

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

Elkesley Neighbourhood Plan (Review)

2 January 2025

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# Introduction

* + - * 1. This document contains the Screening Statements for the reviewed Elkesley Neighbourhood Plan - (the Plan) - regarding whether a Strategic Environmental Assessment (SEA) and / or Habitat Regulations Assessment (HRA) are required to be undertaken.
        2. Regulation 15 of the 2012 Neighbourhood Planning (General) Regulations sets out the information that must accompany a Neighbourhood Plan when submitted to the local planning authority. In February 2015 amendments to the Neighbourhood Plan Regulations came into force; this is known as the Neighbourhood Planning (General) (Amendment) Regulations 2015. Regulation 2(4) of these amendments adds additions to the list of documents that a qualifying body must submit to a local planning authority with a Neighbourhood Plan. The additional document which must be submitted is either an environmental report prepared in accordance with the relevant regulations or, if the outcome concludes that an SEA or HRA is not necessary, a statement that sets out how environmental issues have been taken into account and considered during the preparation of the Neighbourhood Plan.
        3. The National Planning Policy Framework (para 167) advises that assessments should be proportionate and should not repeat policy assessment that has already taken place. In view of this, only a high level screening assessment of the Plan has been undertaken, and this assessment should be read in conjunction with the relevant reports produced for the [Bassetlaw Local Plan](https://www.bassetlaw.gov.uk/planning-and-building/bassetlaw-local-plan-2020-2038/).
        4. As the responsible authority under relevant regulations, Bassetlaw District Council has undertaken the Screening Assessment contained in this document, working with information provided by the Elkesley Neighbourhood Plan Steering Group and their appointed consultant, Planning with People.

