton and Boughton	Residential development (125 dwellings)	Located immediately adjacent to the ppSPA	Arable field. Potential fire, tipping, recreational disturbance, cat predation, air quality issues.	According to the HRA of the Newark and Sherwood Site Allocations and Development Management Plan (2013) no adverse effect would arise. Rufford Abbey and Country Park is located South of Ollerton, Clumber Park is norh of Ollerton. Mixed use allocations in Ollerton & Boughton include provision for open space – which could include SANGS if necessary.
BL/Ho/1 Newark and Sherwood allocation in Blidworth	Residential development (55 dwellings)	Located 340m from the ppSPA	Potential fire, tipping, recreational disturbance, cat predation.	According to the HRA of the Newark and Sherwood Site Allocations and Development Management Plan (2013) the distance from European sites and policies within the Core Strategy and A&DM DPD means no significant effects anticipated. The basis for this conclusion is not clear.

5.5.18. It is clear from this analysis, that the approach adopted across the neighbouring authorities within 400m of the ppSPA varies slightly. However, assessments have been undertaken that have concluded that either these developments will not lead to an adverse effect, or that there is adequate mitigation in place to ensure that such an effect does not arise. As such, provided Mansfield district ensures that developments within its remit are assessed and (where necessary) mitigated, the Local Plan will not make any significant contribution to an 'in combination' effect.

5.5.19. The following recommendations are designed to ensure that appropriate safeguards are included in the Mansfield Local Plan.

Recommendations

It is recommended that the importance of the 400m zone around the ppSPA should be clarified in the Policy NE7. Specifically, the following wording is recommended: '*Where development within 400m of the ppSPA is proposed, it must be subject to an application-specific assessment to determine whether any adverse effect on the nightjar and woodlark population would arise. If so, then the assessment should also consider whether it was possible to avoid or offset the effect through creating alternative habitat, alternative recreational/public natural greenspace, introducing initiatives to avoid or minimise risk of impact (e.g. reducing fly-tipping incidence) and/or introducing changes in land management elsewhere in the ppSPA'.*

This would cover housing sites M3(m) Clipstone Road East, M3(i) Helmsley Road and M3 (aa) Sherwood Avenue and employment sites M4(b) Ratcher Hill Quarry (south east), M4(d) Ratcher Hill Quarry (south west), M4(c) Ransom Wood Business Park, M4(e) Sherwood Oaks Business Park and M4(a) Anglia Way. The necessary information to enable the assessment could be provided to the local authority through response to development briefs.

Employment development should also be avoided within 400m of the ppSPA **except** where it can be demonstrated that it would not lead to a significant adverse effect on nightjar or woodlark. A condition may be required that construction of such development would not take place during the nightjar and woodlark breeding season, depending on whether it would be audible above ambient noise levels, or whether the proximity of known nightjar or woodlark nests is sufficiently close that visual disturbance could arise. It is recognised that the section of the ppSPA in south-east Mansfield district is likely to be already exposed to high background disturbance levels due to its proximity to major roads and industrial development and that further industrial development within the existing footprint is unlikely to result in a significant additional impact if the measures identified in this paragraph were deployed.

Conclusion

5.5.20. Following the incorporation of these recommendations, it can be concluded that an adequate policy framework would be in place to enable a proportionate response to the protection of the nightjar and woodlark habitat in the ppSPA from urbanisation, given that the ppSPA is not a formal designation. This would therefore be a key measure in ensuring that the Council's obligations regarding Regulation 9A is met.

5.6. Fragmentation of nightjar and woodlark habitat

5.6.1. There are habitat patches in Mansfield district that may be suitable for nightjar and woodlark but which lie outside the ppSPA boundary itself. In particular there are large areas of dry heath acid grassland mosaic at Vicar Water Country Park and Sherwood Forest Golf Course.

5.6.2. As discussed in Chapter 2, Regulation 9A(2) of the Conservation of Habitats and Species Regulations 2010 (as amended) places a duty on local authorities and other public bodies to preserve, maintain and re-establish habitats for wild birds and to ensure that these areas are not further degraded. How this is achieved is at the discretion of the local authority. Within the context of a Local Plan (and thus planning policy) there are limited opportunities available to a local authority in providing this preservation, maintenance and enhancement. Policy NE7 would enable proportionate protection to nightjar and woodlark habitats, whether within the ppSPA or elsewhere. This would therefore assist Mansfield District Council in meeting the requirements of Regulation 9A in Mansfield district as it relates to two of the scarcest bird species present in the wider area (nightjar and woodlark).

5.6.3. There may be further opportunities for Mansfield District Council to improve protection of nightjar and woodlark wherever they are found in the district, but most of these are likely to lie outside the Local Plan process and more in the remit of Mansfield's role as landowner and land manager. Although such matters do not fall within the statutory remit of HRA (since they do not relate to an actual SPA/pSPA), they are discussed here for completeness.

5.6.4. The habitats in the Sherwood Forest area that support nightjar and woodlark are generally fragmented (i.e. available in small scattered patches). Additional development could result in further fragmentation if that development is situated between parcels of habitat, preventing easy movement of birds between parcels. Fragmentation could also occur if development results directly in the loss of heathland or plantation woodland (or areas proposed for future enhancement as these habitats). To an extent this is balanced by certain specific current proposals to restore heathland (such as the restoration of Rufford Colliery and Ratcher Hill Quarry which are likely to create (or restore) over 160ha of heathland in a single large block). Nonetheless, further fragmentation of habitat in the Sherwood area should be avoided.

5.6.5. The long-term substantial loss, degradation and fragmentation of lowland heathland habitats has been the major factor associated with the decline of nightjar and woodlark[51]. Heathland in Nottinghamshire is highly fragmented and the majority of heathland patches tend to be less than 2ha. This means that edge effects[52] from development and human/pet disturbances may have a greater effect than if the patches were larger. The mean patch size of heathland in Nottinghamshire is approximately between 4 and 5ha. In Nottinghamshire, there are 39 heathland Local Wildlife Sites (LWSs) and seven Sites of Special Scientific Interest (SSSI) with heathland as a dominant habitat type or as a

[51] Research examples that support/explore this include: Rose, et al. 2000. Changes in heathland in Dorset, England between 1987 and 1996. Biological Conservation. 121: 93-105. & Langston et al. 2007. Nightjar Carprimulgus europaeus and Woodlark Lullula arborea – recovering species in Britain? Ibis. 149: 250-260.

[52] The term 'edge effects' refers to the fact that impacts from activities outside a site are likely to be felt more keenly at the edge of the site than further towards the middle. Small sites have a high proportion of edge to middle and therefore are more vulnerable because very little of the site is far enough away from the edge to be undisturbed.

component of a larger habitat mosaic. Not all Local Wildlife Sites have ecologically functioning areas of heathland, as some patches are very small or of poor quality. There are no SSSIs in Mansfield district that have been designated for nightjar or woodlark, although these species have been recorded nesting on some SSSIs in the county.

5.6.6. The most suitable habitats for nesting nightjar and woodlark are heathland, acid grassland and plantation woodland (meaning any woodland that is cropped and replanted on a regular cycle, creating clearings in which the birds can nest). Woodland that is maintained as continuous-cover forestry is generally unsuitable for nesting nightjar and woodlark, unless they incorporate adequate clearings. Development that would affect areas of plantation woodland, heathland or acid grassland (irrespective of whether they are part of the ppSPA) could potentially affect nightjar and woodlark.

Mansfield district

5.6.7. None of the current proposed housing allocations lie on (or within 400m of) large areas of suitable habitat outside the ppSPA (see Appendix A.2), nor are they situated in locations which would prejudice the delivery of the heathland and acid grassland creation opportunities identified by Mansfield District Council (see Appendix A.3). The closest allocated housing development site to any area of suitable habitat is 'Land South of Clipstone Road East, Near Newlands Roundabout' which lies within 500m of the dry heath/ acid grassland mosaic at both Vicar Water Country Park and Sherwood Forest Golf Course. Due to the distance separating the suitable habitat and this proposed housing site, habitat fragmentation is unlikely to occur, although recreational pressure should be considered at the planning application stage. However, given that Newark & Sherwood Council are treating Vicar Water Country Park as suitable alternative greenspace to draw people away from the ppSPA (see allocation Cl/Mu/1 overleaf) it seems likely that the ecological interest of this site is compatible with recreational activity.

5.6.8. Mansfield District Council already has a risk-based approach in place that is designed to identify and address impacts at the planning application level and this process should be continued to enable such developments to be identified and their impacts assessed and resolved. Addressing habitat fragmentation mitigation could also be expanded upon in the forthcoming Green Infrastructure & Biodiversity Supplementary Planning Document (SPD) referenced in Policy NE7 in order to ensure that the wider landscape-scale habitat connections are protected and reinforced.

5.6.9. Policy NE7 (Biodiversity) is the policy which would apply to the nightjar and woodlark wherever they are found. The policy states that '*All development proposals which [negatively] affect ecological networks or protected species must be accompanied by an ecological assessment'*. The policy then lists a series of criteria setting out how the assessment must demonstrate that the development has prioritised protection and avoidance fragmentation of the ecological network, how it will restore habitats and how it will prioritise retention and creation of habitats. Refer to the text of Policy NE7 for the full wording. Policy NE7 therefore provides the policy hook for impacts on nightjar and woodlark to be taken into account in planning decisions, in addition to impacts on other sensitive ecological sites and species.

5.6.10. Development that would affect areas of woodland, heathland or acid grassland (irrespective of whether they are part of the ppSPA) should include consideration of the potential of these habitats to support nightjar and woodlark in the ecological studies undertaken to support planning applications; this would potentially include survey. A judgment would need to be made on a case-by-case basis. The assessment and its

conclusions would then be taken into account in the development control process in the normal manner.

5.6.11. In addition to preserving and seeking to increase the number and extent of suitable land parcels for nightjar and woodlark (whether within the ppSPA or not) a further way to reduce the risk of further fragmentation is to ensure that the existing ppSPA parcels are not separated from one another by encroaching development. Planning policy in Mansfield should generally discourage the construction of new housing or built employment development between parcels of the ppSPA. This would avoid increased fragmentation of the ppSPA through presence of intervening built development. As such, the Council should generally avoid allocating sites or permitting housing or built commercial development within the three blue-hatched areas identified as blue hatching on the plan in Appendix A.1. The Council has confirmed that these areas have been included within the strategic green infrastructure network, in order to recognise the potential sensitivity of these areas

Conclusion

5.6.12. The existing policy framework set out in Policy NE7 of the Local Plan requires the prioritisation of the protection and avoidance fragmentation of the ecological network by development. As such, it is concluded that, a sufficient policy framework is in place within the Local Plan to enable a proportionate response to minimise fragmentation and loss of nightjar and woodlark habitat (whether within the ppSPA or elsewhere). This would therefore be a key measure in ensuring that the Council's obligations regarding Regulation 9A is met.

6. Overall Conclusion

6.1.1. This report has discussed the one European site of relevance to development in Mansfield District: Birklands & Bilhaugh SAC. It has also discussed a site that is not formally designated (or formally proposed) and is generally known as Sherwood ppSPA. Since Sherwood ppSPA does not fall within the legal remit of HRA but is rather included as good practice, these two sites are discussed separately.

6.2. Birklands & Bilhaugh SAC

6.2.1. The following pathways of impact were explored regarding the SAC:

- air quality
- recreational pressure
- water abstraction for public water supply and
- urbanisation.

6.2.2. It is concluded 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.

Air quality

6.2.3. It is considered that Mansfield district will not contribute materially to additional flows on the B6034 and thus will not result in air quality effects.

Recreational pressure

6.2.4. It is considered that the relocation of the Sherwood Forest Country Park visitor centre will result in a substantial reduction in visitor pressure within the SAC (although not on visitor activity in the Country Park more generally). Although not within the control of Mansfield District Council the visitor centre relocation will reduce visitor pressure on the SAC from across Nottinghamshire and is the most effective measure to protect the site from risk of excessive trampling. In addition, the residents of Mansfield district have access to a good choice of accessible woodlands closer than the SAC, which can be expected to increase with the forthcoming Green Infrastructure and Biodiversity supplementary planning guidance to assist with the implementation of policies in the Local Plan. As such no likely significant effect is expected.

Water abstraction

6.2.5. No change to groundwater levels will occur as a result of the Local Plan since there are no plans to increase abstraction from the Sherwood Sandstone Aquifer.

Urbanisation

6.2.6. The proposed locations for development in Mansfield district are sufficiently far from the SAC that no urbanisation effect would arise.

6.2.7. Since no likely significant effects will arise, no Appropriate Assessment is required.

6.3. Sherwood ppSPA

6.3.1. The following pathways of impact were explored regarding the ppSPA:

- air quality
- recreational pressure
- water abstraction for public water supply
- urbanisation and
- habitat fragmentation.

6.3.2. It is concluded that, subject to some proposed changes to policy, no adverse effects will arise from the Mansfield Local Plan either alone or in combination with other plans and projects.

Air Quality

6.3.3. It has been concluded that adverse effects ppSPA are unlikely due to a combination of: a) low susceptibility of the plantation woodland habitat closest to the road within the ppSPA, b) distance between heathland areas likely to be used by nightjar and woodlark and major roads and c) the policies contained within the Local Plan aimed at improving air quality in the district and ensuring that an assessment is undertaken of developments that will result in a significant change in atmospheric nitrogen deposition on heathland. It is however recommended that further guidance could be provided to prospective applicants in the supporting text for Policy NE9 in explaining that detailed consideration of air quality impacts may be required for projects that would significantly increase traffic flows[53] within 200m of the ppSPA.

Recreational pressure

6.3.4. Although visits to the Sherwood Forest Country Park and other parts of the ppSPA are likely to increase, such an increase will be balanced by delivery of a strong network of natural green infrastructure in Mansfield district, incorporating the large number of existing accessible natural open spaces and woodlands around the district, not including the ppSPA and the ongoing development and promotion of a strong managed green infrastructure network through the Green Infrastructure & Biodiversity SPD facilitated by Policy NE2 (a).

6.3.5. To provide a further safeguard, the authors of this report consider that the the following wording is added to Policy NE7: 'Where development within 400m of the ppSPA is proposed, it must be subject to an application-specific assessment to determine whether any adverse effect on the nightjar and woodlark population would arise. If so, then the assessment should also consider whether it was possible to avoid or offset the effect through creating alternative habitat, alternative recreational/public natural greenspace, introducing initiatives to avoid or minimise risk of impact (e.g. reducing fly-tipping incidence) and/or introducing changes in land management elsewhere in the ppSPA'.

Water abstraction

6.3.6. No change to groundwater levels will occur as a result of the Local Plan since there are no plans to increase abstraction from the Sherwood Sandstone Aquifer.

