



# **Rushcliffe Local Plan Part 2: Land and Planning Policies**

## **Habitats Regulations Assessment**

### **Screening of Likely Significant Effect**

**April 2018**

<b>Contents</b>	<b>Page</b>
1. Introduction	1
2. Local Plan Part 1: Core Strategy	1
3. Local Plan Part 2: Land and Planning Policies	2
4. Habitats Regulations Assessment: Legal Requirements	2
5. Methodology	3
6. European and International Protected Sites	4
7. Sherwood Forest Prospective Special Protection Area	5
8. Consultation	6
9. Likely Significant Effects Alone	7
10. Likely Significant Effects In-combination	25
11 Conclusion	26
11. Appendix A	27
12. Appendix B	28

## **Introduction**

1. This is the Habitats Regulations Assessment (HRA) of Rushcliffe Borough's Local Plan Part 2: Land and Planning Policies (LAPP). It accompanies the final publication draft LAPP and comprises the screening of likely significant effects of the policies and proposals of the LAPP on designated and prospective European or internationally protected nature conservation sites.
2. This HRA sets out the methodology of this screening process identifying – legal requirements, the objectives of the development plan, previous HRAs pertinent to this HRA (and their implications upon the assessment), the European sites that are likely to be affected by this development plan, the sensitivities of these sites and the pathways through which the plan may contribute to these effects.
3. These effects alone or in combination with other plans and policies are then assessed within the HRA of the LAPP.

## **Local Plan Part 1: Core Strategy**

4. Rushcliffe Borough Council adopted the Core Strategy in December 2014. This Development Plan Document contains strategic land allocations and planning policies which determine the level of housing and employment land, and its distribution across the Borough. The Core Strategy also contains general policies on sustainable development, climate change, green belt, housing mix and tenure, design, transport, green infrastructure and biodiversity.
5. In accordance with the European Habitats Directives and Conservation of Habitats and Species Regulations 2017, the Core Strategy underwent a Habitats Regulations Assessment which determined that the plan would not significantly affect any European protected nature conservation site.
6. The submission Core Strategy's HRA relied on the conclusions of a previous HRA which supported the Greater Nottingham Aligned Core Strategy HRA (September 2010). The Aligned Core Strategies (ACS) at that time combined the separate Core Strategies of Ashfield (Hucknall only), Broxtowe, Erewash, Gedling, Nottingham City and Rushcliffe. The HRA concluded that – subject to avoidance and mitigation measures which addressed effects on the prospective Sherwood Forest Special Protection Area (SPA) – development proposed within Greater Nottingham would not significantly affect a European nature conservation site. Whilst Rushcliffe has developed its Core Strategy independently of its neighbours in Greater Nottingham, the strategic objectives, development targets and distribution within the ACS were retained and consequently the HRA of the ACS remained relevant.

7. An addendum to the HRA was produced during the Core Strategy's examination to assess the significant effects of the proposed modifications, notably a lengthening of the plan period, an increase to the housing target and subsequent enlargements of two urban extensions and inclusion of an additional extension. This confirmed that these modifications would not significantly affect a European protected nature conservation site.
8. As the LAPP is broadly in conformity with the adopted Core Strategy, provided the effects have been appropriately assessed, the conclusions of Core Strategy's HRA will directly inform this HRA.

## **Local Plan Part 2: Land and Policies**

9. The LAPP identifies non-strategic housing and employment allocations and designations in the Borough needed to accommodate the range of land uses necessary to support the implementation of the objectives of the Core Strategy. It also sets out a suite of detailed policies for use in the determination of planning applications. A range of topics are covered within the document including the housing, employment, climate change and flooding, environment, settlement centres, recreation and community facilities.

## **Habitats Regulations Assessment: Legal Requirements**

10. Requirements of the Habitats Directive are transposed into English law by the *Conservation of Habitats and Species Regulations 2017*, (here referred to simply as "the Regulations"). Part 6 Chapter 8 of the Regulations relates to land use plans in England.
11. One of the principal requirements of the Regulations is that before a Development Plan Document is adopted the planning-making authority must comply with the requirements of regulation 105, to the extent that it is relevant to the plan. This includes assessing the potential effects of the plan on European sites. Such an assessment for a plan is generally referred to as a Habitats Regulations Assessment. The first step in the process is to establish whether the plan would be likely to have a significant effect on a European site, either alone or in combination with other plans or projects. This early stage is referred to as the "screening" of the plan for its effects on European sites. If a plan is likely to have a significant effect on any European site, either alone or in combination with other plans or projects, it must be subject to an "appropriate assessment" by the planning authority, in accordance with regulation 105 of the Regulations.

12. Also referred to as Natura 2000 sites, European sites are considered to represent natural habitats of the highest value for nature conservation. They comprise Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) and were established under the Habitats Directive (1992) and Birds Directive (1979) (these are hereafter referred to as the Habitats Directives).
13. In addition to Natura 2000 sites, Ramsar sites are internationally designated as important wetland habitats for waterfowl. The National Planning Policy Framework (NPPF) states that Ramsar sites should receive the same level of protection as other European sites, which means that the effects of the development plan upon these sites should form part of the HRA.