### Strategic Environmental Assessment (SEA)

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

### Habitat Regulations Assessment

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

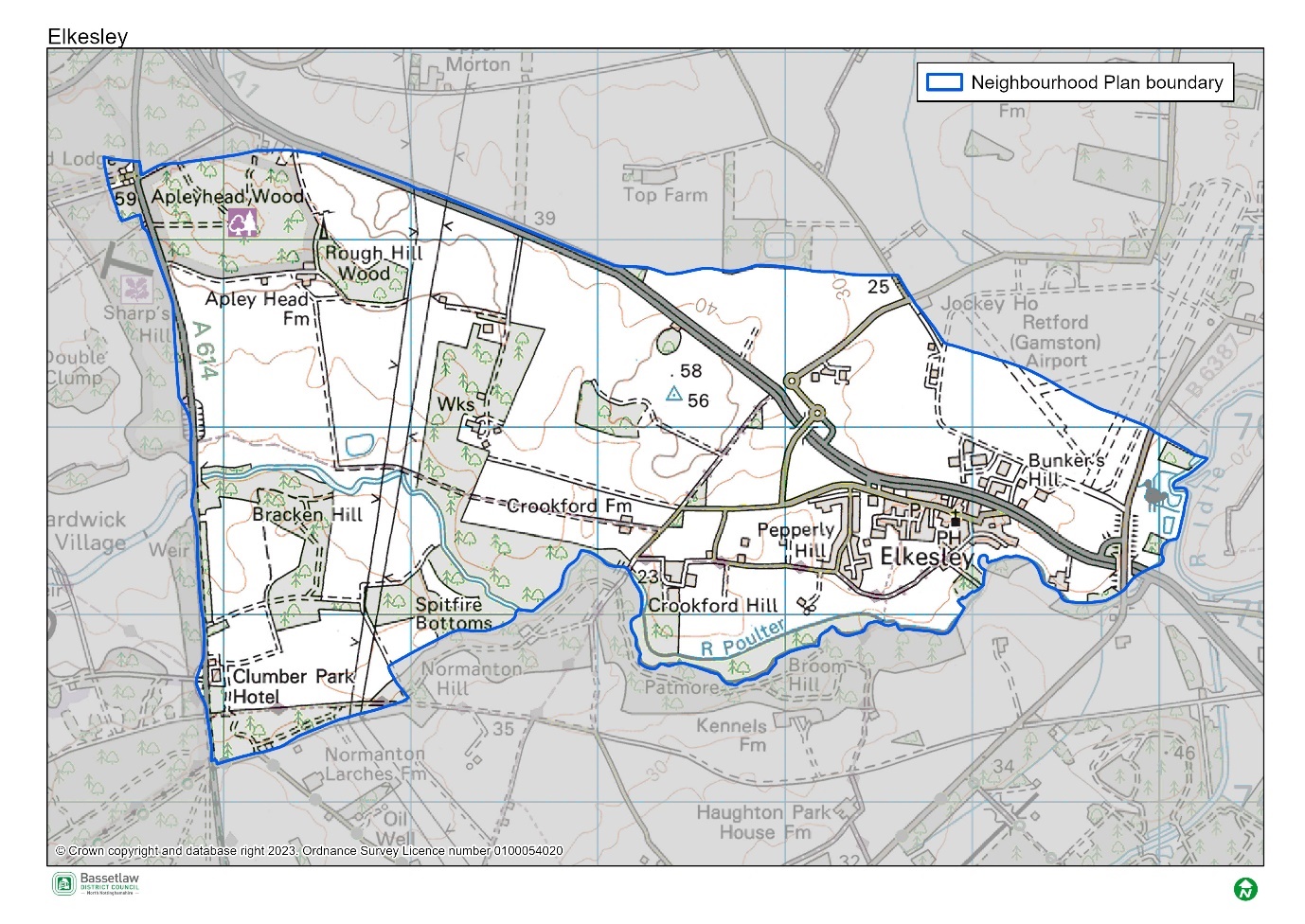
### Summary of Findings

* + - * 1. Following completion of the Screening Assessments, it is concluded that the Plan, in its current form, **will not have any significant negative effects on the environment or any identified European sites**. It is considered, therefore, that **a full environmental assessment and habitat regulations assessment is not required.**
        2. This determination has been reached by assessing the contents of a pre-release version of the Submission Draft of the Neighbourhood Plan, issued by the Steering Group in November 2024 (but not yet in the public domain). The Plan has been assessed against criteria provided in Schedule 1 of the 2004 Regulations and with regard to Regulation 32 of the 2015 Neighbourhood Planning Regulations & the Habitat Regulations. The conclusions are detailed in full in Section 6 (p29) of this report.

# The Elkesley Neighbourhood Plan

* + - * 1. The review of the Elkesley Neighbourhood Plan is being progressed by the Elkesley Neighbourhood Plan Steering Group, a sub-group of Elkesley Parish Council, the Qualifying Body for the Elkesley Neighbourhood Area in Bassetlaw District, Nottinghamshire. The Neighbourhood Area, depicted in Figure 1 below, covers the whole of Elkesley Parish. The Plan has been devised to cover the period to 2038.

**Figure 1: Designated Neighbourhood Area**

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### Plan Overview

* + - * 1. As detailed below, the priorities of the Plan are captured in the Vision and Community Objectives (see pages 11 and 12 of the Plan), to be delivered through the application of 14 development management policies specific to the Neighbourhood Area.

### Vision

* + - * 1. The vision for Elkesley Parish is stated as follows:

*The people of Elkesley are committed to developing a sustainable and thriving community for current and future generations. Quality of life is enhanced by direct access to the countryside for leisure and recreation and the local facilities (school, village hall and church), that provide a sense of community spirit.*

*The Parish contains a mix of housing types within a rural setting; new development needs to be of a high design standard, reinforcing the rural character and be of a low carbon construction. Development will be designed and located to enhance the built up areas whilst respecting the wider landscape and protecting areas that have environmental significance.*

*The A1 will continue to provide good connection to the strategic road network for residents and businesses. This needs to combine with good local public transport and high speed broadband communication links to ensure local business can prosper providing skilled employment opportunities for residents. Proposals that reduce noise pollution and improve air quality due to the proximity of the A1 will be encouraged.*