Urbanisation

6.3.7. With regard to urbanisation and development within 400m of the ppSPA, the following housing and employment sites should be subject to application-specific assessment in line with the proposed additional wording for Policy NE7:

- M3(m) Clipstone Road East
- M3(i) Helmsley Road
- M3 (aa) Sherwood Avenue
- M4(b) Ratcher Hill Quarry (south east)
- M4(d) Ratcher Hill Quarry (south west)
- M4(c) Ransom Wood Business Park

[53] Defined in the Design Manual for Roads and Bridges as an increase of over 1,000 AADT or 200 Heavy Duty Vehicles per day

- M4(e) Sherwood Oaks Business Park; and
- M4(a) Anglia Way

6.3.8. The necessary information to enable the assessment could be provided to the local authority through response to development briefs.

Habitat fragmentation

6.3.9. The existing policy framework set out in Policy NE7 of the Local Plan requires the prioritisation of the protection and avoidance fragmentation of the ecological network by development. As such, it is concluded that, a sufficient policy framework is in place within the Local Plan to enable a proportionate response to minimise fragmentation and loss of nightjar and woodlark habitat (whether within the ppSPA or elsewhere). In addition the Council has incorporated into the strategic green infrastructure network a number of areas that if developed would cause significant fragmentation of the nightjar and woodlark habitat in the district.

6.4. Future-proofing for Sherwood

6.4.1. In the event that Sherwood became a formal proposed SPA (pSPA) then Policy NE8 would become the applicable policy. Policy NE8 as currently written does not accurately represent the protection that would be afforded to any formal pSPA. Specifically, development which results in an adverse effect on the integrity of a pSPA (rather than just an impact) could only be permitted if there were no alternatives, imperative reasons of over-riding public interest why the development should still proceed and adequate compensatory provision agreed. In order to future-proof the policy without the need for a future alteration it might be considered advisable to amend the wording. Alternatively, since the protection of all European sites (including a pSPA) is a matter of legislation, it could be argued that the protection does not require reiterating in policy.

6.4.2. In the long term, if Sherwood Forest is formally proposed as an SPA (pSPA), it is considered that the visitor evidence base would benefit from improvement. In that event, the Nottinghamshire authorities should consider jointly commissioning bespoke visitor surveys of the main access points across the pSPA (in addition to the Sherwood Forest Country Park) to determine which parts of the pSPA are visited most heavily, clarify what proportion of visitors come from each district and identify potential access management (or other management) interventions on a parcel-by-parcel basis. At the moment the data for the Sherwood Forest Country Park are relatively good but the data for other parts of the pSPA are variable. It is recognised that this is not something that Mansfield District Council would implement unilaterally but would need to involve all the relevant Nottinghamshire councils. It is also recognised that this would only be appropriate if a formal pSPA designation is made.

6.4.3. Policy NE7 of the Local Plan requires the prioritisation of the protection and avoidance fragmentation of the ecological network by development. Areas have been incorporated into the strategic green infrastructure network to discourage their development and prevent fragmentation of the nightjar and woodlark habitat in the district. The Council has commenced initiatives to deliver a strong network of natural green infrastructure in Mansfield district, incorporating the large number of existing accessible natural open spaces and woodlands around the district and the ongoing development and promotion of a strong managed green infrastructure network through the Green Infrastructure & Biodiversity SPD facilitated by Policy NE2 (a). All of these are key elements available through the Councils Local Plan function to protect wildlife habitat generally (and nightjar and woodlark habitat particularly) across the district and thus discharge their duties

under Regulation 9(A) of the Conservation of Habitats and Species Regulations 2010 (as amended).

Appendix A: Supporting Maps

A.1 Location of Birklands and Bilhaugh SAC and possible Sherwood SPA

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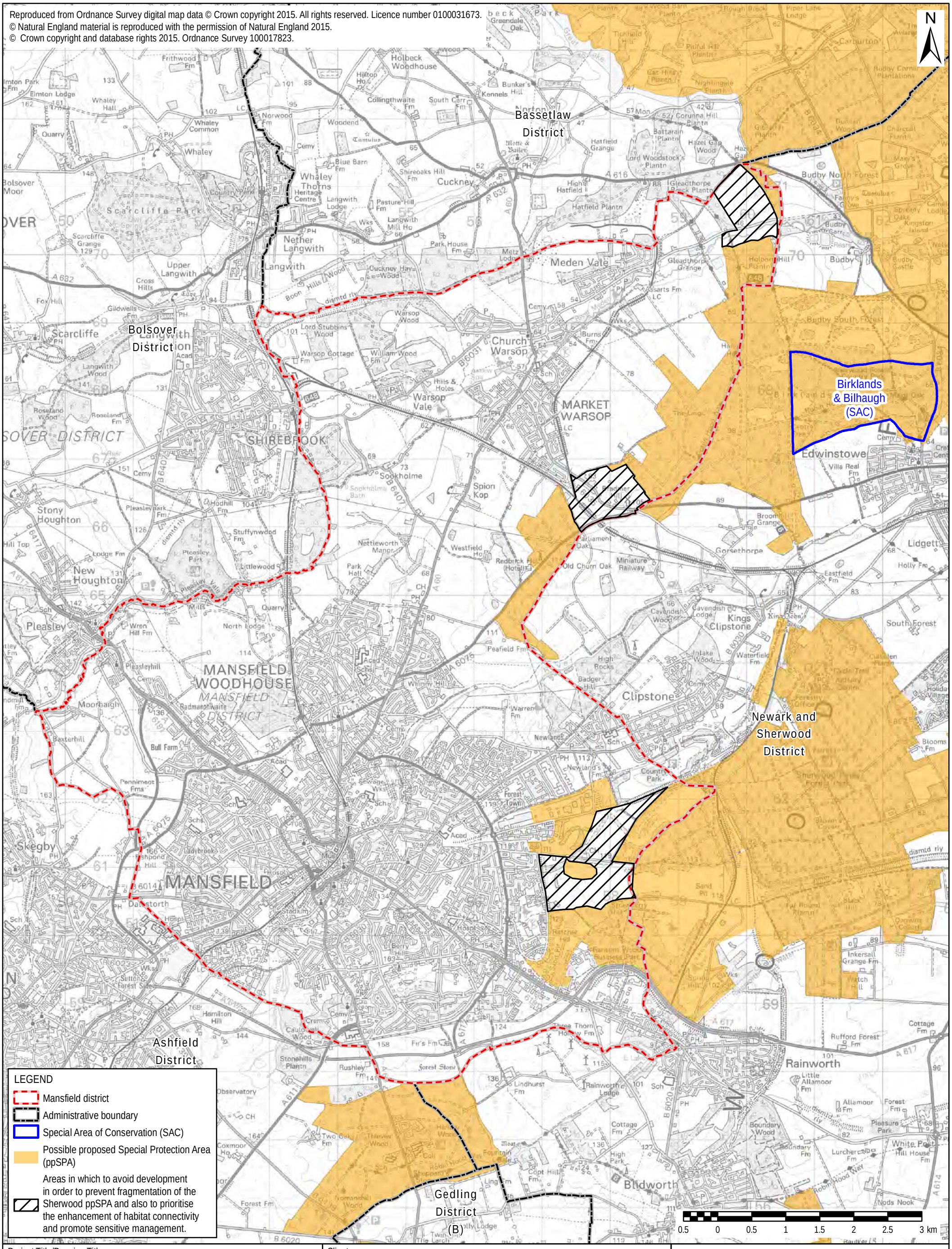

Project Title/Drawing Title	Client		
MANSFIELD SA/SEA	MANSFIELD DISTRICT COUNCIL		
LOCATION OF BIRKLANDS AND BILHAUGH SAC AND POSSIBLE POTENTIAL SHERWOOD SPA	Drawn: JW	Checked: JR	Approved: JR
	Date: 16/02/2016	Scale @ A3: 1:50,000	Purpose of Issue: DRAFT
	Drawing Number: APPENDIX A.1		Rev

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A.2 Heathland and acid grassland within Mansfield District and adjoining areas

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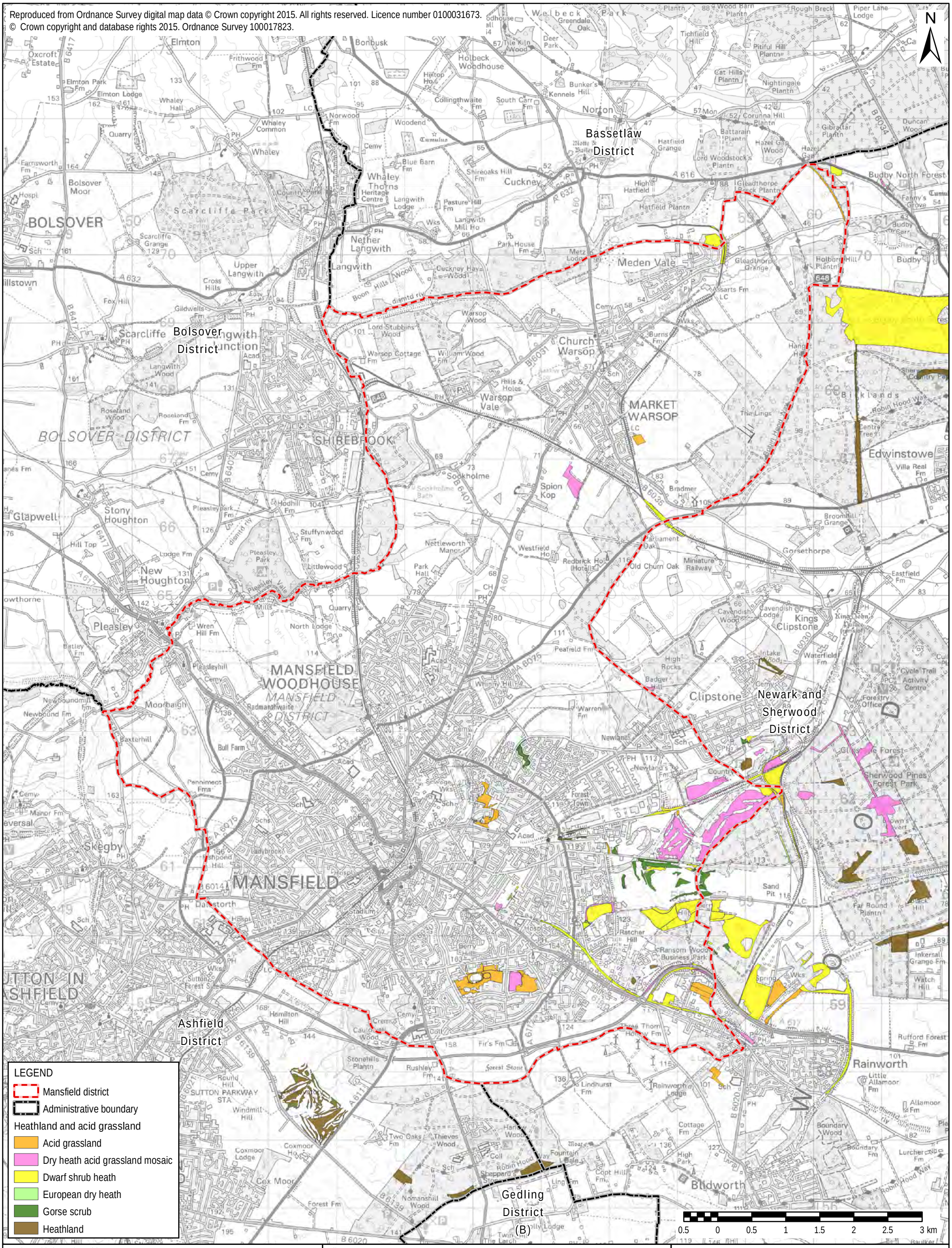

File Name:I:\5004 - Information Systems\47073921_Mansfield SA_SEA\project_files\MXDs\Designation Maps\Appendix A2 Heathland and acid grassland within Mansfield District and adjoining areas.mxd

Project Title/Drawing Title	Client		AECOM
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HEATHLAND AND ACID GRASSLAND WITHIN MANSFIELD DISTRICT AND ADJOINING AREAS	Drawn JW	Checked JR	Approved JR
	Date 16/02/2016	Scale @ A3 1:50,000	Purpose of Issue DRAFT
	Drawing Number APPENDIX A.2		Rev

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A.3. Recognised Opportunities for heathland and acid grassland creation in Mansfield district

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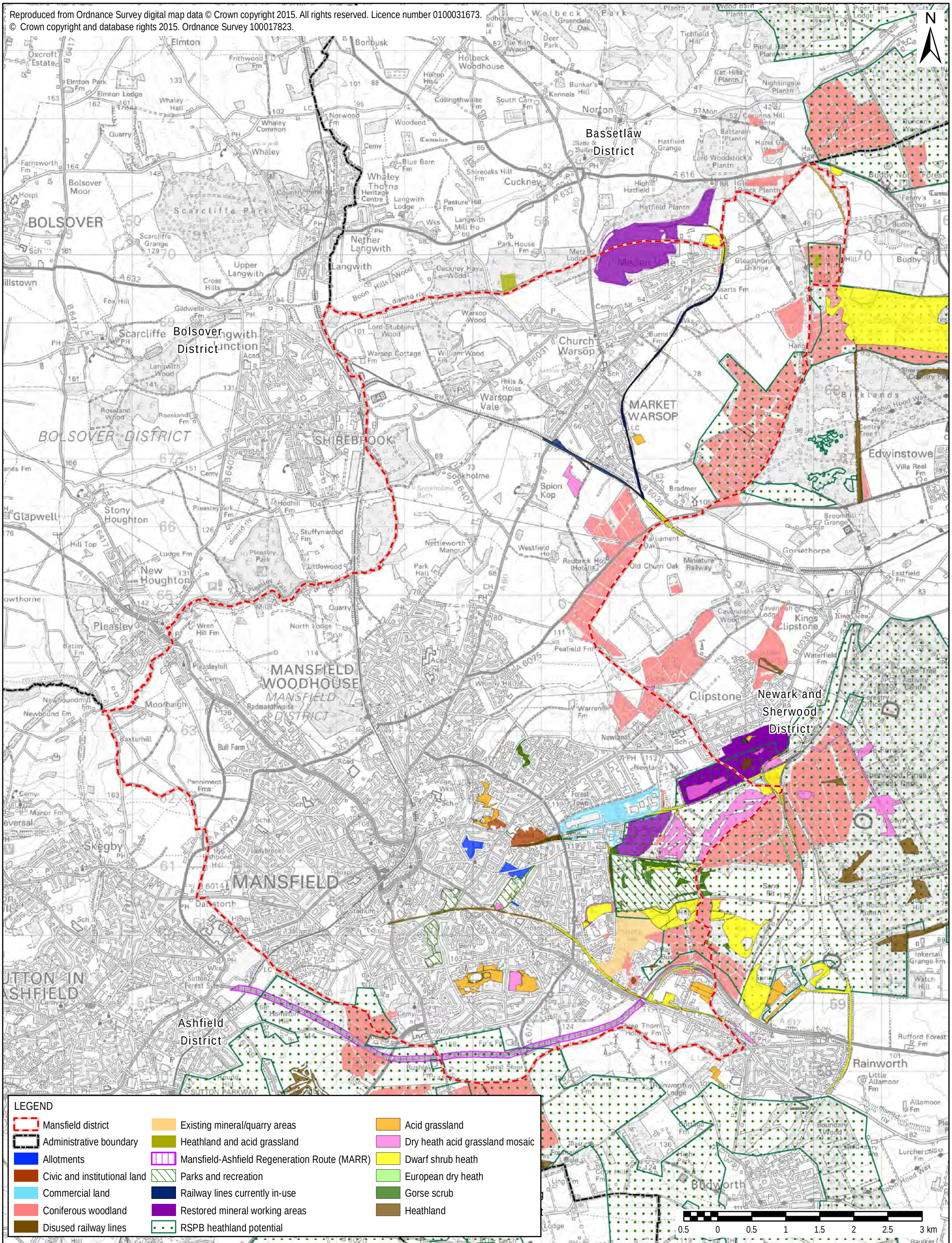