## **Methodology**

14. The screening process for the LAPP primarily focuses on whether the plan has an adverse effects on any internationally protected nature conservation site that were not previously considered in the Core Strategy's HRA screening, either alone or in combination with other plans or projects within Rushcliffe or neighbouring areas. It also considers whether the LAPP will alter the effects of the previously assessed Core Strategy. If a policy's effects were previously identified and addressed within the Core Strategy HRA, and the LAPP would not increase these effects, further more detailed appropriate assessment is not considered necessary.
15. When screening likely significant effects (LSE), 'likely' means it is possible and might happen, rather than probable. 'Significant' means not trivial or inconsequential but an effect that is noteworthy and which could undermine the site's conservation objectives.
16. In accordance with the precautionary principle, if there is uncertainty regarding an effect, beyond those previously considered, further more detailed appropriate assessment is required.
17. As the LAPP must be in conformity with the adopted Core Strategy (which itself complied with the requirements of the Habitats Directives and regulations) the HRA of the LAPP should consider whether:
  - The policies and allocations are in conformity with the Core Strategy;
  - The effect was adequately assessed within the Core Strategy's HRA and not deferred to a lower tier Development Plan due to uncertainty of effects at the strategic level;
  - The Natura 2000 sites have changed; and

- If there are any specific likely significant effects arising from the emerging policies or allocations.

## European and Internationally Protected Sites

18. The Greater Nottingham Aligned Core Strategy (ACS) HRA (September 2010) formed the basis of Rushcliffe's Borough Council's submission Core Strategy HRA (2012). The HRA assessed the possible effects of Greater Nottingham's ACS, including Rushcliffe's upon the following sites:
- River Mease SAC
  - Humber Estuary SAC
  - Humber Estuary SPA
  - Humber Estuary Ramsar
  - The Birklands and Bilhaugh SAC
  - South Pennine Moors SAC
  - South Pennine Moors SPA
  - The Peak District Dales
  - Rutland Water SPA
  - Rutland Water Ramsar
  - The Sherwood Forest prospective SPA
19. The comprehensive selection of sites reflects the size of the Greater Nottingham area, the scale of development proposed and the varied adverse effects that may occur (recreational disturbance and trampling, urban edge effects, effects on air quality and water abstraction).
20. Reviewing these Natura 2000 sites and the likelihood that they would be significantly affected by development within Rushcliffe, rather than Greater Nottingham, all the Natura 2000 sites with the exception of the Sherwood Forest prospective SPA are beyond 15km of the Borough boundary. This distance has been accepted by Natural England and used within numerous local plan screening reports to identify sites that are likely to be significantly affected by a plan.
21. Further confidence that the LAPP is unlikely to affect a designated Natura 2000 site (Sherwood Forest is not yet designated or a potential SPA<sup>1</sup>) is provided by Natural England's Impact Risk Zones (IRZ). These define zones around Sites of Special Scientific Interest (SSSI) and reflect the particular sensitivities of the features for which it is notified and indicate the types of development proposal which could potentially have adverse impacts.

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<sup>1</sup> Potential SPAs are given the same level of protection as designated SPAs within the NPPF paragraph 118

22. Where European sites are underpinned by the SSSI designation (as is the case for sites listed in paragraph 18) their interest features and sensitivities are covered by the SSSI IRZs. Where the notified features of the European site and SSSI are different, the SSSI IRZs have been set so that they reflect both. The SSSI IRZs can therefore be used as part of a Habitats Regulations Assessment (HRA).
23. Examining the IRZs of the European Sites that were assessed within the Aligned Core Strategy HRA, Rushcliffe Borough is outside the Impact Risk Zones identified for these sites and therefore effects of a policy or allocation alone are unlikely.
24. It is recognised that the IRZs cannot rule out all likely significant effects, especially those in combination. For example, effects on water quality and quantity and increased recreational disturbance and trampling of habitat within European Sites can occur as a result of allocations and policies across a wide area (often across LPA boundaries). This HRA will examine whether these issues and other in combination effects were addressed in the Core Strategy's HRA.
25. The Humber Estuary Natura 2000 site is hydrologically linked to Rushcliffe by the River Trent and there is a possibility that policies and allocations within the LAPP may increase water abstraction and/or negatively affect water quality in combination with other plans and projects. However this was screened out within the Core Strategy HRA, as Greater Nottingham (including Rushcliffe) is beyond the 50km distance which Environment Agency considers LSEs may occur.<sup>2</sup>
26. Given the distances to the nearest European Sites and their IRZs, this HRA screening report focuses on the LAPP's likely significant effects on the Sherwood Forest prospective SPA alone or in combination.

## **Sherwood Forest Prospective SPA**

27. While no conclusion has yet been reached regarding the possible future classification of parts of Sherwood Forest as a Special Protection Area for its breeding nightjar and woodlark interest (see map in Annex A), Natural England has published an advice note<sup>3</sup> which recommends a precautionary 'risk based approach' should be adopted by Local Planning Authorities to ensure reasonable

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<sup>2</sup> Greater Nottingham Aligned Core Strategies HRA Screening Record, paragraph 2.4

<sup>3</sup> Advice note to Local Planning Authorities regarding the consideration of likely effects on the breeding population of nightjar and woodlark in the Sherwood Forest region. March 2014 Natural England

and proportionate steps are taken to avoid any potential significant effects from development.

28. Natural England and Joint Nature Conservancy Council have identified areas of Sherwood Forest as an important area for breeding nightjar and woodlark and that these areas warrant protection under the European Birds Directive.
29. The possibility of these areas becoming an SPA creates risks for spatial planning in the Sherwood/Nottingham area, as this would place a legal obligation on decision-taking bodies requiring past planning decisions to be reviewed and potentially modified. Therefore this HRA of the LAPP will future proof the plan against this eventuality.
30. Natural England advise that the HRA should cover the potential direct, indirect and cumulative impacts which may include:
  - Disturbance to breeding birds from people, their pets and traffic
  - Loss, fragmentation and/or damage to breeding and/or feeding habitat
  - Bird mortality arising from domestic pets and/or predatory mammals and birds
  - Bird mortality arising from road traffic and/or wind turbines
  - Pollution and/or nutrient enrichment of breeding habitats
31. Due to Rushcliffe's location 9km from the nearest habitat identified as important for breeding nightjar and woodlark, the LAPP will not directly affect the site. However it may contribute to these effects in-combination with other plans and projects. Most notably through increased visitor numbers resulting in:
  - Human and pet disturbance (dog walking);
  - Damage to habitat;
  - Road mortality; and
  - Traffic pollution.