### Community Objectives

* + - * 1. This vision is underpinned by seven objectives, intended to help deliver the vision:
* To protect and where possible enhance the provision of community facilities and services to meet local needs to enable Elkesley Parish to thrive.
* To provide a mix of high quality housing that reflects the types and housing tenures that are required by the local community.
* To ensure development is designed to enhance the existing character of the Parish using low carbon construction methods and protecting existing trees and hedgerows as part of the landscape scheme where possible.
* To protect and increase the biodiversity of the Parish, protecting and enhancing the existing wildlife habitats and creating new habitats where possible.
* To protect the key views, local green spaces and areas of landscape sensitivity that make up the rural landscape of the Parish (particularly the land around the River Poulter) that is so special to local people.
* To protect and extend (where possible) the highly cherished walking and cycling routes around, into and out of the Parish that provide a valuable source of leisure and recreation.
* To support the growth of the local economy by supporting investment on the Elkesley Park Industrial Estate and ensuring good mobile phone and internet connections for those working from home in the Parish.

### Development Management Policies

* + - * 1. The 15 development management policies included in the Neighbourhood Plan are summarised in the following table.

| **Policy** | **Summary** |
| --- | --- |
| Policy 1: Sustainable Development, Infill and the Development Boundary | An overarching policy that identifies the development boundary, and the expectations of development that can take place within it, and the limitations on development external to it. |
| Policy 2: Protecting the Landscape Character | Requires the new developments respect the identified areas of landscape sensitivity, key views, trees and hedges, and accessibility to the natural environment via the rights of way network. |
| Policy 3: Designation of Local Green Spaces | Identifies 4 local green spaces (LGS) for designation, in accordance with the regulations. |
| Policy 4: Protecting and Enhancing Biodiversity | Requires that development proposals safeguard blue and green infrastructure, seek to deliver biodiversity net gain of at least 10%, and respect the habitat connectivity provided by identified wildlife corridors across the Plan area. Also encourages the inclusion of SUDs within developments, and careful management of trees. |
| Policy 5: Improving Walking and Cycling Routes | Provides support for a series of proposals to enhance cycling and walking routes in the Neighbourhood Area, alongside the maintenance of existing routes. |
| Policy 6: Achieving Well Designed Places | Seeks to maintain and enhance the character and distinctiveness of the Neighbourhood Area, through reference to the accompanying Elkesley Design Guide 2024. |
| Policy 7a: Housing Mix | Translates the findings of the Housing Need Assessment into policy, including stipulations on the mix of sizes, and consideration of accessible design. |
| Policy 7b: Housing Tenure | Reflects the need for affordable home ownership and homes to rent in the Neighbourhood Area. |
| Policy 8: Yew Tree Road Site | A site-specific residential allocation for land at Yew Tree Road, including criteria to inform development of the site. |
| Policy 9: Protecting and Enhancing Heritage Assets | Requires consideration of the impact of new development on identified features of historical significance. |
| Policy 10: Supporting the Local Economy | Provides support to development associated with business uses within the development boundary, subject to certain criteria. |
| Policy 11: Protecting Facilities for the Community | Identifies and seeks to protect community facilities within the Plan area. |
| Policy 12: Renewable Energy, Energy Efficiency, and Low Carbon Technologies | Encourages the incorporation of sustainable design features and energy efficiency measures as part of new developments. |
| Policy 13: The Redevelopment of the Former Garage Sites | Provides support for the redevelopment of two residential garage sites, and details site-specific considerations. |