File Name:I:\5004 - Information Systems\47073921_Mansfield SA_SEA\project_files\MXDs\Designation Maps\Appendix A3 Recognised opportunities to create heathland and acid grassland within Mansfield district.mxd

Project Title/Drawing Title	Client			AECOM
MANSFIELD SA/SEA RECOGNISED INDICATIVE OPPORTUNITIES TO CREATE AND RESTORE HEATHLAND AND ACID GRASSLAND WITHIN MANSFIELD DISTRICT	MANSFIELD DISTRICT COUNCIL			Scott House Alençon Link, Basingstoke Hampshire, RG21 7PP Telephone (01256) 310200 Fax (01256) 310201 www.aecom.com
	Drawn JW	Checked JR	Approved JR	
	Date 16/02/2016	Scale @ A3 1:50,000	Purpose of Issue DRAFT	
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A.4 Publically Accessible Greenspace in Mansfield District

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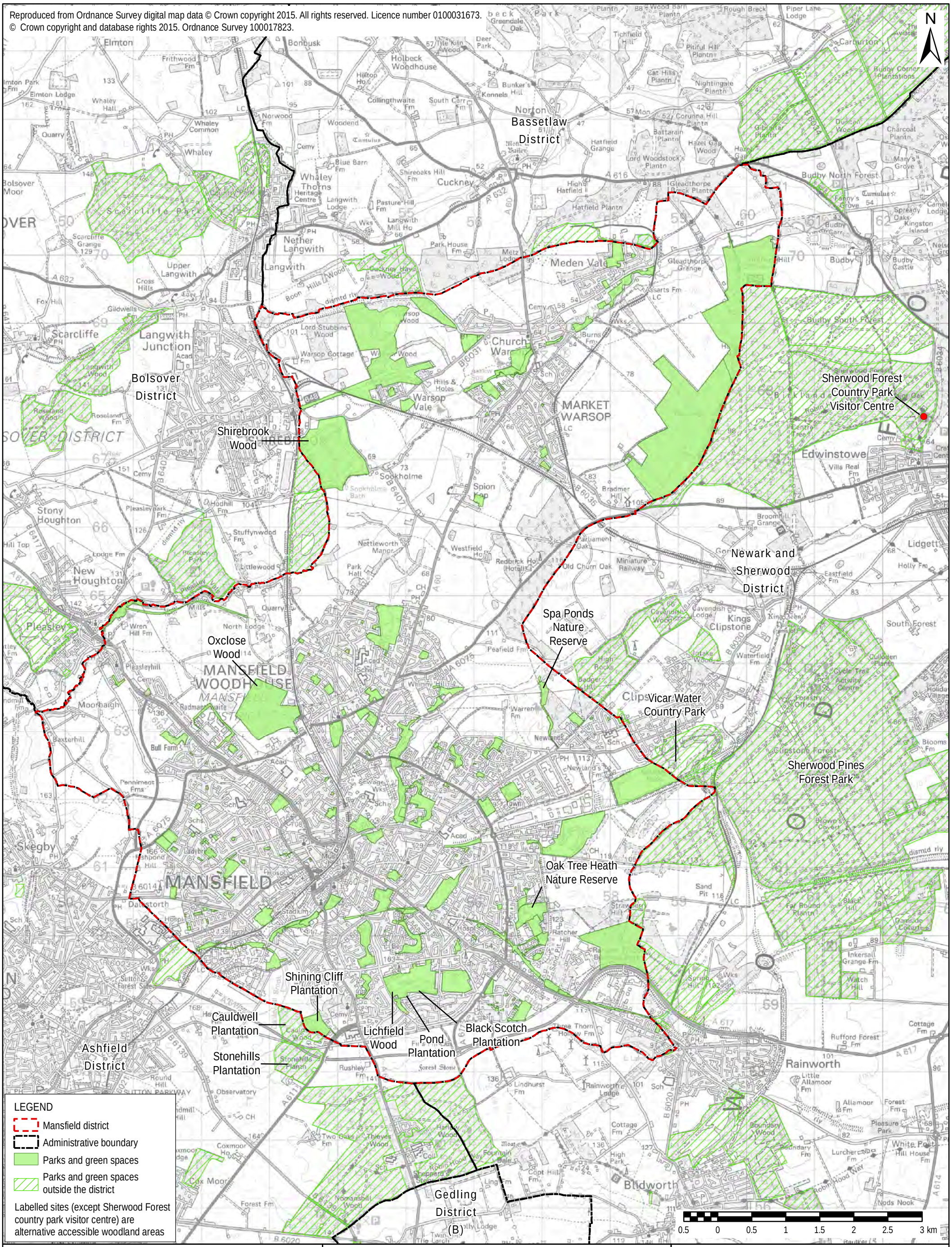

Project Title/Drawing Title	Client		
MANSFIELD SA/SEA	MANSFIELD DISTRICT COUNCIL		
PUBLICALLY ACCESSIBLE GREENSPACE IN MANSFIELD DISTRICT	Drawn: JW	Checked: JR	Approved: JR
	Date: 16/02/2016	Scale @ A3: 1:50,000	Purpose of Issue: DRAFT
	Drawing Number: APPENDIX A.4		Rev

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Appendix B. Screening Table Including Ultimate Conclusion Following Amendments to Policy

Policy	Summary	Potential for Likely Significant Effects (LSE) and categorisation		Action following assessment in main report	Final conclusion
		Birklands & Bilhaugh SAC	Sherwood ppSPA		
Policy S1 Sustainable Development	Proposals will be supported provided that the development, where relevant: a. reduces the need to travel and it contributes to the improvement of sustainable transport b. protects, creates and / or enhances areas of green infrastructure, contributes to a net gain in biodiversity, protects ecologically sensitive sites, supports healthy communities and enhances locally valued landscapes c. protects heritage assets, or wherever possible enhances them d. provides a complementary mix of land uses, in whole or, as part of the wider area, in order to contribute positively towards meeting the needs of the local community, to create attractive, safe and inclusive places e. protects the hierarchy of centres and / or enhances their role as a focus for new services and infrastructure g. helps to create a positive image of the district, supports economic growth and prosperity and contributes to a sense of community through place making and high design standards h. plays a positive role in adapting to and mitigating the effects of climate change to contribute to the health and wellbeing of the community and the environment, through the location, design and operation of the development i. takes account of any coal mining-related land stability and/or other public safety risks and, where necessary, incorporate suitable mitigation measures to address them	A1 No LSE; the National Planning Policy Framework makes it clear that the presumption in favour of sustainable development does not apply where impacts on Natura 2000 site may arise	A1 No LSE; the National Planning Policy Framework makes it clear that the presumption in favour of sustainable development does not apply where impacts on Natura 2000 site may arise	None	No LSE on either the SAC or ppSPA

Policy S2 The scale of new development	Land has been identified for the following amount of development:
	
	• Residential: 7,520 dwellings (C3) between 2013 and 2033
	• employment: 26,000 sqm of offices (B1(a) & (b)) and 42 ha of industrial land (B1(c), B2 & B8) between 2011 and 2033
	• town centre uses: Provision will be made for new town centre development between 2014 and 2031 at the following levels:
	  o comparison (non-food) retail floorspace (A1): A minimum of 25,200 sqm net sales area.
	  o convenience (food) retail floorspace (A1): A maximum of 3,900 sqm net sales area
	  o food and drink leisure floorspace (A3, A4, A5): A minimum of 2,300 sqm net.
		C
		
		LSE requires investigation.
		
		The delivery of new development within the catchment of the SAC could result in likely significant effects through the pathways of air quality, recreational pressure, water abstraction and urbanisation. These are therefore investigated in the main report.
			C
			
			LSE requires investigation.
			
			The delivery of new development within the catchment of the ppSPA could result in likely significant effects through the pathways of air quality, recreational pressure, water abstraction, urbanisation and fragmentation. These are therefore investigated in the main report.
				The potential for likely significant effects is investigated further in the main body of the report.
				
				Actions with regard to the SAC: None identified. All issues adequately addressed through combined policy approach and the relocation of the Sherwood Coutry Park visitor centre result in no LSE. No further actions required.
				
				The following recommendations are made with regard to the ppSPA:
				
				• It is recommended that further guidance be provided to prospective applicants in the supporting text for Policy NE9 explaining that detailed consideration of air quality impacts may be required for projects that would significantly increase traffic flows within 200m of the ppSPA.
				
				• It is recommended that the following wording is added to Policy NE7: *'Where development within 400m of the ppSPA is proposed, it must*
					No LSE on either the SAC or ppSPA

Policy	Summary	Potential for Likely Significant Effects (LSE) and categorisation		Action following assessment in main report	Final conclusion
		Birklands & Bilhaugh SAC	Sherwood ppSPA		
				be subject to an application-specific assessment to determine whether any adverse effect on the nightjar and woodlark population would arise. If so, then the assessment should also consider whether it was possible to avoid or offset the effect through creating alternative habitat, alternative recreational/public natural greenspace, introducing initiatives to avoid or minimise risk of impact (e.g. reducing fly-tipping incidence) and/or introducing changes in land management elsewhere in the ppSPA'. • With regard to urbanisation and development within 400m of the ppSPA, the following housing and employment sites should be subject to application-specific assessment in line with the proposed additional wording for Policy NE7: • M3(m) Clipstone Road East • M3(i) Helmsley Road • M3 (aa) Sherwood Avenue • M4(b) Ratcher Hill Quarry (south east) • M4(d) Ratcher Hill Quarry (south west) • M4(c) Ransom Wood Business Park • M4(e) Sherwood Oaks Business Park; and • M4(a) Anglia Way The necessary information to enable the assessment could be provided to the local authority through response to development briefs. With these recommendations included a conclusion of No Likely Significant Effect on the ppSPA can be made.	

<table>
<tr><th rowspan="2">Policy</th><th rowspan="2">Summary</th><th colspan="2">Potential for Likely Significant Effects (LSE) and categorisation</th><th rowspan="2">Action following assessment in main report</th><th rowspan="2">Final conclusion</th></tr>
<tr><th>Birklands & Bilhaugh SAC</th><th>Sherwood ppSPA</th></tr>
<tr><td>Policy S3 Settlement Hierarchy</td><td>Policy S3
Settlement hierarchy
Picture 4.1

Major new development and economic activity shall b directed to the Mansfield urban area in order to prom sustainable patterns of development.
Appropriate development of a lesser scale shall be lo at Market Warsop.
Limited development within the villages shall be perm where this maintains the distinctive character, environm quality and vitality of these rural communities.</td><td>A4

No LSE since this policy does not in itself seek to deliver development. Moreover, a development focus on the Mansfield urban area (88% of the dwelling requirement and 91% of the employment requirement) may assist in locating the majority of development in areas that are located away from the largest block of the Sherwood ppSPA which is north-east of Mansfield District.</td><td>As for the SAC</td><td>None</td><td>No LSE on either the SAC or ppSPA</td></tr>
<tr><td>Policy S4 Distribution of new development</td><td>Development is distributed to locations within the urban and village boundaries (as shown on the policies map)
as follows:
<table><tr><th>Type of development</th><th></th><th>Mansfield urban area</th><th></th><th>Warsop Paris</th></tr><tr><td>Homes (C3)</td><td></td><td>6,800 (90%)</td><td></td><td>720 (10%)</td></tr><tr><td rowspan="2">Employment</td><td>Offices (B1a)</td><td colspan="2">26,000 square metres (100%)</td><td>0 square metr</td></tr><tr><td>Industrial land (B2 and B8)</td><td colspan="2">40 hectares (95%)</td><td>2 hectares (5</td></tr><tr><td rowspan="4">Retail</td><td></td><td>Mansfield town centre</td><td>Mansfield Woodhouse district centre</td><td>Market Wars</td></tr><tr><td>Comparison (A1)</td><td>24,000 square metres (95%)</td><td>600 square metres (2.5%)</td><td>600 square m</td></tr><tr><td>Convenience (A1)</td><td>3,700 square metres (95%)</td><td>100 square metres (2.5%)</td><td>100 square m</td></tr><tr><td>Food and drink leisure (A3, A4, A5)</td><td>(95%)</td><td>80 square metres (2.5%)</td><td>80 square me</td></tr></table></td><td>A4

No LSE since this policy does not in itself seek to deliver development. Moreover, a development focus on the Mansfield urban area (88% of the dwelling requirement and 91% of the employment requirement) may assist in locating the majority of development in areas that are located away from the largest block of the Sherwood ppSPA which is north-east of Mansfield District.</td><td>As for the SAC</td><td>None</td><td>No LSE on either the SAC or ppSPA</td></tr>
<tr><td>Policy S5 Affordable housing</td><td>Planning permission for ten or more dwellings, or for sites with a gross area of 0.3 hectares or above, will be granted if at least 20 per cent of the dwellings on greenfield sites, or ten per cent on previously developed land, are affordable and provided on-site, unless it can be demonstrated that such provision undermines the viability and deliverability of the scheme.