## **Consultation**

32. The HRA's methodology and its conclusion that the Sherwood Forest Prospective SPA is the only internationally protected site that could be significantly affected by Part 2 of the Local Plan was consulted upon alongside the Local Plan Part 2: Issues and Options consultation in February and March 2016. Whilst the completion of an HRA is a legal requirement and this must be completed before any final conclusions can be made, correspondence from Natural England indicated that Rushcliffe's emerging Local Plan Part 2 carried a low risk to this site (see Appendix B). The assessment below confirms this assumption.

### Sherwood Forest Prospective SPA - Likely Significant Effects Alone

33. The tables assess the likely significant effects of emerging policies and proposals within the LAPP. In accordance with regulation 105 of the Habitats Regulations, those effects which cannot be ruled out will be carried forward to an appropriate assessment. Effects which have been ruled out alone have been assessed for possible effects in-combination.

#### Likely Significant Effects of Allocations

Policy	Allocation	Possible Threat(s)	Relevant Core Strategy Policy	Commentary	Likely Significant Effects
<b>Cotgrave</b>					
2.1	Land rear of Mill Lane, Cotgrave	<ul style="list-style-type: none"> <li>• Human and pet disturbance;</li> <li>• Damage to habitat;</li> <li>• Road mortality;</li> <li>• Traffic pollution</li> </ul>	Policy 3	This comprises an additional 170 units in Cotgrave (in addition to the 470 identified within the Core Strategy). Cotgrave is 25 km from the nearest area of the prospective SPA. As the number of additional visitors generated by this allocation will be limited and it is beyond the 15km threshold (within which significant effects could occur), the possible threats will not have a significant effect.	No LSE
2.2	Land south of Hollygate Lane, Cotgrave	<ul style="list-style-type: none"> <li>• Human and pet disturbance;</li> <li>• Damage to habitat;</li> <li>• Road mortality;</li> <li>• Traffic pollution</li> </ul>	Policy 3	This comprises an additional 180 units in Cotgrave (in addition to the 470 identified within the Core Strategy). Cotgrave is 25 km from the nearest area of the prospective SPA. As the number of additional visitors	No LSE

<b>Policy</b>	<b>Allocation</b>	<b>Possible Threat(s)</b>	<b>Relevant Core Strategy Policy</b>	<b>Commentary</b>	<b>Likely Significant Effects</b>
				generated by this allocation will be limited and it is beyond the 15km threshold (within which significant effects could occur), the possible threats will not have a significant effect.	
2.1, 2.2	2.1 and 2.2 Combined	<ul style="list-style-type: none"> <li>• Human and pet disturbance;</li> <li>• Damage to habitat;</li> <li>• Road mortality;</li> <li>• Traffic pollution</li> </ul>	Policy 3	In total the LAPP has allocated an additional 350 units to the Core Strategy's target for Cotgrave. As the number of additional visitors generated by this allocation will be limited and it is beyond the 15km threshold (within which significant effects could occur), the possible visitor threats will not have a significant effect.	No LSE
<b>East Leake</b>					
3	Land north of Rempstone Road, East Leake	<ul style="list-style-type: none"> <li>• Human and pet disturbance;</li> <li>• Damage to habitat;</li> <li>• Road mortality;</li> <li>• Traffic pollution</li> </ul>	Policy 3	This comprises an additional 230 units in East Leake. Planning approval has already been granted at appeal with no HRA issues identified. The allocation is 30km south of the SPA.	No LSE
<b>Keyworth</b>					
4.1	Land off Nicker Hill,	<ul style="list-style-type: none"> <li>• Human and pet disturbance;</li> </ul>	Policy 3	This allocation will deliver around 150 homes. The Core Strategy HRA assessed	No LSE

<b>Policy</b>	<b>Allocation</b>	<b>Possible Threat(s)</b>	<b>Relevant Core Strategy Policy</b>	<b>Commentary</b>	<b>Likely Significant Effects</b>
	Keyworth	<ul style="list-style-type: none"> <li>• Damage to habitat;</li> <li>• Road mortality;</li> <li>• Traffic pollution</li> </ul>		the distribution of approximately 450 at Keyworth and ruled out LSE.	
4.2	Land between Platt Lane and Station Road, Keyworth	<ul style="list-style-type: none"> <li>• Human and pet disturbance;</li> <li>• Damage to habitat;</li> <li>• Road mortality;</li> <li>• Traffic pollution</li> </ul>	Policy 3	This allocation will deliver around 190 homes. The Core Strategy HRA assessed the distribution of approximately 450 at Keyworth and ruled out LSE.	No LSE
4.3	Land south of Debdale Lane, Keyworth	<ul style="list-style-type: none"> <li>• Human and pet disturbance;</li> <li>• Damage to habitat;</li> <li>• Road mortality;</li> <li>• Traffic pollution</li> </ul>	Policy 3	This allocation will deliver around 190 homes. The Core Strategy HRA assessed the distribution of approximately 450 at Keyworth and ruled out LSE.	No LSE
4.4	Hillside Farm, Keyworth	<ul style="list-style-type: none"> <li>• Human and pet disturbance;</li> <li>• Damage to habitat;</li> <li>• Road mortality;</li> <li>• Traffic pollution</li> </ul>	Policy 3	This allocation will deliver around 70 homes. The Core Strategy HRA assessed the distribution of approximately 450 at Keyworth and ruled out LSE.	No LSE