# SEA Screening – Assessment

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

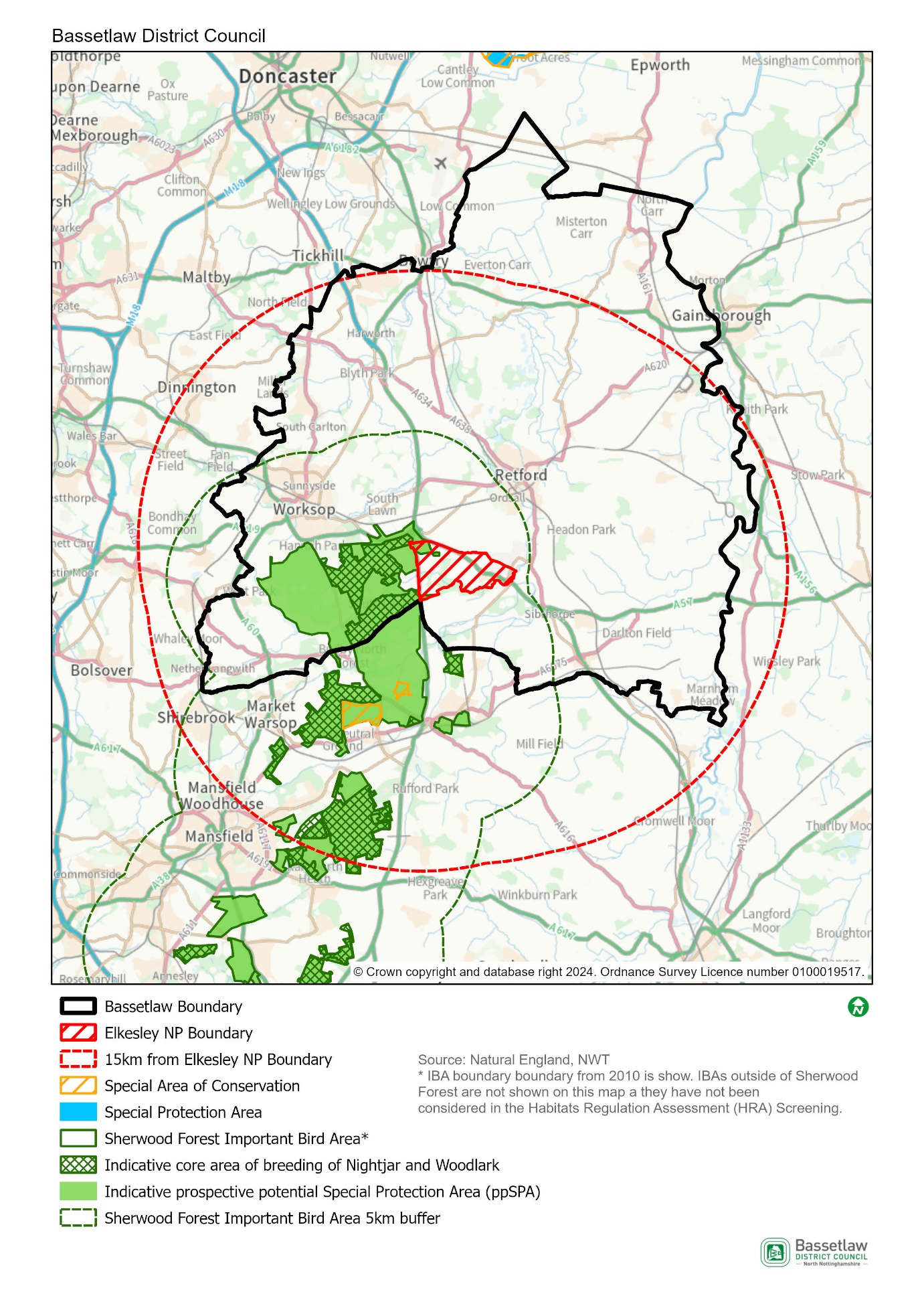
### SEA Assessment

| Criteria for determining the likely significance of effects (Annex II SEA Directive) | Significant effect likely? | Comment |
| --- | --- | --- |
| 1a The degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources. | NO | The Elkesley Neighbourhood Plan (the Plan) sets-out a spatial vision for the designated Neighbourhood Area and an accompanying framework to guide development proposals. This framework will be delivered by the development management policies contained within the Plan. The framework will have some impacts on the environment, noticeably the support for development proposals. However, it is deemed that these impacts will not be significant, due to their small-scale, localised nature, and the stipulations detailed in the policies. |
| 1b The degree to which the plan or programme influences other plans and programmes including those in a hierarchy. | NO | The Plan will respond to rather than influence other plans and programmes. It is part of a hierarchy, but is at the lowest tier, sitting below the Bassetlaw Local Plan (District level) and National Planning Policy Framework (National level), and has thus been influenced by these higher-tier and pre-existing plans, rather than having an influence on them.  The policies within a neighbourhood plan apply only within the designated neighbourhood area, hence the Plan will not have a direct impact on adjoining areas. |
| 1c The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development. | NO | The Plan promotes sustainable development within the Neighbourhood Area through balancing environmental, social and economic objectives. The Vision & Objectives (pages 11 - 12), in conjunction with the development management policies, work to ensure that all development proposals brought forward in the area will take this balance into account.  Specifically, the forms of development supported by policies 1, 5, 8, 10, 11, 12, and 13 are viewed as key to ensuring the long-term sustainability of the Neighbourhood Area. This projected growth is balanced by the protection of key environmental and social / cultural assets, both through criteria in the above policies themselves, and through policies 2, 3, 4, 6, and 9.  The Plan clearly articulates the presence of habitats of potential international significance (the Sherwood Forest ppSPA) within the Neighbourhood Area. It goes on to clarify that proposals within the associated 5km buffer (all of the Neighbourhood Area) will need to be accompanied by a ‘shadow level’ Habitats Regulation Assessment, as per Policy ST38 of the Bassetlaw Local Plan.  As a result, it is considered that the Plan effectively integrates and balances potential environmental considerations, and that potential impacts are, therefore, unlikely to be significant. |
| 1d Environmental problems relevant to the plan or programme. | NO | As noted above, the Plan supports development on several fronts, including residential development and economic development, all of which could have some effects on the environment. However, existing national and local planning policies, the specific criteria included within the policies in the Neighbourhood Plan, and the planning application process, will collectively ensure that these effects are not significant. |