This policy will be applied in accordance with the Planning Obligations Supplementary Planning Document.</td><td>A1

No LSE. The mix of affordable housing is not relevant to impacts on European sites</td><td>As for the SAC</td><td>None</td><td>No LSE on either the SAC or ppSPA</td></tr>
</table>

Policy	Summary	Potential for Likely Significant Effects (LSE) and categorisation		Action following assessment in main report	Final conclusion
		Birklands & Bilhaugh SAC	Sherwood ppSPA		
Policy S6: Specialist Housing	Planning permission for ten or more dwellings, or for sites with a gross area of 0.3 hectares or above, will be granted if at least 10% of the dwellings are bungalows or specially adapted housing for the elderly or vulnerable groups*, unless the development is specifically for apartments.	A1 No LSE. The proportion of housing suitable for the elderly or vulnerable is not relevant to impacts on European sites	As for the SAC	None	No LSE on either the SAC or ppSPA
Policy S7: Custom and Self-Built Dwellings	Planning permission for ten or more dwellings, or for sites with a gross area of 0.3 hectares or above, will be granted if at least 5% of the dwelling plots (or a minimum of one) are set aside as serviced plots for sale to custom or self builders, unless the development is for apartments or involves the change of use / conversion of existing buildings. Plots will be made available and marketed appropriately* for at least 12 months and if they have not been sold, the plot(s) may either remain on the open market as custom build or be offered to the council or a housing association before being built out by the developer as an affordable housing unit.	A1 No LSE. Whether dwellings are self-built or otherwise is not relevant to impacts on European sites	As for the SAC	None	No LSE on either the SAC or ppSPA
Preferred Policy S8 Accommodation for Gypsies, Travellers and Travelling Showpeople	Where there is a proven need for accommodation for Gypsies, Travellers or travelling showpeople, planning permission will be granted where both of the following criteria can be met: a. the site is within or adjoining Mansfield or Market Warsop in order to maximise the possibilities for social inclusion and accessibility to all necessary physical and social infrastructure b. the proposed site will integrate with the existing settlement pattern and surrounding land uses and would not have an detrimental impact on the character and appearance of the area.	B No LSE. This policy does not seek to deliver Gypsy and Traveller sites but rather sets out criteria against which proposed sites will be judged. Applications for such sites would also need to comply with other Local Plan policies such as Policy NE8 which sets out protection of European sites and Policy NE7 regarding nightjar/woodlark habitat (and therefore the ppSPA by extension)	B No LSE. This policy does not seek to deliver Gypsy and Traveller sites but rather sets out criteria against which proposed sites will be judged. Applications for such sites would also need to comply with other Local Plan policies such as Policy NE7 regarding nightjar/woodlark habitat (and therefore the ppSPA by extension)	None	No LSE on either the SAC or ppSPA
Preferred Policy S9 Development in the Countryside	Planning permission will only be granted for development outside the urban and village boundaries (as defined on the policies map) which falls into one or more of the following categories and meets the relevant criteria: a. new dwellings: i. if they are in association with a rural business and it is essential for worker(s) to live on or near to the business, or ii. if the new dwelling(s) would be the most viable option to secure the future of an important heritage asset, or iii. if they are truly outstanding or innovative in design. b. rebuilding of existing dwellings if the replacement dwelling has a similar footprint and no greater impact on the character and appearance of the area as the existing dwelling c. non-residential buildings: i. if they relate to existing uses, or ii. if they are to be built in connection with a proposed use that would be appropriate in the countryside, or in relation to the diversification of an existing farm, and iii. in relation to criteria i and ii, the building should be appropriate in scale to the use proposed d. re-use of existing buildings: i. if the building is to be re-used for residential or an employment generating use, and	C LSE requires investigation. The delivery of new tourist accommodation within the catchment of the SAC could result in likely significant effects through the pathways of air quality, recreational pressure, water abstraction and urbanisation. These are therefore investigated in the main report.	C LSE requires investigation. The delivery of new tourist accommodation within the catchment of the ppSPA could result in likely significant effects through the pathways of air quality, recreational pressure, water abstraction, urbanisation and fragmentation. These are therefore investigated in the main report.	The potential for likely significant effects is investigated further in the main body of the report. **Actions with regard to the SAC**: None identified. All issues adequately addressed through combined policy approach result in no LSE and the relocation of the Sherwood Forest Country Park visitor centre. No further actions required. The following recommendations are made with regard to the ppSPA: • It is recommended that further guidance be provided to prospective applicants in the supporting text for Policy NE9 explaining that detailed consideration of air quality	No LSE on either the SAC or ppSPA

Policy	Summary	Potential for Likely Significant Effects (LSE) and categorisation		Action following assessment in main report	Final conclusion
		Birklands & Bilhaugh SAC	Sherwood ppSPA		
	ii. if any alterations or extensions are of an appropriate scale and in keeping with the original building. e. tourism development if the nature of the business activity clearly requires a countryside setting. Such proposals should be located as close to the urban areas as realistically feasible and be accessible by sustainable modes of transport f. tourist accommodation: i. if it can be demonstrated that it supports rural diversification, or ii. if it is of a scale that is proportionate to the identified need g. community and leisure facilities: i. if they are well related to existing settlements and there is clear evidence that they cannot be located within the urban or village boundaries, and ii. if the proposed facility will clearly benefit the local community h. equestrian uses: i. if they are located close to existing settlements or well related to other equestrian uses within the countryside ii. if it can be demonstrated that any existing buildings on site have been thoroughly investigated for re-use before new buildings are supported i. renewable energy if it complies with Policy CC2. In all cases, development must be in keeping, both in terms of scale and design with its setting and the landscape characteristics of the area.			impacts may be required for projects that would significantly increase traffic flows within 200m of the ppSPA. • It is recommended that the following wording is added to Policy NE7: *'Where development within 400m of the ppSPA is proposed, it must be subject to an application-specific assessment to determine whether any adverse effect on the nightjar and woodlark population would arise. If so, then the assessment should also consider whether it was possible to avoid or offset the effect through creating alternative habitat, alternative recreational/public natural greenspace, introducing initiatives to avoid or minimise risk of impact (e.g. reducing fly-tipping incidence) and/or introducing changes in land management elsewhere in the ppSPA'.* With these recommendations included a conclusion of No Likely Significant Effect on the ppSPA can be made.	
Preferred Policy S10 Employment areas	The employment areas defined on the policies map will be protected for continued business use, and other forms of economic development which support employment activity and generate jobs. Planning permission will be granted in these areas for new business and other economic uses where the development: a. is compatible with the role and function of the defined employment area b. does not prejudice the wider redevelopment or regeneration of the area c. does not undermine the future operation of an existing or permitted economic development use All proposals will need to be acceptable in terms of sustainable development principles, residential amenity, and transport and other infrastructure requirements as covered by other policies of the plan. Planning applications for uses not within the B use classes, within the defined employment areas, must be supported by sufficient information to determine the economic implications of the development proposed. A flexible approach will be taken to proposals for alternative uses on land currently, or lastly, in employment use which is not defined on the policies map.	A1 No LSE. This policy does not seek to deliver employment development but rather sets out some of the restrictions that would need to be complied with.	As for the SAC	None	No LSE on either the SAC or ppSPA
Policy S11: Retail Areas	Proposals for the development of main town centre uses (4.1), shall be located at an appropriate centre within the district's retail hierarchy, depending on the type of proposal and the role and function of the centre. Planning permission will be granted for town centre uses where: a. development is located within designated retail area, or b. if no in-centre site is available or suitable, it is within an accessible and well connected edge-of-centre location, or	A1 No LSE. It is considered that there is no mechanism whereby the retail hierarchy would influence effects on European sites.	As for the SAC	None	No LSE on either the SAC or ppSPA

Policy	Summary	Potential for Likely Significant Effects (LSE) and categorisation		Action following assessment in main report	Final conclusion
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	c. if no in-centre or edge-of-centre site is available or suitable, it is within an accessible and well connected location, or d. It is a small scale rural development, or e. It purely meets the convenience needs of a particular neighbourhood, or f. It is an office use proposed within a designated employment area. Retail, leisure and office developments over 2,500 sqm (gross) which are proposed in edge-of-centre and out-of-centre locations will be required to demonstrate that there will be no adverse impacts upon designated retail areas and neighbourhood parades within the hierarchy (a threshold of 500 sqm net will apply to any development that is likely to impact upon a district or local centre, parade). Proposals shall be assessed in relation to their impact upon both: a. existing, committed and planned private and public investment b. vitality and viability of the impacted centre(s) Any new centres that are proposed will be expected to enhance the network of centres and not undermine the retail hierarchy.				
Preferred policy S12 Neighbourhood Parades	Neighbourhood parades will be protected as areas of local convenience retailing with a presumption against their loss. Planning permission will be granted for the change of use of units and suitable extensions of up to 500 sqm (gross) if they enhance the vitality and viability of the parade. The development of new neighbourhood parades of an appropriate design and type will be supported where they meet local needs but do not undermine existing centres.	A1 No LSE. It is considered that there is no mechanism whereby neighbourhood parades would influence effects on European sites.	As for the SAC	None	No LSE on either the SAC or ppSPA
Policy S13: Local Shops and Community Facilities	Part A – Protection of local convenience shops and community facilities Planning permission for development that involves the loss of local convenience shops which serve the daily needs of the local community, and community facilities including community/village halls, post offices, schools, nurseries, places of worship, health services, care homes, libraries and public houses will only be granted where it can be demonstrated that either: a. the loss of the specific facility would not create, or add to, a shortfall in the provision or quality of such facilities within the locality*, or appropriate replacement facilities are provided in a suitable alternative location, or b. it results in a B1 class use, or c. the facility is no longer viable and this can be proven through adequate marketing of the premises for its current use which has failed to produce a viable offer**, or d. the facility can be enhanced or reinstated as part of any redevelopment of the building or site. Part B – New or extended local shops and community facilities Planning permission will be granted for local convenience shops which are 500 square metres or less, and other community facilities provided they are within urban or village boundaries.	A1 No LSE. It is considered that there is no mechanism whereby local shops and community facilities would influence effects on European sites.	As for the SAC	None	No LSE on either the SAC or ppSPA
Policy S14: Hot Food Takeaways	Planning permission will be granted for hot food takeaways (use class A5) provided that: a. they are not within 400m* of an access point to any school or college b. they would not harm residential amenity in terms of: noise, vibration, odour, traffic disturbance, litter or hours of operation c. they address any concerns in relation to crime and anti-social behaviour d. if in the primary shopping frontage (as defined by Policy MCA5), it can be demonstrated that the proposal will have a positive impact upon both the town centre's daytime and evening economies.	A1 No LSE. It is considered that there is no mechanism whereby hot food takeaways would influence effects on European sites.	As for the SAC	None	No LSE on either the SAC or ppSPA
Policy M1 Urban regeneration	Proposals that regenerate the Mansfield urban area will be supported, particularly where they: a. facilitate the upgrading of older / less popular housing areas through the selective refurbishment, demolition and replacement of properties. As necessary, development schemes	A1 No LSE. This policy does not set a quantum of	As for the SAC	None	No LSE on either the SAC or ppSPA

<table>
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<tr><td></td><td>will be required to be developed in accordance with comprehensive masterplans and in consultation with local communities
b. promote economic development that diversifies the local economy
c. deliver new housing development, in particular, on suitable previously developed land, and underused greenfield sites
d. support the revitalisation of the Mansfield central area, as the district's key area of change, especially where they contribute to a high quality, mixed use environment, and relate to the development sites and regeneration opportunities identified in Policy MCA1.</td><td>development or specifically seek to achieve development but instead seeks to generally encourage urban regeneration.</td><td></td><td></td><td></td></tr>
<tr><td>Policy M2 Infrastructure and Environmental Resources</td><td>Proposals that help to assist the future growth and prosperity of Mansfield urban area will be supported, particularly if, where relevant, they:

a. minimise congestion and delay on the local highway network, assist travel movements in and around the Mansfield urban area, and improve safety for pedestrians, cyclists and road users in line with Policy ST1
b. ensure that sufficient capacity exists across the full range of utilities infrastructure, including the sewage treatment works at Bath Lane
c. provide new community infrastructure to meet the demands of new development
d. provide renewable and low carbon energy infrastructure in order to minimise CO2 emissions, including the consideration of district heating opportunities within the heat priority area
e. conserve, enhance and restore the network of Mansfield's green infrastructure alongside new development as set out in Policy NE2
f. preserve and enhance the historic environment
g. avoid development within areas at risk from flooding, safeguard important flood storage areas, and positively manage flood risk by promoting sustainable drainage systems.
h. restore flows within the low flow catchment area covering the eastern part of the Mansfield urban area, where feasible.</td><td>A1

No LSE. Ensuring adequate infrastructure will not provide a mechanism for an adverse effect on European sites and could achieve a positive effect through ensuring provision of a high level of green infrastructure</td><td>As for the SAC</td><td>None</td><td>No LSE on either the SAC or ppSPA</td></tr>
<tr><td>Policy M3 Proposed allocations for new homes in Mansfield Urban Area</td><td>In order to meet the housing requirement set out in policies S2 and S4, the following sites, as shown on the policies map, are allocated for residential development.

<table><tr><th>Ref No</th><th>Site Name</th><th>Approximate Number of Dwellings</th></tr><tr><td>M3(c)</td><td>Spencer Street</td><td>50-60</td></tr><tr><td>M3(a)</td><td>Former Mansfield Brewery</td><td>60-90</td></tr><tr><td>M3(b)</td><td>Former Mansfield General Hospital, West Hill Drive</td><td>45-55</td></tr><tr><td>M3(d)</td><td>Victoria Street</td><td>40-50</td></tr><tr><td>M3(e)</td><td>Abbey Primary School, Abbey Road</td><td>50-70</td></tr><tr><td>M3(f)</td><td>Broomhill Lane</td><td>60-75</td></tr><tr><td>M3(g)</td><td>Former Ravensdale Middle School</td><td>100-120</td></tr><tr><td>M3(h)</td><td>Former Sherwood Hall School, Stuart Avenue</td><td>80-95</td></tr><tr><td>M3(i)</td><td>Helmesley Road, Rainworth</td><td>75-100</td></tr><tr><td>M3(j)</td><td>Former Victoria Court Flats, Moor Lane, Mansfield</td><td>45-60</td></tr><tr><td>M3(k)</td><td>Bellamy Road Recreation Ground</td><td>50-70</td></tr><tr><td>M3(l)</td><td>Broomhill Lane Allotments (part)</td><td>25-30</td></tr><tr><td>M3(m)</td><td>Clipstone Road East, Crown Farm Way</td><td>165-195</td></tr><tr><td>M3(n)</td><td>Cox's Lane, Mansfield Woodhouse</td><td>15-20</td></tr></table></td><td>A4

No LSE from specific allocations as opposed to the total quantum of development in Mansfield

The location of specific allocated sites within Mansfield district will not influence effects on the SAC. This is because the data indicate that visitors to the SAC arise from across Mansfield.</td><td>D

LSE requires investigation

In part the location of specific allocated sites within Mansfield district will not influence effects on the ppSPA. This is because the data indicate that visitors to some parts of the ppSPA such as Sherwood Forest Country Park arise from across Mansfield.

However, there is the potential for some individual sites to result in likely significant effects if they were located particularly close to the ppSPA (i.e. within 400m).

Sites are therefore investigated in the main report.</td><td>The potential for likely significant effects is investigated further in the main body of the report.

Actions with regard to the SAC: None identified. No further actions required.