<b>Policy</b>	<b>Allocation</b>	<b>Possible Threat(s)</b>	<b>Relevant Core Strategy Policy</b>	<b>Commentary</b>	<b>Likely Significant Effects</b>
4.1, 4.2, 4.3, 4.4	See above	<ul style="list-style-type: none"> <li>• Human and pet disturbance;</li> <li>• Damage to habitat;</li> <li>• Road mortality;</li> <li>• Traffic pollution</li> </ul>	Policy 3	In total the LAPP has allocated an additional 150 units to the Core Strategy's target for Keyworth. As the number of additional visitors generated by these allocations will be limited and it is beyond the 15km threshold (within which effects could occur), the possible threats will not have a significant effect.	No LSE
<b>Radcliffe on Trent</b>					
5.1	Land north of Nottingham Road, Radcliffe on Trent	<ul style="list-style-type: none"> <li>• Human and pet disturbance;</li> <li>• Damage to habitat;</li> <li>• Road mortality;</li> <li>• Traffic pollution</li> </ul>	Policy 3	This allocation will deliver around 150 homes. The Core Strategy HRA assessed the distribution of approximately 400 at Radcliffe on Trent and ruled out LSE.	No LSE
5.2	Land adjacent Grooms Cottage, Radcliffe on Trent	<ul style="list-style-type: none"> <li>• Human and pet disturbance;</li> <li>• Damage to habitat;</li> <li>• Road mortality;</li> <li>• Traffic pollution</li> </ul>	Policy 3	This allocation will deliver around 50 homes. The Core Strategy HRA assessed the distribution of approximately 400 at Radcliffe on Trent and ruled out LSE.	No LSE
5.3	Land of Shelford	<ul style="list-style-type: none"> <li>• Human and pet disturbance;</li> </ul>	Policy 3	This allocation will deliver around 400 homes. The Core Strategy HRA assessed	No LSE

<b>Policy</b>	<b>Allocation</b>	<b>Possible Threat(s)</b>	<b>Relevant Core Strategy Policy</b>	<b>Commentary</b>	<b>Likely Significant Effects</b>
	Road, Radcliffe on Trent	<ul style="list-style-type: none"> <li>• Damage to habitat;</li> <li>• Road mortality;</li> <li>• Traffic pollution</li> </ul>		the distribution of approximately 400 at Radcliffe on Trent and ruled out LSE.	
5.5	72 Main Road, Radcliffe on Trent	<ul style="list-style-type: none"> <li>• Human and pet disturbance;</li> <li>• Damage to habitat;</li> <li>• Road mortality;</li> <li>• Traffic pollution</li> </ul>	Policy 3	This allocation will deliver around 5 homes. The Core Strategy HRA assessed the distribution of approximately 400 at Radcliffe on Trent and ruled out LSE.	No LSE
5.4	Land north of Grantham Road, Radcliffe on Trent	<ul style="list-style-type: none"> <li>• Human and pet disturbance;</li> <li>• Damage to habitat;</li> <li>• Road mortality;</li> <li>• Traffic pollution</li> </ul>	Policy 3	This allocation would deliver around 240 homes. The Core Strategy HRA assessed the distribution of approximately 400 at Radcliffe on Trent and ruled out LSE.	No LSE
5.6	The Paddocks, Radcliffe on Trent	<ul style="list-style-type: none"> <li>• Human and pet disturbance;</li> <li>• Damage to habitat;</li> <li>• Road mortality;</li> <li>• Traffic pollution</li> </ul>	Policy 3	This allocation will deliver around 75 homes. The Core Strategy HRA assessed the distribution of approximately 400 at Radcliffe on Trent and ruled out LSE.	No LSE

<b>Policy</b>	<b>Allocation</b>	<b>Possible Threat(s)</b>	<b>Relevant Core Strategy Policy</b>	<b>Commentary</b>	<b>Likely Significant Effects</b>
5.1, 5.2, 5.3, 5.4, 5.5, 5.6	All Radcliffe Allocations	<ul style="list-style-type: none"> <li>• Human and pet disturbance;</li> <li>• Damage to habitat;</li> <li>• Road mortality;</li> <li>• Traffic pollution</li> </ul>	Policy 3	In total the LAPP has allocated an additional 520 homes to the Core Strategy's target for Radcliffe. Whilst this has doubled the housing target for Radcliffe, as the number of additional visitors generated by these allocations will be limited and it is beyond the 15km threshold (within which effects could occur), the possible threats will not have a significant effect.	No LSE
<b>Ruddington</b>					
6.1	Land west of Wilford Road, Ruddington	<ul style="list-style-type: none"> <li>• Human and pet disturbance;</li> <li>• Damage to habitat;</li> <li>• Road mortality;</li> <li>• Traffic pollution</li> </ul>	Policy 3	This allocation will deliver around 130 homes. The Core Strategy HRA assessed the distribution of approximately 250 at Ruddington and ruled out LSE.	No LSE
6.2	Land south of Flawforth Lane, Ruddington	<ul style="list-style-type: none"> <li>• Human and pet disturbance;</li> <li>• Damage to habitat;</li> <li>• Road mortality;</li> <li>• Traffic pollution</li> </ul>	Policy 3	This allocation will deliver around 50 homes. The Core Strategy HRA assessed the distribution of approximately 250 at Ruddington and ruled out LSE.	No LSE

