

Preferred Approach: Habitats Regulations Assessment Review Paper

December 2022



Review of HRA work for the Potential Possible Sherwood Forest Special Protection Area and assessment of whether a screening exercise is required to support the GNSP.

Introduction

1. The Potential Possible Sherwood Forest Special Protection Area (ppSPA) may be formally proposed as a Special Protection Area in the future, in recognition of the internationally important populations of woodlark and nightjar in this locality.
2. The Habitats Regulations Assessment (HRA) as required under the European Directive 92/43/EEC and the Conservation of Habitats and Species Regulations 2010 and now transposed into UK legislation post Brexit require that Local Plans undergo an assessment to determine whether or not the Local Plan will have a significant effect on sites of European importance for nature conservation.
3. The Greater Nottingham Strategic Plan Preferred Approach is an informal consultation stage and it is not considered that a HRA assessment should be prepared at this stage but would be required to inform the publication draft version of the Local Plan (Regulation 19) as the publication draft is considered to be sufficiently advanced.
4. Previous HRA screening work was undertaken in connection with the preparation of the adopted Aligned Core Strategies for Broxtowe, Gedling and Nottingham, Part 1 Local Plan. Erewash Borough Council and Rushcliffe Borough Council produced separate but aligned Core Strategies using the same HRA evidence base. This included:
 - Habitats Regulation Appraisal Screening Record (September 2010)
 - Habitats Regulations Appraisal for Further Assessment (September 2010)
 - A Screening Assessment of additional Nitrogen Deposition from the Development at Top Wighay Farm, Hucknall on the Potential Possible Sherwood Forest Special Protection Area (ppSPA) for Birds and the Integrity of the habitat for Woodlark and Nightjar (August 2011)
 - A Screening Assessment of additional Noise from the Development at Top Wighay Farm, Hucknall on the Potential Possible Sherwood Forest Special Protection Area (ppSPA) for Birds and the Integrity of the habitat for Woodlark and Nightjar (September 2011)
 - A Screening Assessment of additional Nitrogen Deposition from the Development of 500 to 1,500 Houses at Top Wighay Farm, Hucknall on the Potential Possible Sherwood Forest Special Protection Area (ppSPA) for Birds and the Integrity of the habitat for Woodlark and Nightjar (January 2012)
 - A Screening Assessment of additional Noise from the Development of 500 to 1,500 Houses at Top Wighay Farm, Hucknall on the Potential Possible

Sherwood Forest Special Protection Area (ppSPA) for Birds and the Integrity of the habitat for Woodlark and Nightjar (January 2012)

- Greater Nottingham Aligned Core Strategies Supplementary Information (Additional SHLAA Sites) Habitat Regulations Appraisal Screening Record (February 2012).

5. This previous work is being reviewed as part of the sites assessment options for the Preferred Approach

Previous screening opinions and the scale of development previously considered by location

6. The original 2010 HRA Screening Record assessed general information on the development locations for the allocation of 52,050 new homes. Information available at the time of the assessment was given in policy 2 of the spatial strategy which provided for:
 - 25,320 homes in the Principal Urban Area of Nottingham;
 - 4,200 new homes in each of two SUEs East of Gamston and South of Clifton;
 - 1,480 new homes in one or more SUE in Broxtowe yet to be determined;
 - 4,090 homes in or adjoining Hucknall Sub Regional Centre including SUEs at Rolls Royce (in Ashfield), Top Wighay Farm and north of Papplewick Lane in Gedling; and
 - 4,420 new homes in or adjoining Ilkeston Sub-Regional Centre (including a SUE at Stanton)
 - Up to 8,340 new homes elsewhere in Greater Nottingham.
7. It was recommended that, in the absence of more detailed analysis, a precautionary approach should be adopted and Policy 2 of the ACS should preclude urban extensions north of the B6386 north of Calverton, and west of the A60 and north of Ricket Lane at Ravenshead.
8. Natural England confirmed that they considered the HRA Screening Record 2010 to be consistent with Government Guidance on Habitats Regulations Assessments for development plans. However, Natural England noted that it was not possible to rule out the likelihood of a significant effect on the Park Forest part of the potential possible Special Protection Area as a result of increased nitrogen deposition affecting the habitats of birds for which the site may be classified arising from the Top Wighay Farm allocation in combination with other plans or projects. Subsequently further screening was undertaken for emerging development locations in Gedling Borough including at Top Wighay Farm. In the case of the Top Wighay Farm strategic allocation (for 1,000 homes in the Aligned Core Strategy) the potential effects were associated with air and noise pollution. The scope of the detailed assessment

was considered alongside the current levels of pollution and the likely effects of further potential increases, either alone, cumulatively or in combination with other activities, on the composition of those habitats likely to support breeding nightjar and woodlark. In summary, the following scale of development was subject to screening:-