The following recommendations are made with regard to the ppSPA:

• It is recommended that further guidance be provided to prospective applicants in the supporting text for Policy NE9 explaining that detailed consideration of air quality impacts may be required for projects that would significantly increase traffic flows within 200m of the ppSPA.

• It is recommended that the following wording is added to Policy NE7: 'Where development within 400m of the ppSPA is proposed, it must be subject to an application-specific assessment to</td><td>No LSE on either the SAC or ppSPA</td></tr>
</table>

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<tr><td></td><td>
<table>
<tr><td>M3(o)</td><td>Abbott Road / Brick Kiln Lane</td><td>70-100</td></tr>
<tr><td>M3(p)</td><td>Ladybrook Lane / Jenford Street</td><td>75-105</td></tr>
<tr><td>M3(q)</td><td>Meadow Avenue</td><td>20</td></tr>
<tr><td>M3(r)</td><td>Bilborough Road</td><td>20-25</td></tr>
<tr><td>M3(s)</td><td>Pump Hollow Road / Newlands Road</td><td>50-70</td></tr>
<tr><td>M3(t)</td><td>Hall Barn Lane</td><td>125-180</td></tr>
<tr><td>M3(u)</td><td>Sandy Lane / Alcock Avenue</td><td>20-25</td></tr>
<tr><td>M3(v)</td><td>Sandy Lane / Garratt Avenue</td><td>65-80</td></tr>
<tr><td>M3(w)</td><td>Sandy Lane / Shaw Street</td><td>35-45</td></tr>
<tr><td>M3(x)</td><td>Sherwood Close</td><td>15-20</td></tr>
<tr><td>M3(y)</td><td>Ladybrook Lane / Tuckers Lane</td><td>25-35</td></tr>
<tr><td>M3(z)</td><td>Windmill Lane (former nursery)</td><td>20-30</td></tr>
<tr><td>M3(aa)</td><td>Sherwood Avenue</td><td>230-270</td></tr>
<tr><td>M3(ab)</td><td>Debdale Lane / Emerald Close</td><td>30-35</td></tr>
<tr><td>M3(ac)</td><td>Sherwood Rise (adjacent Queen Elizabeth Academy), Mansfield Woodhouse</td><td>145-175</td></tr>
<tr><td>M3(ad)</td><td>Old Mill Lane / Stinting Lane</td><td>145-200</td></tr>
<tr><td>M3(ae)</td><td>New Mill Lane / Sandlands</td><td>115-160</td></tr>
<tr><td>M3(af)</td><td>Radmanthwaite Road / Oxclose Lane</td><td>315-375</td></tr>
</table>
</td><td></td><td></td><td>determine whether any adverse effect on the nightjar and woodlark population would arise. If so, then the assessment should also consider whether it was possible to avoid or offset the effect through creating alternative habitat, alternative recreational/public natural greenspace, introducing initiatives to avoid or minimise risk of impact (e.g. reducing fly-tipping incidence) and/or introducing changes in land management elsewhere in the ppSPA'.

• With regard to urbanisation and development within 400m of the ppSPA, the following housing sites should be subject to application-specific assessment in line with the proposed additional wording for Policy NE7:

• M3(m) Clipstone Road East
• M3(i) Helmsley Road
• M3 (aa) Sherwood Avenue

The necessary information to enable the assessment could be provided to the local authority through response to development briefs.

With these recommendations included a conclusion of No Likely Significant Effect on the ppSPA can be made.</td><td></td></tr>
<tr><td>Policy M4 Allocations for employment land in Mansfield</td><td>In order to meet the industrial land requirement set out in policies S2 and S4, the following sites, as shown on the policies map, are allocated for employment development.
<table>
<tr><th>Site Name</th><th>Use Class</th><th>PDL/ Greenfield</th><th>Comments</th></tr>
<tr><td>M4(a) Anglia Way</td><td>B1, B2 and B8</td><td>Greenfield</td><td></td></tr>
<tr><td>M4(b) Ratcher Hill Quarry (south east), Southwell Road West</td><td>B1/B2/B8</td><td>PDL</td><td>Access off the main A617 Mansfield – Newark road.</td></tr>
<tr><td>M4(c) Ransom Wood Business Park, Southwell</td><td>B1</td><td>Greenfield</td><td>Business Park B1 uses only. Some offices exist within an attractive woodland setting.</td></tr>
</table></td><td>A4

No LSE from specific allocations as opposed to the total quantum of development in Mansfield</td><td>D

LSE requires investigation. There is the potential for some individual sites to result in adverse effects if they were located particularly close to the ppSPA (i.e. within 400m)

Sites are therefore investigated in the main report.</td><td>The potential for likely significant effects is investigated further in the main body of the report.

Actions with regard to the SAC: None identified. No further actions required.

The following recommendations are made with regard to the ppSPA:

• It is recommended that further guidance be provided to</td><td>No LSE on either the SAC or ppSPA</td></tr>
</table>

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<tr><td></td><td>
<table>
<tr><td>Road West</td><td></td><td></td><td></td></tr>
<tr><td>M4(d) Ratcher Hill Quarry (south west), Southwell Road West</td><td>B1/B2/B8</td><td>PDL</td><td>Access off the main A617 Mansfield – Newark road.</td></tr>
<tr><td>M4(e) Sherwood Oaks Business Park, Southwell Road West</td><td>B1, B2 and B8</td><td>Greenfield</td><td>Attractive "greenfield" site. Prominent position close to the MARR route.</td></tr>
</table>
</td><td></td><td></td><td>prospective applicants in the supporting text for Policy NE9 explaining that detailed consideration of air quality impacts may be required for projects that would significantly increase traffic flows within 200m of the ppSPA.

• It is recommended that the following wording is added to Policy NE7: 'Where development within 400m of the ppSPA is proposed, it must be subject to an application-specific assessment to determine whether any adverse effect on the nightjar and woodlark population would arise. If so, then the assessment should also consider whether it was possible to avoid or offset the effect through creating alternative habitat, alternative recreational/public natural greenspace, introducing initiatives to avoid or minimise risk of impact (e.g. reducing fly-tipping incidence) and/or introducing changes in land management elsewhere in the ppSPA'.

• With regard to urbanisation and development within 400m of the ppSPA, the following employment sites should be subject to application-specific assessment in line with the proposed additional wording for Policy NE7:

• M4(b) Ratcher Hill Quarry (south east)
• M4(d) Ratcher Hill Quarry (south west)
• M4(c) Ransom Wood Business Park
• M4(e) Sherwood Oaks Business Park; and
• M4(a) Anglia Way

The necessary information to enable the assessment could be provided to the local authority</td><td></td></tr>
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Policy	Summary	Potential for Likely Significant Effects (LSE) and categorisation		Action following assessment in main report	Final conclusion
		Birklands & Bilhaugh SAC	Sherwood ppSPA		
				through response to development briefs. With these recommendations included a conclusion of No Likely Significant Effect on the ppSPA can be made.	
Policy MCA1 Mansfield Central Area	Proposals which help deliver major change within the Mansfield central area, as defined on the policies map, will be supported, particularly where they: a. bring forward high quality development of the sites identified in policies MCA1(a) - MCA1(h): b. enhance the townscape, civic spaces and heritage assets, and improve the appearance of key gateways by providing well designed landmark buildings which help create a positive image of the town and give it a sense of identity c. improve energy efficiency, and resilience to flooding and climate change, where this is applicable d. improve traffic arrangements, including the reduction of vehicle / pedestrian conflict and the barrier effect of the Mansfield town centre ring road e. create stronger walking and cycling links within the central residential and commercial areas of the town f. provide an environment which is open to investment and enterprise g. strengthen the vitality and viability of the town centre through the development of new shops, offices, leisure and community facilities All major applications for development within the central area of Mansfield should demonstrate how the proposal helps to achieve the aims of this policy. *[The sites in question in point (a) above are:* *MCA1(a) Stockwell Gate North* *MCA1(b) White Hart Street* *MCA1(c) Clumber Street* *MCA1(d) Toothill Lane* *MCA1(e) Handley Arcade* *MCA1(f) Portland Gateway* *MCA1(g) Riverside* *MCA1(h) Former Mansfield Brewery (part), Great Central Road]*	A4 No LSE from development specifically in the Mansfield Central Area as opposed to the total quantum of development in Mansfield district.	As for the SAC	None	No LSE on either the SAC or ppSPA
Policy MCA2 Town centre improvements	Proposals within the town centre which will positively contribute to the image of the town and the quality of the environment will be supported, particularly where they involve: a. enhancements to the public realm / civic spaces – including street furniture, paving materials, landscaping, improved signage b. reducing visual clutter through the rationalisation and limitation of signage c. suitable lighting of historic and key buildings d. provision of public art e. enhancements to the permeability of the town centre by encouraging the use of historic alleyways with the creation of active frontages, use of traditional paving materials and improved lighting f. improving the pedestrian environment and reducing the barrier effect of the ring road, especially at key crossing points / gateways g. improvements to Mansfield's market h. enhancements to the Old Town Hall which support its reuse and ensure its conservation i. shopfront refurbishments and remodelling of floor plans to create more attractive and usable retail units j. reinstatement and enhancement of historic architectural detail k. reuse of vacant units	A1 No LSE. There is no mechanism for these town centre improvements to affect European sites Improving the pedestrian environment and provision of cycle parking and facilities will help to address climate change by aiding in encouraging use of sustainable transport.	As for the SAC	None	No LSE on either the SAC or ppSPA

Policy	Summary	Potential for Likely Significant Effects (LSE) and categorisation		Action following assessment in main report	Final conclusion
		Birklands & Bilhaugh SAC	Sherwood ppSPA		
	l. conversions that enable the use of upper floors of premises m. refurbishment of the Four Seasons Shopping Centre n. refurbishment of the Beales Department store o. redevelopment of gap / infill sites p. provision of cycle parking and facilities q. use of controlled parking zones to reduce the visual impact of road markings and signage. Development which would prejudice the achievement of the above measures will be resisted				
Policy MCA3 Accessing the town centre	Planning permission will be granted for major development within the central area where they improve accessibility of the town centre for: a. pedestrians and cyclists, by: i. supporting the creation or enhancement of safe, convenient and legible pedestrian and cycle routes into and out of the town centre. These routes should avoid a proliferation of signage, be clutter-free and be designed to be inclusive for all sectors of Mansfield's community, or ii. introducing traffic calming measures, such as crossing points which are pedestrian / cycling friendly, to reduce the dominance of vehicular traffic on the town centre ring road, whilst helping to improve the appearance of key gateways, or iii. improving pedestrian crossings on Quaker Way to help reconnect both sides of the inner ring road and reduce its physical impact, or iv. maximising opportunities to link into and enhance the district's green infrastructure network, and where appropriate the River Maun shall be opened up to create an attractive riverside walk, or v. providing secure cycle stores within new developments, and on the edges of pedestrianised areas, or vi. physically restricting vehicular access to the pedestrianised areas of the town centre between normal shop opening hours, allowing only for emergency vehicles and special permit (green badge) holders, who shall park within special access areas, or vii. any other relevant measures. b. users of public transport and taxis, and blue badge holders by: i. using developer contributions / LTP funding to fund the implementation of bus / taxi lanes which shall complement pedestrianised areas and routes, giving users easy access to shops and services, whilst reducing the amount of traffic within the town centre environment, or ii. including dedicated areas for blue badge holders to park, or iii. locating new taxi ranks close to shops and providing well-lit, safe and sheltered waiting areas for users, or iv. any other relevant measures. c. private car users, by: i. locating new car parks, which shall be designed and maintained to meet ParkMark® or similar safety standards, at the edge of the town centre where there is, or can be, easy access to the town centre for both pedestrians and mobility scheme users, ii. making mobility schemes and recharging points for electric cars available at all new multi-storey car parks, iii. ensuring replacement spaces are provided if necessary, or other improvements to town centre accessibility are made, if existing town centre car parks are to be lost, or iv. any other relevant measures.	A1 No LSE. There is no mechanism for this policy to affect European sites. Improving the pedestrian environment and provision of cycle parking and facilities will help to address climate change by aiding in encouraging use of sustainable transport.	As for the SAC	None	No LSE on either the SAC or ppSPA
Policy MCA4 Town centre mix of uses	Planning permission for town centre uses which help to diversify Mansfield town centre and increase its attractiveness as a place to visit, socialise, live and work will be granted, particularly where the development proposed is a retail use and is within the the primary shopping area (see Policy MCA5).	A1 No LSE. There is no mechanism for these town centre improvements to affect European sites	As for the SAC	None	No LSE on either the SAC or ppSPA
Policy MCA5 Primary shopping area	The primary shopping area, as defined on the policies map, is made up of primary and secondary frontages as detailed in Part A and Part B of this policy.	A1 No LSE. There is no	As for the SAC	None	No LSE on either the SAC or ppSPA

Policy	Summary	Potential for Likely Significant Effects (LSE) and categorisation		Action following assessment in main report	Final conclusion
		Birklands & Bilhaugh SAC	Sherwood ppSPA		
	a. Primary frontages Planning permission will be granted for Class A uses at ground floor level within primary frontages. To ensure the vitality and viability of the primary frontages and wider town centre, development proposals within primary frontages should: i. not result in more than 25 per cent of ground floor units in any defined primary frontage of the centre being in non-A1 use ii. not result in the loss of prominent units from A1 use, unless clear advantages can be demonstrated iii. maintain an active frontage(s) to the unit, such as a display of visual interest, or views into the unit iv. not create a continuous frontage of three or more units in non-A1 uses v. not include drinking establishments or hot-food takeaways (Classes A4 or A5), unless it can be demonstrated that proposals will have a positive impact upon both the town centre's daytime and evening economies. b. Secondary frontages Planning permission will be granted for Class A uses at ground floor level within secondary frontages. To ensure the vitality and viability of the town centre, development proposals within secondary frontages should: i. not result in more than 50 per cent of ground floor units in any defined secondary frontage of the centre being in non-A1 use ii. not result in the loss of prominent units from A1 use, unless clear advantages can be demonstrated iii. maintain an active frontage(s) to the unit, such as a display of visual interest, or views into the unit iv. not create a continuous frontage of four or more units in non-A1 uses. Development proposals within secondary frontages for other town centre uses that positively contribute to the broadening of the town centre's daytime and evening economies, particularly uses which are family orientated, will be supported as valuable additions to the vitality and viability of the town centre. Where units have both primary and secondary frontages, the impact upon both frontages will be considered. Conversion of upper floors of properties within the primary shopping area for office or residential accommodation will be fully supported.	mechanism for these town centre improvements to affect European sites			
Policy MCA6 Mansfield Cultural Hub	Mansfield Palace Theatre, Mansfield Museum and the Old Library are important cultural facilities which shall be protected from loss. Planning permission for development that enhances these buildings, either individually or in combination, and which may include the following, will be granted: a. rear extension to Mansfield Palace Theatre b. facade refurbishment to Mansfield Palace Theatre c. provision of a coach drop off point outside Mansfield Museum d. energy efficiency improvements e. alterations necessary to allow them to share each other's facilities and which create a central hub of cultural activity. Proposals which prejudice the future improvement of these cultural facilities, including those which restrict access to the rear of the buildings, will be refused.	A1 No LSE. There is no mechanism for these town centre improvements to affect European sites	As for the SAC	None	No LSE on either the SAC or ppSPA
Policy MWDC1 Mansfield Woodhouse district centre mix of uses	Planning permission within Mansfield Woodhouse district centre, as defined on the policies map, for the development of town centre uses which help to sustain and enhance the district centre will be granted, provided that the percentage of retail units (Use Class A1) does not fall below 40 per cent.	A1 No LSE. There is no mechanism for these town centre improvements to	As for the SAC	None	No LSE on either the SAC or ppSPA