| 1e The relevance of the plan or programme for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection). | NO | The Plan is intended to be in compliance with the Bassetlaw Local Plan, which has taken into account the existing European and National legislative framework for environmental protection. The Plan will therefore have a positive effect on compliance with regards to relevant legislation and programmes. It is considered that none of the proposals within the Plan will compromise this position. |
| 2a The probability, duration, frequency and reversibility of the effects. | NO | It is deemed highly unlikely that there will be any irreversible damaging environmental impacts associated with the Plan. The policies within the Plan seek to ensure new development is sustainable in context, and promotes the enhancement and protection of environmental assets.  Should any unforeseen significant effects on the environment arise as a result of the Plan, the intention to monitor the Plan and also to review/update the Plan when required will allow these effects to be addressed (see Section 23 of the Neighbourhood Plan, *Monitoring and Review* (page 74). |
| 2b The cumulative nature of the effects. | NO | It is considered that the Policies contained in the Plan, cumulatively, will have minimal negative effects on the environment and will, moreover, have moderate to significant positive effects through the stipulations included. It is considered that all effects will be at a local level. |
| 2c The transboundary nature of the effects. | NO | Effects will be local, with no expected impacts on neighbouring areas. |
| 2d The risks to human health or the environment (for example, due to accidents). | NO | No obvious risks have been identified, as the overall aim of the Plan is to ensure the careful management of development and the continued sustainability of the Plan area. |
| 2e The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected). | NO | The Plan relates to, and will have an influence over, a designated neighbourhood area of approximately 1,076 hectares, and includes approximately 359 dwellings, home to approximately 850 people. It is deemed that the Plan as a whole will have a positive impact upon local residents through the protection and enhancement of local environmental and social / cultural assets, and the promotion of sustainable development. |
| 2f The value and vulnerability of the area likely to be affected due to:  (i) special natural characteristics or cultural heritage;  (ii) exceeded environmental quality standards or limit values; or  (iii) intensive land-use. | NO | The Plan is deemed unlikely to have an adverse effect on the natural characteristics and cultural heritage of the neighbourhood area and, moreover, is likely to enhance the protection afforded to such assets.  **Natural characteristics**  The Neighbourhood Area includes within it a portion of the indicative area of the Sherwood Forest potential prospective Special Protection Area (ppSPA). Details of how this site is addressed by the Neighbourhood Plan are included in the accompanying HRA.  