<b>Policy</b>	<b>Allocation</b>	<b>Possible Threat(s)</b>	<b>Relevant Core Strategy Policy</b>	<b>Commentary</b>	<b>Likely Significant Effects</b>
6.3	Land opposite Mere Way, Ruddington	<ul style="list-style-type: none"> <li>• Human and pet disturbance;</li> <li>• Damage to habitat;</li> <li>• Road mortality;</li> <li>• Traffic pollution</li> </ul>	Policy 3	This allocation will deliver around 170 homes. The Core Strategy HRA assessed the distribution of approximately 250 at Ruddington and ruled out LSE.	No LSE
6.1, 6.2, 6.3	See above	<ul style="list-style-type: none"> <li>• Human and pet disturbance;</li> <li>• Damage to habitat;</li> <li>• Road mortality;</li> <li>• Traffic pollution</li> </ul>	Policy 3	In total the LAPP has allocated an additional 100 homes to the Core Strategy's target for Ruddington. As the number of additional visitors generated by these allocations will be limited and it is beyond the 15km threshold (within which effects could occur), the possible threats will not have a significant effect.	No LSE
<b>Cropwell Bishop</b>					
7	Land east of Church Street, Cropwell Bishop	<ul style="list-style-type: none"> <li>• Human and pet disturbance;</li> <li>• Damage to habitat;</li> <li>• Road mortality;</li> <li>• Traffic pollution</li> </ul>	Policy 3	This allocation will deliver 70 homes. Housing development at Cropwell Bishop is not proposed in the Core Strategy and therefore was not assessed in the HRA. Cropwell Bishop is 24km from the nearest area of the prospective SPA by road. This is beyond the 15km distance threshold established in HRAs to screen out effects. 70 homes in this location are unlikely to generate significant numbers of visitors to	No LSE

Policy	Allocation	Possible Threat(s)	Relevant Core Strategy Policy	Commentary	Likely Significant Effects
				the SPA or significantly affect it.	
<b>East Bridgford</b>					
8.1	Land between Butt Lane and Closes Side Lane, East Bridgford	<ul style="list-style-type: none"> <li>• Human and pet disturbance;</li> <li>• Damage to habitat;</li> <li>• Road mortality;</li> <li>• Traffic pollution</li> </ul>	Policy 3	This allocation will deliver 80 homes. Housing development at East Bridgford is not proposed in the Core Strategy and therefore was not assessed in the HRA. East Bridgford is the closest growth settlement in Local Plan to the prospective SPA (15km). This is the distance threshold established in HRAs to screen out effects. 80 homes in this location are unlikely to generate significant numbers of visitors to the SPA or significantly affect it.	No LSE
8.2	Land south of Butt Lane, East Bridgford	<ul style="list-style-type: none"> <li>• Human and pet disturbance;</li> <li>• Damage to habitat;</li> <li>• Road mortality;</li> <li>• Traffic pollution</li> </ul>	Policy 3	This allocation will deliver 45 homes. Housing development at East Bridgford is not proposed in the Core Strategy and therefore was not assessed in the HRA. East Bridgford is the closest growth settlement in Local Plan to the prospective SPA (15km). This is the distance threshold established in HRAs to screen out effects. 45 homes in this location are unlikely to generate significant numbers of visitors to the SPA or significantly affect it.	No LSE
8.1, 8.2	See above	<ul style="list-style-type: none"> <li>• Human and pet</li> </ul>	Policy 3	Combined the sites at East Bridgford	No LSE

Policy	Allocation	Possible Threat(s)	Relevant Core Strategy Policy	Commentary	Likely Significant Effects
		disturbance; <ul style="list-style-type: none"> <li>• Damage to habitat;</li> <li>• Road mortality;</li> <li>• Traffic pollution</li> </ul>		provide 125 units and, as an additional growth settlement, this was not assessed within the Core Strategy HRA.  Although East Bridgford is the nearest settlement to the SPA and can be accessed via the nearby Gunthorpe Bridge (A6097) due to the limited number of visitors to the SPA that 125 homes would generate, it is unlikely that it would have a significant affect.	
<b>Gotham</b>					
9	Land east of Gypsum Way, Gotham	<ul style="list-style-type: none"> <li>• Human and pet disturbance;</li> <li>• Damage to habitat;</li> <li>• Road mortality;</li> <li>• Traffic pollution</li> </ul>	Policy 3	This allocation would deliver 70 homes. Housing development at Gotham is not proposed in the Core Strategy and therefore was not assessed in the HRA. Gotham is 25km from the nearest area of the prospective SPA by road. This is beyond the 15km distance threshold established in HRAs to screen out effects. 70 homes in this location are unlikely to generate significant numbers of visitors to the SPA or significantly affect it.	No LSE
<b>Sutton Bonington</b>					
10	Land north of	<ul style="list-style-type: none"> <li>• Human and pet</li> </ul>	Policy 3	This allocation would deliver 80 homes.	No LSE

Policy	Allocation	Possible Threat(s)	Relevant Core Strategy Policy	Commentary	Likely Significant Effects
	Park Lane, Sutton Bonington	disturbance; <ul style="list-style-type: none"> <li>• Damage to habitat;</li> <li>• Road mortality;</li> <li>• Traffic pollution</li> </ul>		Housing development at Gotham is not proposed in the Core Strategy and therefore was not assessed in the HRA. Sutton Bonington is 32km from the nearest area of the prospective SPA by road. This is beyond the 15km distance threshold established in HRAs to screen out effects. 80 homes in this location are unlikely to generate significant numbers of visitors to the SPA or significantly affect it.	
<b>Combined Borough Housing Allocations</b>					
All Policy Allocations	See Above	<ul style="list-style-type: none"> <li>• Human and pet disturbance;</li> <li>• Damage to habitat;</li> <li>• Road mortality;</li> <li>• Traffic pollution</li> </ul>		Combined these allocations will deliver 2,550 new homes within the Key Settlements and other villages. This exceeds the 1,100 homes identified in the Core Strategy (and which was considered in the HRA) by 1,450 homes. Whilst this is an increase of 122% it is only 11% when compared against the borough wide housing target of 13,150. Given the threats to the SPA could be generated by new residents across the Borough and all the residents would live further than 15km from the nearest area of the prospective SPA,	No LSE

Policy	Allocation	Possible Threat(s)	Relevant Core Strategy Policy	Commentary	Likely Significant Effects
				this increase would not significantly affect the site.	