Policy	Summary	Potential for Likely Significant Effects (LSE) and categorisation		Action following assessment in main report	Final conclusion
		Birklands & Bilhaugh SAC	Sherwood ppSPA		
		affect European sites			
Policy MWDC2 Mansfield Woodhouse district centre improvements	Proposals for development within Mansfield Woodhouse district centre, as defined on the policies map, will be supported where they positively contribute to the quality of the physical environment through a range of measures including: a. reintroduction of traditional paving materials b. reduction of visual clutter through the rationalisation of street furniture, lighting columns, traffic signage, road markings and pedestrian guard rails c. shop front refurbishment and appropriate signage d. reinstatement and enhancement of historic architectural detail e. reuse of vacant units f. conversions that enable the use of upper floors of premises. Development which would prejudice the achievement of the above measures will be resisted.	A1 No LSE. There is no mechanism for these town centre improvements to affect European sites	As for the SAC	None	No LSE on either the SAC or ppSPA
Policy MWDC3 Allocations for retail at Mansfield Woodhouse district centre	In order to meet the retail floorspace requirement set out in policies S2 and S4, the following sites, as shown on the policies map, are allocated for retail development. MWDC3(a) Welbeck Road (land at Morrison's) MWDC3(b) Station Street	A1 No LSE. There is no mechanism for these town centre improvements to affect European sites	As for the SAC	None	No LSE on either the SAC or ppSPA
Policy WP1 Warsop Parish	Proposals will be supported which direct new housing, employment and retail growth within Market Warsop urban area, particularly where they: a. assist the continued regeneration of the town b. help maintain / strengthen the district centre and support Market Warsop's role as a service centre for the surrounding villages c. support the reopening of the Dukeries railway line, in accordance with Policy ST1 d. provide opportunities for people to walk, cycle and use public transport, including to nearby employment areas e. provide places where local businesses can start-up and grow. Limited development will be permitted within the villages in accordance with Policy S3, and within the countryside in accordance with Policy S9.	A4 No LSE since this policy does not in itself seek to deliver development. Moreover, a development focus on Market Warsop itself (for the fairly small amount of housing that will not be within the Mansfield urban area) may assist in locating the majority of development in areas that are located away from the largest block of the Sherwood ppSPA	As for the SAC	None	No LSE on either the SAC or ppSPA
Policy WP2 Allocations for new homes in Warsop Parish	In order to meet the housing requirement set out in policies S2 and S4, the following sites, as shown on the policies map, are allocated for residential development. W2(a) Wood Lane (Miners Welfare), Church Warsop – 30-40 homes W2(b) Sherwood Street / Oakfield Lane – 30-40 homes W2(c) Stonebridge Lane / Sookholme Lane W2(d) Sookholme Lane / Sookholme Drive	A4 No LSE from specific allocations as opposed to the total quantum of development in Mansfield	D LSE requires investigation. There is the potential for some individual sites to result in adverse effects if they were located particularly close to the ppSPA (i.e. within 400m) Sites are therefore investigated in the main report.	The potential for likely significant effects is investigated further in the main body of the report. **Actions with regard to the SAC**: None identified. No further actions required. The following recommendations are made with regard to the ppSPA: • It is recommended that further guidance be provided to prospective applicants in the supporting text for Policy NE9 explaining that detailed consideration of air quality impacts may be required for projects that would significantly	No LSE on either the SAC or ppSPA

Policy	Summary	Potential for Likely Significant Effects (LSE) and categorisation		Action following assessment in main report	Final conclusion
		Birklands & Bilhaugh SAC	Sherwood ppSPA		
				increase traffic flows within 200m of the ppSPA. With these recommendations included a conclusion of No Likely Significant Effect on the ppSPA can be made.	
Policy WP3 Allocations for employment land in Warsop Parish	In order to meet the industrial land requirement set out in policies S2 and S4, the following sites, as shown on the policies map, are allocated for employment development. W3(a) Mansfield Road (former railway station) W3(b) Oakfield Lane (land adjacent household recycling depot)	A4 No LSE from specific allocations as opposed to the total quantum of development in Mansfield	D LSE requires investigation. There is the potential for some individual sites to result in adverse effects if they were located particularly close to the ppSPA (i.e. within 400m) Sites are therefore investigated in the main report.	The potential for likely significant effects is investigated further in the main body of the report. **Actions with regard to the SAC**: None identified. No further actions required. The following recommendations are made with regard to the ppSPA: • It is recommended that further guidance be provided to prospective applicants in the supporting text for Policy NE9 explaining that detailed consideration of air quality impacts may be required for projects that would significantly increase traffic flows within 200m of the ppSPA. With these recommendations included a conclusion of No Likely Significant Effect on the ppSPA can be made.	No LSE on either the SAC or ppSPA
Policy MW1 Market Warsop district centre mix of uses	Planning permission within Market Warsop district centre, as defined on the policies map, for the development of town centre uses which help to sustain and enhance the district centre will be granted, provided that the percentage of retail units (Use Class A1) does not fall below 40 per cent.	A1 No LSE. There is no mechanism for district centre uses (as distinct from housing provision) to result in effects on European sites.	As for the SAC	None	No LSE on either the SAC or ppSPA
Policy MW2 Market Warsop district centre improvements	Proposals for development within Market Warsop district centre, as defined on the policies map, will be supported where they positively contribute to the quality of the physical environment through a range of measures including: a. shop front refurbishments and appropriate signage b. reinstatement and enhancement of historic architectural detail c. reuse of vacant units d. conversions that enable the use of upper floors of premises e. improving the pedestrian environment / reducing the impact of vehicular traffic f. creation of a key focal point g. reduction of visual clutter through the rationalisation of street furniture, lighting columns, traffic signage, road markings and pedestrian guard rails. Development which would prejudice the achievement of the above measures will be resisted.	A1 No LSE. This policy doesn't specifically seek to deliver development but sets out criteria defining acceptable forms of development within the district centre.	As for the SAC	None	No LSE on either the SAC or ppSPA

Policy	Summary	Potential for Likely Significant Effects (LSE) and categorisation		Action following assessment in main report	Final conclusion
		Birklands & Bilhaugh SAC	Sherwood ppSPA		
Policy MW3 Allocations for retail sites at Market Warsop district centre	In order to meet the retail floorspace requirement set out in policies S2 and S4, the following sites, as shown on the policies map, are allocated for retail development. MW3(a) High Street (land adjacent Crate and Grapes PH) MW3(b) Church Street (car park) MW3(c) Burns Lane / Church Street	B No LSE. Due to the types of development that would be delivered on these sites they would not provide an impact pathway to European sites.	As for the SAC	None	No LSE on either the SAC or ppSPA
Policy ST1 Protecting and improving our sustainable transport network	Proposals which encourage sustainable travel across the district by enhancing the existing sustainable transport network will be supported, particularly where they: a. improve access to the multi-user trails network across the district especially the Maun Valley Trail, Mansfield Way, Timberland Trail, Meden Trail, Dukeries Trail and the National Cycle Route 6 b. include new sustainable transport measures such as new pedestrian and cycle routes c. assist the potential re-opening of the Dukeries railway line including the former Market Warsop railway station and land for car parking, as shown on the policies map d. facilitate the shift towards the use of ultra-low emission vehicles, including the provision of publicly accessible electric vehicle charging points at developments that generate high levels of traffic. e. involve highway improvement schemes / sustainable transport solutions along the district's main arterial routes and public transport corridors as follows: i. A60 corridor including Nottingham Road / Woodhouse Road / Leeming Lane / Mansfield Road ii. A38 Sutton Road iii. A617 Chesterfield Road iv. A6191 Southwell Road West / Ratcliffe Gate v. A6075 Debdale Lane / Abbott Road, and vi. within and around Mansfield town centre including its ring roads.	A2. No LSE. Preservation and enhancement of sustainable travel is a positive environmental measure.	As for the SAC	None	No LSE on either the SAC or ppSPA
Policy ST2 Encouraging sustainable transport	Planning permission for developments which follow the transport hierarchy and, through their design and location, maximise opportunities for walking and cycling, and public transport will be granted. Proposals that generate significant levels of movement must: a. be supported by a transport assessment or statement, together with a travel plan which demonstrates the application of the above transport hierarchy b. be located within the urban boundaries, as defined on the policies map, in locations that are, or can be made to be, well served by the full range of transport modes as set out in the transport hierarchy All proposals must make provision for the satisfactory access and manoeuvring of commercial deliveries and specialist service vehicles (eg for emergency services or waste collection)	A2. No LSE. Preservation and enhancement of sustainable travel is a positive environmental measure and will aid in combating the causes of climate change.	As for the SAC	None	No LSE on either the SAC or ppSPA
Policy ST3 Impact of development upon the highway network	Planning permission for development will be granted provided that: a. it does not endanger highway safety, and allows for satisfactory access and egress from the highway, and internal movements within the site, and b. any other significant impacts on the highways network, can be suitably addressed through either a condition or planning agreement.	A1. No LSE. This policy will not present a pathway for an LSE on European sites. Improving the pedestrian environment and provision of cycle parking and facilities will help to address climate change by aiding in encouraging use of sustainable transport.	As for the SAC	None	No LSE on either the SAC or ppSPA
Preferred Policy ST4 Parking provision	Planning permission for development proposals will be granted where there is appropriate provision for vehicle and cycle parking, including meeting the needs of the disabled, as outlined within the Parking Standards Supplementary Planning Document.	A1 No LSE. This policy will not present a pathway for an	As for the SAC	None	No LSE on either the SAC or ppSPA

Policy	Summary	Potential for Likely Significant Effects (LSE) and categorisation		Action following assessment in main report	Final conclusion
		Birklands & Bilhaugh SAC	Sherwood ppSPA		
	Parking provision should: a. relate well to the proposed development b. be well designed, taking account of the characteristics of the site and the locality c. provide a safe and secure environment, and d. minimise conflict with pedestrians and/or cyclists.	LSE on European sites.			
Policy CC1 Climate Change and New Development	Planning permission will be granted for new development where it incorporates high standards of design and construction, and reduces, mitigates and / or adapts to the impacts of climate change by incorporating one or more of the following measures: a. sustainable design and layout that maximises solar gain and optimises natural daylight b. a high quality external environment that uses green infrastructure and landscaping to regulate climate around the development c. sustainable water management measures such as the use of sustainable drainage systems, green roofs and/or rainwater harvesting systems d. sustainable waste management facilities such as appropriate provision of refuse/recycling/composting bin storage e. renewable energy technologies such as active solar water heaters and / or photovoltaic cells f. sustainable transport and travel facilities such as accessibility to public transport, charging points for electric vehicles and/or convenient cycle storage g. locally sourced and recycled materials.	A2 No LSE. This policy will not present a pathway for an LSE on European sites. It is a positive environmental policy. This is the key policy aiming to tackle climate change by facilitating adaptation.	As for the SAC	None	No LSE on either the SAC or ppSPA
Policy CC2 Standalone and Community-wide Energy Generation	Planning permission will be granted for standalone renewable energy development where it is demonstrated that the development, through its location and design, enhances (where relevant), avoids or successfully mitigates any adverse impacts upon the following: a. the local landscape character b. biodiversity and geodiversity c. significance of heritage assets d. the use of the local transport network e. aircraft safety, and / or other telecommunication systems f. the agricultural land classification, and g. the visual and recreational amenity of the surrounding area Standalone developments which are to be connected to the national grid will need to provide a statement detailing the arrangements for decommissioning, including the removal of the facilities, restoration and after-use of the site if, and when, the generation of renewable energy ceases. Developments for wind turbines must be located in areas with potential for wind generation, as shown in Picture 8.2 Support will be given to applications from community-led renewable and low carbon energy and heat generation projects that seek to realise the benefits of renewable energy generation close to its source.	A2 No LSE. This policy will not present a pathway for an LSE on European sites. It is a positive environmental policy. This policy seeks to tackle the causes of climate change by fostering renewable and low carbon energy generation.	As for the SAC	None	No LSE on either the SAC or ppSPA
Policy CC3 Flood Risk	Planning permission will only be granted in areas at risk of flooding where proposals can meet the sequential test or, where appropriate, an exception test, supported by a site specific flood risk assessment (FRA). The FRA must demonstrate that the development will remain safe throughout its lifetime and will not increase flood risk elsewhere, taking into account impacts from climate change. All development within areas at risk of flooding must: a. be designed to address flood risk b. not put other areas at risk of flooding c. not impede access to flood defences.	A2 No LSE. This policy will not present a pathway for an LSE on European sites. It is a positive environmental policy	As for the SAC	None	No LSE on either the SAC or ppSPA
Policy CC4 Impact of Development on Water	Planning permission will be granted for developments which maintain or improve the natural attributes and health of the water environment. Proposals for development will be supported where they incorporate sustainable drainage systems (SuDS) in order to minimise and manage flooding and improve water quality, compliment water efficiency measures and benefit biodiversity.	A2 No LSE. This policy will not present a pathway for an LSE on European sites. It is a positive environmental policy	As for the SAC	None	No LSE on either the SAC or ppSPA