The extreme western edge of the Parish intersects the sizeable [Clumber Park SSSI](https://designatedsites.naturalengland.org.uk/SiteDetail.aspx?SiteCode=s1000664), and the associated impact risk zones cover the entire Parish. Also, around the edges of the Neighbourhood Area, all intersected by the boundary, are nine Local Wildlife Sites, namely:   * Apleyhead Wood * Apleyhead Roadside Verge * Clumber Park * The Knob * Poulter Valley Plantation (West) * Poulter Valley Plantation (East) * West Drayton Woodland * River Poulter - Elkesley * Dover Holt Wetland   The Plan includes three policies specifically designed to protect and enhance the natural assets in the Neighbourhood Area. Policy 2 provides protection to identified areas of landscape sensitivity, key views, trees and hedges, and access to the countryside. Policy 3 identifies four Local Green Spaces (LGS), whilst Policy 4 requires development to deliver biodiversity net gain, and to respect habitat connectivity across the Neighbourhood Area.  **Cultural heritage**  There are no World Heritage Sites, Protected Wreck Sites, or Registered Battlefields in the Neighbourhood Area. West Bridge, crossing the River Poulter, is both a Scheduled Ancient Monument and a Listed Structure (Grade II). The western edge of the Neighbourhood Area intersects the Clumber Park Registered Park and Garden.  There are 8 Listed Buildings in the Neighbourhood Area, namely:   * [Gate piers and flanking walls to Normanton Gate](https://historicengland.org.uk/listing/the-list/list-entry/1156026) (Grade II\*) * [West bridge over River Poulter](https://historicengland.org.uk/listing/the-list/list-entry/1223918) (Grade II\*) * [Church of St Giles](https://historicengland.org.uk/listing/the-list/list-entry/1223919) (Grade I) * [Milestone, north west of Jockey House](https://historicengland.org.uk/listing/the-list/list-entry/1223920) (Grade II) * [Meadow Farmhouse](https://historicengland.org.uk/listing/the-list/list-entry/1224009) (Grade II) * [Portland Farmhouse and attached garden walls and pavilions](https://historicengland.org.uk/listing/the-list/list-entry/1266992) (Grade II) * [Range of farm buildings at Portland Farm](https://historicengland.org.uk/listing/the-list/list-entry/1267084) (Grade II) * [Apleyhead Lodge](https://historicengland.org.uk/listing/the-list/list-entry/1267083) (Grade I)   There are a significant number of Non-Designated Heritage Assets in the Neighbourhood Area. Neighbourhood Plan Policy 9 requires consideration of the impact of new development on all of the above-mentioned heritage assets. The [Design Guidance and Codes](https://www.bassetlaw.gov.uk/media/ntvhflwq/elkesley-design-codes-and-guidance.pdf), produced to support the Neighbourhood Plan, provides further information about the context of the cultural heritage of the Neighbourhood Area  It is considered that the development supported by the Plan will not result in significant effects on the natural or cultural heritage assets. Furthermore, the Plan does not exceed environmental quality standards or limit values and does not provide specific policies in relation to intensive land uses. |
| 2g The effects on areas or landscapes which have a recognised national, community or international protection status. | NO | It is considered that the Plan will not adversely affect areas of landscape which have recognised community, national or international protection. The need for new development to respect their landscape and townscape setting is included as part of the criteria within the respective Policies. |