### Likely Significant Effects of Draft Policies

Policy	Name	Potential Threat	Relevant Core Strategy Policy	Commentary	Likely Significant Effects
1	Development Requirements	None	Policy 1, 2,10, 11, 14, 17	This policy contains criteria which address site specific design, layout, access, amenity, biodiversity and heritage considerations. It will have no effect on the Sherwood Forest SPA.	No LSE
11	Housing Development on Unallocated Sites within Settlements	None	Policy 1, 8, 10	This policy contains criteria which identify suitable locations for housing within settlements. It addresses site specific design, layout, access and amenity considerations. As it does not propose new housing or its specific location, it will have no effect on the Sherwood Forest prospective SPA.	No LSE
12	Housing Standards	None	Policy 1, 2, 10	This policy establishes accessibility and water efficiency standards. It will have no	No LSE

<b>Policy</b>	<b>Name</b>	<b>Potential Threat</b>	<b>Relevant Core Strategy Policy</b>	<b>Commentary</b>	<b>Likely Significant Effects</b>
				effect on the Sherwood Forest prospective SPA.	
13	Self-Build and Custom Housing	None	Policy 1, 8	This policy requires a percentage of developments greater than 10 homes include an appropriate percentage of self-build and custom build plots. It does not increase the number of new homes or influence their location. It will have no effect on the Sherwood Forest prospective SPA.	No LSE
14	Specialist Residential Accommodation	None	Policy 1, 8	This policy contains criteria against which specialist accommodation (Class C2) will be assessed. It does not direct development to specific locations or allocate land. It will have no effect on the Sherwood Forest prospective SPA.	No LSE
15	Employment Development	None	Policy 1, 5	This policy identifies 6 employment allocations. These are unlikely to increase recreational and visitor threats to the SPA.  Criteria which manage development within existing employment areas are also unlikely to affect the prospective SPA.	No LSE

<b>Policy</b>	<b>Name</b>	<b>Potential Threat</b>	<b>Relevant Core Strategy Policy</b>	<b>Commentary</b>	<b>Likely Significant Effects</b>
16	Renewable Energy	None	Policy 1, 2	This policy identifies the criteria against which renewable energy developments will be assessed. Renewable energy technologies within Rushcliffe will not contribute to the recreational and visitor threats to the prospective SPA.	No LSE
17	Managing Flood Risk	None	Policy 1, 2	This policy manages development within areas at risk of flooding. It will not have any direct or indirect effect on the prospective SPA.	No LSE
18	Surface Water Management	None	Policy 1, 2	This policy contains sustainable drainage systems criteria and is applied to developments where appropriate. It does not dictate development targets or their locations. It will not affect the prospective SPA.	No LSE
19	Development Affecting Watercourses	None	Policy 1, 2	This policy contains criteria for developments that may affect water courses. It does not dictate development targets or their locations and will not affect the prospective SPA.	No LSE
20	Managing Water Quality	None	Policy 1, 2	This policy ensures development does not adversely affect water quality. It will not	No LSE

Policy	Name	Potential Threat	Relevant Core Strategy Policy	Commentary	Likely Significant Effects
				adversely affect the prospective SPA.	
21	Green Belt	<ul style="list-style-type: none"> <li>• Human and pet disturbance</li> <li>• Damage to habitat</li> <li>• Road mortality</li> <li>• Traffic pollution</li> </ul>	Policy 4	This policy establishes the Green Belt boundary, including the new inset villages and allocations. Individual allocations have been assessed alone and in combination. Insetting may increase housing within these villages, however this will be limited and will not result in significant levels of development.	No LSE
22	Development within the Countryside	None	Policy 1, 3	This policy restricts development within the open countryside, beyond the Green Belt. The limited quantity and types of development permitted (exceptions housing, agricultural accommodation etc.) will not significantly affect the prospective SPA.	No LSE
23	Redevelopment of Bunny Brickworks	<ul style="list-style-type: none"> <li>• Human and pet disturbance</li> <li>• Damage to habitat</li> <li>• Road mortality</li> <li>• Traffic pollution</li> </ul>	Policy 1, 3.	This allocation will deliver around 100 homes. However the site is 25km from the nearest area of the prospective SPA. 100 homes in this location will not have a significant effect on the SPA.	No LSE

<b>Policy</b>	<b>Name</b>	<b>Potential Threat</b>	<b>Relevant Core Strategy Policy</b>	<b>Commentary</b>	<b>Likely Significant Effects</b>
24	Redevelopment of former Islamic	<ul style="list-style-type: none"> <li>• Human and pet disturbance</li> <li>• Damage to habitat</li> <li>• Road mortality</li> <li>• Traffic pollution</li> </ul>	Policy 1, 3	This allocation will deliver around 95 homes. However the site is 15km from the nearest area of the prospective SPA. 95 homes in this location will not have a significant effect on the SPA.	No LSE
25	Development within District Centres and Local Centres	None	Policy 1, 6	This policy manages development within Local and District Centres (in Bingham, Cotgrave, Keyworth, Radcliffe, Ruddington and West Bridgford). It encourages retail and other towns centre uses. These will not significantly affect the SPA.	No LSE
26	Development within Centres of Neighbourhood Importance	None	Policy 1, 6	This policy manages development within Centres of Neighbourhood Importance (in West Bridgford and Keyworth). Proposals in these areas that accord with this policy will not significantly affect the SPA.	No LSE
27	Main Town Centre uses outside District and Local Centres	None	Policy 1, 6	This policy manages town centre uses outside these centres. Proposals that accord with this policy will not affect the SPA.	No LSE
28	Conserving and	None	Policy 1, 11	This policy protects and enhances historic	No LSE