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	Developments that would impact on green SuDS priority areas and low flow areas should contribute to the creation of green SuDS, and / or enhancement of these areas. Development adjacent any watercourse will need to provide a green buffer providing biodiversity enhancements, including wildlife connectivity enhancements, and adding amenity value, in accordance with Policy NE2.				
Policy NE1 Landscape Character	Planning permission will only be granted for developments within a landscape policy zone (as defined in the Landscape Character Assessment) where they positively contribute towards meeting the defined landscape actions for the relevant zone, and: a. be designed to respect the landform, historical setting and existing natural and cultural landscape features b. identify and address likely cumulative negative impacts on the sensitivity and condition of the appropriate landscape policy zone and how these impacts will be mitigated c. for developments located within the setting of a World Heritage Site, the overall historical and landscape setting is considered and enhancements sought Development located within an urban or village boundary which adjoins a landscape policy zone will be required to: d. reduce visual impacts of development on the character and appearance of the landscape and the enjoyment of it from amenity areas e. demonstrate where and how it will contribute to the enhancement of the landscape character.	A2 No LSE. This policy will not present a pathway for an LSE on European sites. It is a positive environmental policy	As for the SAC	None	No LSE on either the SAC or ppSPA
Policy NE2 Green Infrastructure	Planning permission will be granted within or adjacent to areas of strategic green infrastructure (as shown on the policies map) where it enhances its role in providing an accessible, functional, healthy and robust natural environment. Where development would result in the loss of any individual green infrastructure asset, replacement provision which is of equivalent or greater value will be required in order to improve the overall strategic value of the GI network. Planning permission will be granted for major developments which provide a combination of GI benefits* and clearly show how they address: a. key principles and actions within the GI and Biodiversity Supplementary Planning Document**, where applicable b. the integration of public open space and other amenity areas within green corridors and other access links c. how the GI will be managed and by whom d. how the creation and enhancement of GI (on / adjacent to the development site) contributes to combined environmental, community and / or regeneration benefits e. how local communities and appropriate organisations have been consulted in the design of new or enhanced GI.	A3 No LSE. This policy will not present a pathway for an LSE on European sites. It is a positive environmental policy. This has positive mitigating effects to address effects that may otherwise occur from the Local Plan.	As for the SAC	None	No LSE on either the SAC or ppSPA
Policy NE3 Protection of community open space	Planning permission for developments which result in the loss of community open space will only be granted where: a. the proposals are ancillary to the existing recreational or functional use of the site, or b. there is no longer a need for the facility in the area and it can clearly be demonstrated as being surplus to requirements, or c. in cases where a need remains, alternative provision of an equal or greater standard will be provided in an accessible location nearby, or accessibility is improved to existing facility, or d. In cases where proposals are on a small area of a protected site, it would enable investment to improve the remaining area.	A2 No LSE. This policy will not present a pathway for an LSE on European sites. It is a positive environmental policy	As for the SAC	None	No LSE on either the SAC or ppSPA
Policy NE4 Protection of Allotments	Planning permission for development which results in the loss of allotments, will only be permitted where: a. any tenant that has paid their annual fee is offered an alternative plot of 250 square metres (or smaller by mutual agreement) within the same allotment site, or on an alternative allotment site, no further than a 15 minute walking distance*, and b. the number of plots provided on any site, does not fall below the current or last recorded number of tenanted plots, plus an additional 20 per cent or 5 additional plots above the existing	A1 No LSE. This policy will not present a pathway for an LSE on European sites.	As for the SAC	None	No LSE on either the SAC or ppSPA

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	level of tenanted plots (whichever is the greater, and up to the capacity of the site) to allow for increased take up in the future, or c. a site can be proven to have been totally vacant for a continuous period of 5 years or more. In this these cases permission will be granted if there is an established allotment site within the locality that has additional plots available and is no further than a 15 minute walk from any part of the existing site.				
Policy NE5 Protection of Local Green Space	Planning permission will only be granted for developments on a site designated as local green space, provided that the development clearly enhances the area for the purposes it was designated. Developments proposed adjacent to a local green space will be granted planning permission if it would not harm the purpose for which the area was designated.	A2 No LSE. This policy will not present a pathway for an LSE on European sites.	As for the SAC	None	No LSE on either the SAC or ppSPA
Policy NE6 Protection of Trees	Consent for works to protected trees will be granted where: a. the amenity value and / or character of the area is conserved, and b. the reason for tree removal is proportionate to its value (where relevant), and c. proposed works / felling are in accordance with good arboricultural practice and are properly justified through an accompanying detailed arboricultural and / or structural engineer's report, and d. adequate replacement planting is proposed (where relevant and appropriate to the amenity and / or character of the area).	A2 No LSE. This policy will not present a pathway for an LSE on European sites. It is a positive environmental policy	As for the SAC	None	No LSE on either the SAC or ppSPA
Policy NE7 Biodiversity	Planning permission will be granted for developments which conserve, and where feasible provide net gains in, biodiversity by maximising opportunities to incorporate biodiversity enhancements across a landscape-scale, as it relates to the development. Where harm to the ecological network cannot be avoided, mitigation should be provided. If this is not possible, off-site compensation must be provided in order for the development to be permitted. All development proposals which affect ecological networks or protected species must be accompanied by an ecological assessment which demonstrates how the development will: a. prioritise the protection and enhancement of priority or protected species, or priority or irreplaceable habitats b. prioritise the protection and enhancement of landscape features of major importance for wildlife c. where possible, avoid fragmentation of the ecological network d. restore missing habitat links and landscape features through habitat creation and re-creation. Where this is not possible, buffer priority habitats and designated sites through the creation of complimentary habitats within landscaping and green space e. address long-term sustainability of biodiversity through appropriate design and management plans f. plan for the movement of wildlife within and off the proposed development site g. prioritise the retention / creation of habitats and landscape features in appropriate publicly accessible areas. This policy will be applied in accordance with the GI and Biodiversity Supplementary Planning Document.	A2 No LSE. This policy will not present a pathway for an LSE on European sites. It is a positive environmental policy. This has positive mitigating effects to address effects that may otherwise occur from the Local Plan.	As for the SAC	No further assessment required. However, in the main body of the report it is recommended that the following wording is added to Policy NE7: *'Where development within 400m of the ppSPA is proposed, it must be subject to an application-specific assessment to determine whether any adverse effect on the nightjar and woodlark population would arise. If so, then the assessment should also consider whether it was possible to avoid or offset the effect through creating alternative habitat, alternative recreational/public natural greenspace, introducing initiatives to avoid or minimise risk of impact (e.g. reducing fly-tipping incidence) and/or introducing changes in land management elsewhere in the ppSPA'*.	No LSE on either the SAC or ppSPA
Policy NE8 Protection of Designated Ecological and Geodiversity Sites	Planning permission for development which impacts on designated sites of importance for biodiversity and geodiversity, their features of interest and their role in the wider ecological network, directly or indirectly, will only be granted where: a. the benefit of the development outweighs the significance of the protected site and its position in the hierarchy, and the harm caused b. it can be demonstrated that avoidance and mitigation has been followed in accordance with Policy NE7 and relevant legislation c. they are accompanied by a relevant assessment to demonstrate the impact of development upon the designated site. This policy will be applied in accordance with the GI and Biodiversity Supplementary Planning Document	A2 No LSE. This policy will not present a pathway for an LSE on European sites. It is a positive environmental policy. This has positive mitigating effects to address effects that may otherwise occur from the Local Plan.	As for the SAC	No further assessment required. However, In the event that Sherwood became a formal proposed SPA (pSPA) then Policy NE8 would become the applicable policy. Policy NE8 as currently written does not accurately represent the protection that would be afforded to any formal pSPA. Specifically, development which results in an adverse effect on the integrity of a pSPA (rather than just an impact) could only be permitted	No LSE on either the SAC or ppSPA

Policy	Summary	Potential for Likely Significant Effects (LSE) and categorisation		Action following assessment in main report	Final conclusion
		Birklands & Bilhaugh SAC	Sherwood ppSPA		
				if there were no alternatives, imperative reasons of over-riding public interest why the development should still proceed and adequate compensatory provision agreed. In order to future-proof the policy without the need for a future alteration it might be considered advisable to amend the wording. Alternatively, since the protection of all European sites (including a pSPA) is a matter of legislation, it could be argued that the protection does not require reiterating in policy.	
Policy NE9 Air Quality	All development proposals will be required to assess the likely impacts of the development on air quality, and mitigate any negative impacts, where they may: a. contribute to significant road traffic congestion b. significantly increase use of private motor vehicles c. introduce a significant point source of air pollution d. create harmful levels of odours, fumes or dust e. expose people to increased levels of poor air quality f. result in increased levels of pollutants which may significantly affect European designated sites or heathlands g. be located within or adjacent to Air Quality Management Area (AQMA) or potential AQMA. Planning permission will only be granted if the individual and cumulative impact of the proposed development on air quality is acceptable or appropriate mitigation measures are applied, or where enhancements are made. The nature and location of the development and its potential to impact upon areas where the National Air Quality Strategy Standard (or similar) is exceeded, will determine the significance of its impact upon air quality.	A2 No LSE. This policy will not present a pathway for an LSE on European sites. It is a positive environmental policy Improving and tackling poor air quality can also combat the causes of climate change.	As for the SAC	No further assessment required. It is however recommended that further guidance could be provided to prospective applicants in the supporting text for Policy NE9 in explaining that detailed consideration of air quality impacts may be required for projects that would significantly increase traffic flows within 200m of the Sherwood ppSPA.	No LSE on either the SAC or ppSPA
Policy NE10 Land Contamination	Planning permission will only be granted for development involving contaminated, or potentially contaminated, land or buildings if: a. a contaminated land assessment demonstrates that no unacceptable risks to human health or the environment would arise, and b. where necessary, suitable remediation is carried out to ensure the land is no longer contaminated as defined in Part 2A of the Environmental Protection Act 1990.	A2 No LSE. This policy will not present a pathway for an LSE on European sites. It is a positive environmental policy	As for the SAC	None	No LSE on either the SAC or ppSPA
Policy NE11 Statutory Nuisance	Development likely to cause or experience statutory nuisance* as a result of light, noise, dust, odour or vibration must be supported by a relevant assessment. If necessary, appropriate mitigation must be put in place. Applicants will need to demonstrate that statutory nuisance would not occur as a result of the development or throughout its construction.	A2 No LSE. This policy will not present a pathway for an LSE on European sites. It is a positive environmental policy	As for the SAC	None	No LSE on either the SAC or ppSPA
Policy BE1 Protection of the Historic Environment	Development proposals affecting heritage assets will be permitted if they do not detract from the significance, character and setting of an asset, and will be particularly supported where they better reveal the significance of the asset. All proposals will be expected to explain the significance of the asset, identify the impact of works on the special character of the asset and provide a clear justification for the work, including (where relevant) identification of public benefits.	A2 No LSE. This policy will not present a pathway for an LSE on European sites. It is a positive environmental policy	As for the SAC	None	No LSE on either the SAC or ppSPA

Policy	Summary	Potential for Likely Significant Effects (LSE) and categorisation		Action following assessment in main report	Final conclusion
		Birklands & Bilhaugh SAC	Sherwood ppSPA		
	Where permission is granted, appropriate conditions and/or planning obligations may be secured to ensure that heritage assets are appropriately conserved and/or enhanced. This may include provision for the recording of assets prior to commencement of the work.				
Policy BE2 Development within Conservation Areas	Development proposals within or impacting upon conservation areas will be permitted where they conserve or enhance the character or appearance of the area and its setting. Applications will be considered in relation to how well the design and location of the proposal has taken account of: a. the development characteristics and context of the area, in terms of important buildings, spaces, landscapes, walls, trees and views into or out of the area b. the form, scale, size and massing of nearby buildings, together with materials of construction	A2 No LSE. This policy will not present a pathway for an LSE on European sites. It is a positive environmental policy	As for the SAC	None	No LSE on either the SAC or ppSPA
Policy BE3 Development affecting listed buildings	Proposals for alterations to or changes of use of listed buildings (including setting) will be supported where they protect the significance of the heritage asset including impacts on the character, architectural merit or historic interest of the building. Proposals should consider factors such as materials, layout, architectural features, scale and design. Proposals which allow for viable uses that are compatible with the conservation of the fabric of the building and its setting will generally be supported.	A2 No LSE. This policy will not present a pathway for an LSE on European sites. It is a positive environmental policy	As for the SAC	None	No LSE on either the SAC or ppSPA
Policy BE4 Scheduled Monuments and Archaeology	Proposals that preserve or enhance the significance of scheduled monuments or archaeological sites, including their setting, will be supported. Where development proposals are likely to affect non-designated archaeological sites, appropriate measures should be taken to ensure their protection in-situ, based upon their significance. Where development would involve demolition or removal of archaeological features, this must be fully justified and provision made for excavation, recording and archiving prior to work commencing.	A2 No LSE. This policy will not present a pathway for an LSE on European sites. It is a positive environmental policy	As for the SAC	None	No LSE on either the SAC or ppSPA
Policy BE5 Registered Parks and Gardens	Planning permission for development that preserve or enhance the special historic landscape character and interest of a registered park and garden including its setting will be granted. Applications must seek to protect original or significant designed landscapes, their built features and setting. Proposals which seek to restore or reinstate historic landscape features to original designs, using appropriate evidence, or better reveal their setting will be encouraged.	A2 No LSE. This policy will not present a pathway for an LSE on European sites. It is a positive environmental policy	As for the SAC	None	No LSE on either the SAC or ppSPA
Policy BE6 Non-Designated Local Heritage Assets	Development proposals which positively sustain or enhance the significance of any local heritage asset and its setting will be permitted. Alterations, additions and changes of use should respect the character, appearance and setting of the local heritage asset in terms of the design, materials, form, scale, size, height and massing of the proposal. Proposals involving full or partial demolition of a local heritage asset will be resisted unless sufficient justification is provided on the proposed scheme and its public benefits to outweigh the harm caused by the loss of the asset.	A2 No LSE. This policy will not present a pathway for an LSE on European sites. It is a positive environmental policy	As for the SAC	None	No LSE on either the SAC or ppSPA
BE7 Design of New Buildings and Neighbourhoods	Planning permission for development will be granted provided that it: a. achieves visually attractive and distinctive environments, through high quality townscape, architecture and landscaping which optimise the potential of each site to improve the area b. respects and complement the special local character and distinctiveness of an area whilst incorporating innovative design solutions where appropriate c. ensures that the layout, scale, form, massing, height of buildings and structures, and materials relate to the site context (character and appearance) and its surroundings d. integrates measures to mitigate and adapt to climate change in ways which contribute to the character and appearance of the scheme e. incorporates design features and layouts which reduce the opportunities for crime, and create safe and inclusive environments	A2 No LSE. This policy will not present a pathway for an LSE on European sites. It is a positive environmental policy	As for the SAC	None	No LSE on either the SAC or ppSPA