Table 1: summary of the findings of the HRA Screening Assessments for additional nitrogen and noise for between 500 and 1,500 dwellings at Top Wighay Farm

Up to 1,500 dwellings – Nitrogen Deposition	No significant effects
Up to 1,500 dwellings – Noise Impact	No significant effects
1,000 dwellings @ Top Wighay Farm and 500 dwellings at Annesley – in-combination effects	No significant effects

9. The HRA Screening Assessments based on the housing options set out in the table above concluded no significant effects for between 500 and up to 1,500 homes at Top Wighay Farm in relation to either additional nitrogen deposition or additional noise. The in-combination effects of 1,000 dwellings at Top Wighay Farm and 500 dwellings at Annesley was also assessed as having no significant effects. These findings were confirmed by Natural England on 8th February 2012.

The Preferred Approach

10. The Preferred Approach includes the existing strategic allocation at Top Wighay Farm allocated in the Aligned Core Strategy plus additional land to the north and east. No strategic allocations are proposed at Bestwood, Calverton or Ravenshead although non-strategic sites may be allocated in the Part 2 Local Plan within or adjoining these key settlements.
11. The following table compares the scale of development identified in the Preferred Approach to that previously assessed as part of the HRA work for the Aligned Core Strategies.

Table 2

HRA Screening Assessments for additional nitrogen and noise from the development of 500 – 1,500 homes at Top Wighay Farm on the ppSPA. 2011.	Preferred Approach strategic site allocation Top Wighay Farm
Up to 1,500	1,483

12. The 2011 HRA Screening work for various development options for Top Wighay Farm concluded that there would be no significant effects on the prospective ppSPA for a similar scale of development of 1,500 homes to that proposed in the Preferred Approach.

Combined effects

13. The HRA regulations requires that in-combination effects are to be considered. This is where potential effects could combine with any other proposal planned or underway and affects the same site, that on its own also does not have a significant effect.
14. This includes allocations in Part 2 Local Plans which in the case of Hucknall would include land allocated at Hayden Lane in the Local Planning Document for Gedling Borough. In addition, Ashfield District Council are in the process of preparing a Local Plan. The Ashfield Local Plan Regulation 18 draft plan was consulted on during October and November 2021. This draft plan included a number of sites within and adjoining Hucknall including a large strategic site in the Green Belt on the opposite side of the A611 to Top Wighay Farm. However, following the consultation, Ashfield District Council are revising this local plan and it is likely that some of the sites in the Green Belt would not be taken forward. Consequently, it is not possible at this time to identify the scale of development proposed within and adjoining the Sub Regional Centre of Hucknall until Ashfield District Council publish their revised Local Plan.

Conclusions

15. The HRA Screening Assessments for potential impacts from nitrogen deposition and noise concluded that there would be no significant effects from development of up to 1,500 dwellings at Top Wighay Farm. A similar scale of development is proposed at Top Wighay Farm in the Preferred Approach. It is reasonable to conclude that the findings of these previous Screening Assessments would continue to apply. Given the proposed Top Wighay strategic site is within the 1,500 homes threshold previously tested it is unlikely to have a significant effect on the potential possible Special Protection Area on its own. However, consideration would need to be given to any potential in-combination effects from Top Wighay Farm and potential development sites within or adjoining Hucknall within Ashfield District once these are known with more certainty.
16. No strategic sites are being considered at the key settlement locations of Bestwood, Calverton or Ravenshead.
17. It is recommend that a new HRA screening exercise is commissioned for the regulation 19 stage to consider the in-combination of effects of sites within and adjoining Hucknall including those in Ashfield District's revised Local Plan

(anticipated to be submitted for examination in 2023) on the potential possible Special Protection Area.