<b>Policy</b>	<b>Name</b>	<b>Potential Threat</b>	<b>Relevant Core Strategy Policy</b>	<b>Commentary</b>	<b>Likely Significant Effects</b>
	Enhancing Heritage Assets			assets. It does not direct development or influence its location. It will not affect the SPA.	
29	Development Affecting Archaeological Sites	None	Policy 1, 11	It does not direct development or influence its location. It will not affect the SPA.	No LSE
30	Protection of Community Facilities	None	Policy 1, 12, 13	This policy manages development that would affect community facilities. It does not direct development or influence its location. It will not affect the SPA.	No LSE
31	Sustainable Tourism and Leisure	None	Policy 1, 13	This policy manages tourism and leisure development. It seeks to maximise and increase tourism and leisure opportunities in the Borough and as a consequence could benefit the prospective SPA at it may facilitate alternative visitor attractions. It is unlikely to have adverse effects.	No LSE
32	Recreational Open Space	None	Policy 1, 13	This policy requires open space within developments or off-site, including sports pitches and play areas. It does not direct or influence the location of residential development. It will not affect visitor numbers to the prospective SPA.	No LSE
33	Local Green	None	Policy 1, 12, 13	This policy identifies and protects Local	No LSE

<b>Policy</b>	<b>Name</b>	<b>Potential Threat</b>	<b>Relevant Core Strategy Policy</b>	<b>Commentary</b>	<b>Likely Significant Effects</b>
	Space			Green Spaces. It does not direct or influence the location of residential development. It will not affect the prospective SPA.	
34	Green Infrastructure and Open Space Assets	None	Policy 1, 16	This policy identifies, protects and enhances Green Infrastructure assets, including Nature Conservation sites, woodlands, Rivers and natural green spaces. As these provide alternative recreational areas to the prospective SPA this policy is likely to have a positive effect.	No LSE
35	Green Infrastructure Network	None	Policy 1, 16	This policy identifies and protects the network of Green Infrastructure assets. The protection of this network provides alternative recreational and leisure opportunities and an alternative to the Sherwood Forest. It is unlikely to have adverse effects.	No LSE
36	Designated Nature Conservation Assets	None	Policy 1, 17	This policy protects nature conservation sites. It will not significantly affect the prospective SPA.	No LSE
37	Trees and Woodland	None	Policy 1, 17	The protection of trees and woodland within Rushcliffe is likely to have positive effect on the SPA, providing alternative habitats for the prospective SPA interest	No LSE

<b>Policy</b>	<b>Name</b>	<b>Potential Threat</b>	<b>Relevant Core Strategy Policy</b>	<b>Commentary</b>	<b>Likely Significant Effects</b>
				feature (Nightjar).	
38	Non-designated biodiversity assets and wider network	None	Policy 1, 17	This policy preserves, restores and re-creates priority habitats. It will not significantly affect the prospective SPA.	No LSE
39	Health	None	Policy 1	This policy requires health impact assessments on certain developments. It will not significantly affect the prospective SPA.	No LSE
40	Pollution and Contamination	None	Policy 1	This policy prevents unacceptable levels of pollution, including lighting and contamination of groundwater. It also requires action is taken to remedy contaminated land prior to development. It does not direct or influence the location of development and therefore will not significantly affect the prospective SPA.	No LSE
41	Air Quality	None	Policy 1	This policy protects air quality and residents within areas of poor quality. It does not direct or influence the location of development and therefore will not significantly affect the prospective SPA.	No LSE
42	Safeguarding Minerals	None	Policy 1	This policy prevents development that would sterilise mineral resources. It will not significantly affect the prospective SPA.	No LSE