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	f. protects the amenity of existing and future occupiers by creating high quality, healthy environments, including the provision of public and private space g. includes permeable layouts which allow good and convenient connections within sites and to destinations beyond for pedestrians and cyclists, and all other modes of transport h. include measures for effective waste management that does not have a detrimental effect on the street scene.				
Policy BE8 Comprehensive Development	Proposals to revise an existing planning permission, or which vary the council's plans for a particular allocated site, will be permitted provided that, unless viability indicates otherwise, it maintains or enhances: a. the required levels of necessary infrastructure and facilities b. the balance of uses, where applicable. Proposals will be supported where they do not prejudice the comprehensive delivery of development sites and assist in the provision of any necessary physical, social or environmental infrastructure. Any new or revised development proposal will be granted permission if, through its design and layout, it does not: c. preclude the development of adjoining land with longer term potential d. lead to piecemeal forms of development e. seeks to avoid planning contributions by limiting the size of the development to avoid relevant thresholds On large sites (of three hectares or more) a masterplan will be required to be submitted as part of any planning application. This should show how the site as a whole will be comprehensively planned and developed in line with agreed design and development objectives, including phasing and the cumulative infrastructure needs.	A2 No LSE. This policy will not present a pathway for an LSE on European sites. It is a positive policy	As for the SAC	None	No LSE on either the SAC or ppSPA
Policy BE9 Home Extensions and Alterations	Planning permission will be granted for extension to and / or alteration of existing dwellings, including the provision of separate buildings within the curtilage for habitable or other purposes related to the domestic use of the property, provided that: a. there is no adverse impact on the character and appearance of the dwelling or street scene, or the wider surrounding area, and b. it does not significantly reduce the residential amenity for nearby occupiers due to factors such as, a loss of natural light, overlooking, or is overbearing, and c. It would retain the level of residential amenity for future occupiers of the property, such as, privacy, off street parking and external amenity space.	A1 No LSE. This policy will not present a pathway for an LSE on European sites	As for the SAC	None	No LSE on either the SAC or ppSPA
Policy BE10 Advertisements and signposting	Advertisement consent for the erection of signage / advertisements will be granted provided that: a. they have no negative impact upon the character and appearance of the building to which they are to be attached and /or the immediate area and street scene, in terms of size, scale, materials, appearance and level of illumination, and b. they avoid visual clutter on the building to which they are to be attached and /or in the immediate area within which they are to be located. This includes the cumulative impact of individual signs, and c. they are not harmful to the safety of pedestrians, cyclists and motorists, and d. in the case of proposals for advance signs on private land outside highways limits which refer to businesses, tourist attractions or accommodation these are: i. required to locate a destination not on a named road or readily identifiable location, and ii. used identifies the premises only, and iii. to not display any advertisements, and iv. not illuminated, and v. attached to existing means of support where possible.	A1 No LSE. This policy will not present a pathway for an LSE on European sites	As for the SAC	None	No LSE on either the SAC or ppSPA
Policy ID 1 Infrastructure Delivery	Planning permission will be granted for development which, upon meeting appropriate thresholds*, can demonstrate that any necessary physical, social and / or green infrastructure requirements will be provided, for the development proposed. Where new development would create a need to provide additional and / or improved	A1 No LSE. This policy will not present a pathway for an LSE on European sites as it	As for the SAC	None	No LSE on either the SAC or ppSPA

Policy	Summary	Potential for Likely Significant Effects (LSE) and categorisation		Action following assessment in main report	Final conclusion
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	infrastructure, the first preference will be for the developer to address the infrastructure need directly by making provision on-site unless greater benefit could be achieved by off-site provision including through a planning obligation in accordance with Policy ID2.	simply sets out how infrastructure delivery will be achieved.			
Policy ID2 Planning Obligations	Where necessary developers will be required to enter into a planning obligation in order to: a. provide new physical, social and / or green infrastructure made necessary by the proposal b. provide for any future maintenance of facilities and management of resources provided as a result of the development c. compensate for any loss of significant amenities or resources by replacing them with equal or better provision in the local area. Infrastructure requirements and developer contributions will be assessed against the requirements set out in the Planning Obligations Supplementary Planning Document (SPD).	A1 No LSE. This policy will not present a pathway for an LSE on European sites.	As for the SAC	None	No LSE on either the SAC or ppSPA

Appendix C: Issues of relevance for maintaining site integrity

The questions below are asked of the identified key issues

- What issues might affect site integrity (explained in detail in Section 5)?
- Which areas of the district does this relate to?
- What are the types of policies to consider?
- Might there be any in-combination considerations?

Implications for the Core Strategy are addressed in Section 6.

Birklands and Bilhaugh SAC & possible potential Sherwood SPA (ppSPA)			
Issues that could affect site integrity	**Types of policies to consider**	**Relevant areas of the district to consider**	**Other plans, projects or documents to consider (in-combination)**
Air Quality (& Climate Change)	Consider policies that may increase both nitrogen and acid deposition as critical loads in this area are already exceeded. For example: - Location and design of residential and urban extensions (considering mitigation of climate change - related policies). - Policies relating to the scale of new development. - Location and provision of new roads - Location and provision of heavy industry, waste or power facilities - Transport policies -Maintaining a Clean and Pleasant Environment (air/noise/light pollution) policy	Roads within 200m distance from the SAC and ppSPA (as associated use and nearby development). Industrial development within 10km of the SAC and ppSPA. Existing or planned incinerators, mineral extraction and waste facilities (e.g. Significant power stations, refineries, steelworks) within 15km of the SAC and ppSPA. All employment areas. To include the consideration of sustainable transport plans and sustainable location options. Urban extensions in relation to transport infrastructure	Nottinghamshire Air Quality Strategy Mansfield District Council Air Quality Action Plan Air Quality Updating and Screening Assessment for Mansfield District Council (2012) North Nottinghamshire Transport Plan Mansfield District Council Transport Study Mansfield District Council Infrastructure Study Nottinghamshire and Nottingham Minerals and Waste Development Framework (docs)
Pressures from Recreation	Policies relating to the location of new development including, for example: residential, settlement patterns, and urban	All locations for new residential development, including urban extensions.	Mansfield District Council Green Infrastructure study

	extensions. Public openspace & Green Infrastructure policies (impact and opportunities for mitigation) Policies relating to tourism or tourist provision e.g. hotels, caravan sites Development in the Countryside policy Policies relating to the scale and distribution of new residential development.	Look in combination with existing and planned areas of publicly accessible green space / green infrastructure. All residential development within 400m of informal SPA boundary. Recreational access networks Location of key tourist attractions and planned development areas (Mansfield and adjoining districts).	Openspace (PPG17) and Green Infrastructure studies/plans Paper on Setting Long-term Housing Requirements (MDC and neighbouring authorities) Urban Extension studies MDC Parks and Green Spaces Strategy (currently being written) Forestry Commission management plans
Issues that could affect site integrity	**Types of policies to consider**	**Relevant areas of the district to consider**	**Other plans, projects or documents to consider**
Habitat Fragmentation (including loss of foraging and nesting habitats)	Policies relating to the location of new development including, for example: residential, settlement patterns, and urban extensions. Green Infrastructure and Nature Conservation policies (impacts and opportunities for mitigation)	Development within 500m of ppSPA boundary. Consider location of development that may impact connectivity of nesting and foraging areas and opportunities for positive impacts.	Mansfield District Council Green Infrastructure study MDC habitat mapping LBAP Habitat Action Plans Forestry Commission management plans Natural England Study on Sherwood Landscape Character and impacts from Climate Change
Water Abstraction (& Climate Change)	Policies relating to the location of new development including, for example: residential, settlement patterns, and urban extensions. Sustainable design policies including those	Development located on the Sherwood Sandstone aquifer with specific attention to development located within Ground Water Protection Zones 1 & 2 and areas of low flow.	Mansfield District Council Infrastructure Study Mansfield District Council Strategic Flood Risk Assessment (SFRA) 2008 &

	referencing water conservation. Climate Change related policies. Policies relating to the scale and pace of development.	Includes Mansfield urban area (excluding south western section).	Water Cycle Study (Scoping Report 2009) and SFRA Addendum document Severn Trent Water Resource Management Plan (2010) East Midlands Regional Drought Plan (Environment Agency 2009)

Appendix D: Visitor Survey/Consultation Summary

Excerpts from the September 2010 Citizen's Panel Survey

Q14 How do you usually travel to the spaces that you use?

	P&R	Pitches	0-3	3+	Teenage	Golf	Small green	Open Country	Natural green	Country park	Allotment
On Foot	270	59	98	109	27	12	218	65	94	27	35
Bicycle	14	5	0	5	5	0	9	28	28	11	2
Pub. Trans	10	9	3	3	2	1	4	16	13	17	0
Car	129	72	43	61	13	86	36	318	279	378	21
Mob Scoot	2	2	5	4	6	5	5	1	2	4	15

The most interesting comparisons in the results to this question arise when looking at the number of users accessing spaces on foot and by car. Parks and recreation grounds, and children's play areas are fairly readily accessed on foot but, about half as many people choose for some reason to use a car.

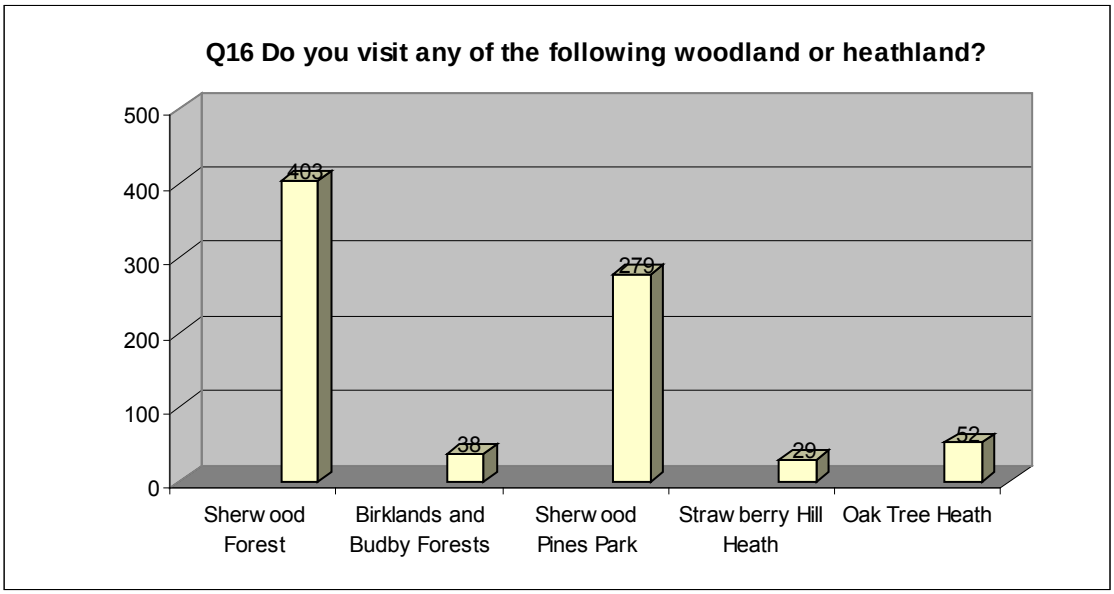
Access to open country and Country parks is, as could be expected predominantly by car although 20% as many as access open country by car, are able to do so on foot but this drops to 7% for access to country parks on foot.

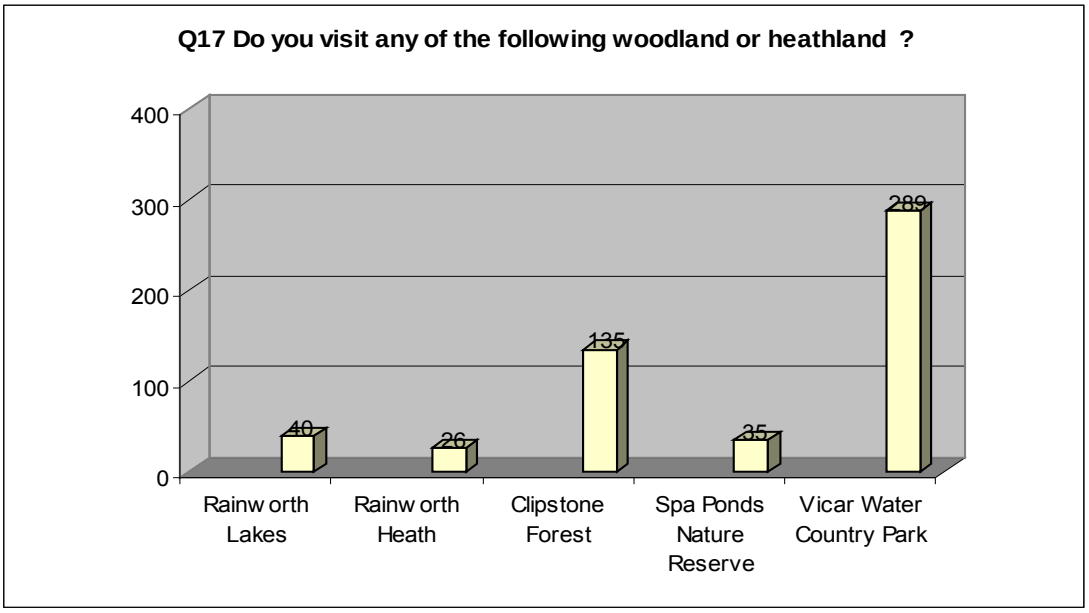
Less people access open spaces by bicycle than on foot. And public transport clearly does not serve country parks too well as only 3% of people say that they use it.

Q15. Do you think that it is important for you and/or your family to have access to natural green space for outdoor activity?

Clearly, following a healthy lifestyle ethos the vast majority of the Panel agreed that access to natural greenspace is important with a resounding vote of: '**Yes', 473 respondents and 'No', only 13 respondents.**

Q16 &17
Do you visit any of the following woodlands or heathland?





From a list of ten local woodland and heathland areas, respondents were asked to mark all of those which they visited. The question implies that they would visit now, rather

than have visited at just any time in the past. Respondents recognise “Sherwood Forest” as a general area to visit and the majority (405) say that they do visit this.

Of the more specifically named areas Sherwood Pines and Vicar Water were the most popular. This may be because of the organised nature of these facilities, within the Sherwood Forest, offering parking, toilets and refreshments.

Other smaller spaces still attracted users but to a significantly lesser extent and it may be that these are just local places to members of the panel.

Q18. If you do visit any of these woodlands or heathlands, do you also walk dogs at the same time?

By a margin of approximately 3:1 the greater number of people do not walk dogs with **Yes 114** walking and **No, 333** not walking

Below is an assessment of how public open/green space is used and accessed by residents based on the 2010 Citizen Panel results.

Appendix E: References Used (but not cited document text)

- Planning for the Protection of European Sites: Appropriate Assessment – Draft Guidance For Regional Spatial Strategies and Local Development Documents (DCLG, August 2006);
- European Union "Assessment of plans and projects significantly affecting Natura 2000 sites –Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC (November 2001);
- Habitats Regulations Assessment of the East Midlands Regional Plan (RSS) (March 2009)
- East Midlands Regional Plan Partial Review: Habitats Regulations Assessment Screening Report of Options Consultation Paper (June 2009).
- Unpublished (revised draft guidance) from Natural England: The Habitats Regulations Assessment of Local Development Documents produced for Natural England by David Tyldesley and Associates (January 2009).
- The Appropriate Assessment of Spatial Plans in England: a guide to why. When and how to do it (RSPB 2007).