34. The above screening has determined that Local Plan Part 2 will not have a likely significant effect alone.

### **Sherwood Forest Prospective SPA - Likely Significant Effects In-combination**

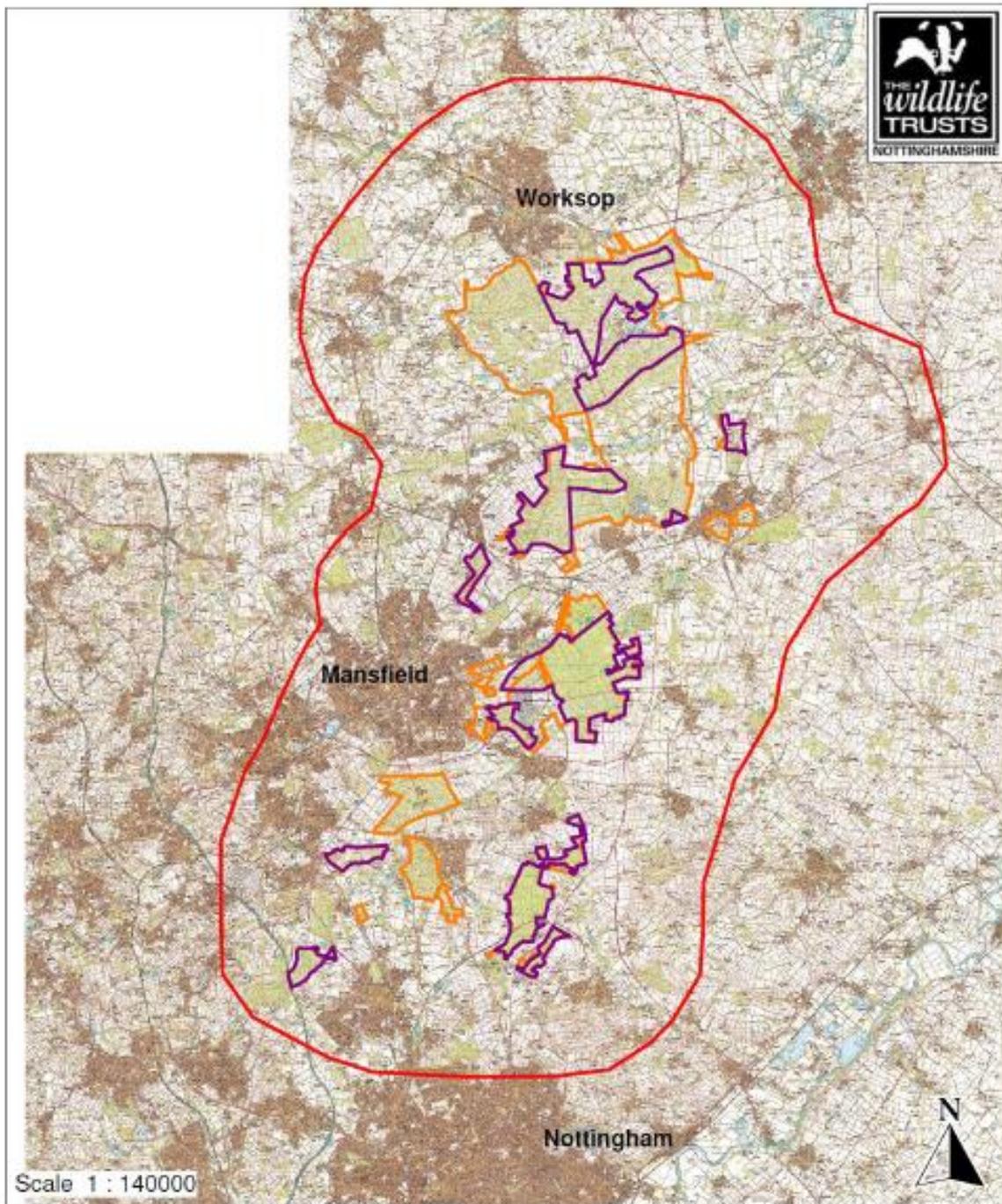
35. In accordance with Regulation 105 of the Habitats Regulations, policies and proposals which will not have a likely significant effect alone will be assessed for their effects in-combination. Those effects which cannot be ruled out will be carried forward to an appropriate assessment.
36. As the Core Strategy HRA examined the impact of the previously aligned Greater Nottingham Core Strategy (which covered Ashfield (Hucknall only), Broxtowe, Erewash, Gedling, Nottingham City **and Rushcliffe**) and the HRA Addendum addressed the additional housing that was agreed during the Core Strategy's examination, the likely significant effects of the Local Plan Part 2, in combination, with the neighbouring Local Plan Core Strategies has already been assessed. This concluded no likely significant effects.
37. As none of these neighbouring authorities have adopted Part 2 of their Local Plans, they do not form part of this in combination assessment.
38. Given the SPA's location north of the Borough, beyond the River Trent and City of Nottingham, significant effects in combination with the Borough's other neighbouring authorities to the south (Melton and North West Leicestershire) have been ruled out.
39. None of the policies were identified as having an effect alone and they are unlikely to have effects in combination, as they do not directly influence the location of development or result in any indirect effects upon the prospective SPA. However the additional 1,450 new homes within allocations on the edge of outlying key settlements and other villages and the possible increase in visitor pressure upon the SPA is an issue which requires consideration possible in-combination effects.
40. Whilst residents from these additional homes are likely to visit areas of the Sherwood Forest SPA during their occupation, the number of visits will be limited, especially given the distance from the SPA and the existence of more easily accessible alternative recreational areas within Rushcliffe (notably the River Trent Corridor, Country Parks and accessible countryside). Given the small contribution to the total housing numbers across the Greater Nottingham area, the in combination effects of 1,450 additional homes alongside the housing targets in the adopted Core Strategies (which have already been

determined no LSE) are considered *de minimis* (of no consequence) and likely significant effects in combination can be ruled out.

## **Conclusions**

41. Likely significant effects alone or in combination have been ruled out and there is no requirement to undertake an appropriate assessment of Local Plan Part 2's adverse effects on the integrity of the Sherwood Forest prospective SPA or any other potential or designated Natura 2000 site.

## Appendix A: Sherwood Forest Prospective Special Protection Area



- Key**
- RSPB IBA Boundary with 5Km buffer
  - NE Indicative Core Area
  - RSPB IBA Boundary

Plan 1

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## Appendix B: Correspondence from Natural England

**From:** [Deeming, Roslyn \(NE\)](#)  
**To:** [John King](#)  
**Subject:** HRA Local Plan Part 2: Land and Planning Policies  
**Date:** 18 August 2017 18:09:56

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Hi John,

It's good to hear from you again and I hope you have settled into your new role at Rushcliffe.

Thank you for your email of 7<sup>th</sup> August which sets out your authority's proposals for proceeding with the HRA for the Local Plan Part 2: Land and Planning Policies.

As you know HRA is an iterative process and it is therefore advisable to show that any change in circumstances have been fully considered and each plan stage is accompanied by an updated report or supplementary statement. However we acknowledge that given that there will not be an increase in the overall level of housing across the borough and the absence of any impact pathways that it is unlikely that there will be an LSE. Therefore, as you have suggested, the risk of delaying the further preparation of the HRA until the publication stage is relatively low.

We also note that the draft HRA framework sets out the methodology that will be used and identifies the objectives of the new plan which is helpful. We are also pleased to see that the Sherwood ppSPA will be fully considered.

From the explanation that you have given and the information that you have provided Natural England accepts the approach that you are taking with the HRA and we will be happy to provide any advice as you progress with the plan's preparation.

Kind regards

Ros

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