# HRA Screening – Assessment

* + - * 1. For the HRA screening assessment, the designated neighbourhood area was assessed to identify if any Special Protection Areas (SPA), Special Areas of Conservation sites (SAC), or Ramsar sites were located within the boundary, as well as those considered as potential sites (pSPA, ppSPA, cSAC & pRamsar). The assessment also identified if any of these internationally important sites were located within a 15km radius from the Neighbourhood Plan area. The results of this exercise are detailed on the map included as Figure 4 on page 13. The Birklands and Bilhaugh SAC is located approximately 4.8 km to the south west of the border of the Neighbourhood Area. Descriptions of the ecological attributes of the Birklands and Bilhaugh SAC are included as Appendix 2.
        2. Although not formally a pSPA, Natural England has advised that there is a possibility of a Sherwood Forest pSPA being designated in the future, on reflection of populations of breeding nightjar and woodlark. In [a note to Local Planning Authorities](http://www.mansfield.gov.uk/CHttpHandler.ashx?id=7529&p=0) dated March 2014, Natural England advocates a precautionary approach to any plans or projects which could affect such a site. This approach should ideally cover the potential direct, indirect and cumulative impacts, which may include, but may not be limited to, the following;
* disturbance to breeding birds from people, their pets and traffic;
* loss, fragmentation and/or damage to breeding and/or feeding habitat;
* bird mortality arising from domestic pets and/or predatory mammals and birds;
* bird mortality arising from road traffic and/or wind turbines.
  + - * 1. No formal assessments of the boundary of any future SPA has been made, therefore, it is not possible to definitively identify whether individual sites would fall inside or outside any possible future designated area. However, the Natural England note encloses a map which highlights the areas of greatest ornithological interest for breeding nightjar and woodlark. This has been included on Figure 4, and identifies that the ppSPA includes the north western and south western corners of the Neighbourhood Area.
        2. The Screening Assessment on page 14 has considered the main potential sources of effects on the identified European sites arising from the Plan, possible pathways to the sites, and the effects on possible sensitive receptors. The assessment considers the impacts of the policies in the Plan directly on the identified sites, as these are land use policies, hence mostly expected to have some direct or indirect impact on the local environment.

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



### HRA Screening Matrix

The screening matrix below shows which types of impacts on European sites could potentially result from each of the policies and sites allocated in the reviewed Elkesley Neighbourhood Plan. Where a site is not expected to have a particular type of impact, the relevant cell is shaded green. Where a site could potentially have a certain type of impact, this is shown in orange. The final column sets out the screening conclusions.

| **Policy** | **Likely activities (operation) to result as a consequence of the proposal** | **Likely effects if proposal**  **implemented** | **European site(s) potentially affected** | **Could the proposal have likely significant effects on European sites?** |
| --- | --- | --- | --- | --- |
| Policy 1: Sustainable Development, Infill and the Development Boundary | Residential development.  Economic development.  Increase in vehicle traffic.  Increase in recreation pressure. | Physical loss and damage.  Air pollution.  Disturbance from recreation. | Birklands and Bilhaugh SAC    Sherwood Forest prospective potential Special Protection Area (ppSPA) | No significant ‘new’ effects anticipated, as the policy does not promote more development than the original Neighbourhood Plan, and is in conformity with the Bassetlaw Local Plan 2020 – 2038.  The area covered by the Development Boundary is approximately 6.92km at the nearest from the Birklands and Bilhaugh SAC, and 2.26km at the nearest from the Sherwood Forest ppSPA. Physical loss and damage is, therefore, not possible.  The whole Neighbourhood Area is within the 5km buffer zone around the Sherwood Forest ppSPA. It is, therefore, already covered by the stipulations in Policy ST38 of the Bassetlaw Local Plan, specifically the need for a ‘shadow level’ Habitats Regulation Assessment to accompany all proposals, so as to identify any significant adverse effects on the ppSPA, and appropriate mitigation (reiterated in paragraph 82 / page 31 of the Neighbourhood Plan).  This policy alone would not be expected to cause a significant increase in traffic and air pollution in the area, and should help to deliver the residential development required by the Bassetlaw Local Plan in the most sustainable location.  With regard to pathways, it is considered that the nature and small scale of the development supported in this Policy, including the distance between the potential development sites and the European sites, and intervening infrastructure, will not result in significant effects occurring. |
| Policy 2: Protecting the Landscape Character | None – this policy seeks to protect a range of features that constitute the landscape character of the Neighbourhood Area. It will not itself result in development or increase traffic or visitor numbers. | n/a | n/a | No |
| Policy 3: Designation of Local Green Spaces | None – this policy requires new development to protect a Local Green Space in Elkesley village, it will not itself result in development or increase traffic or visitor numbers. | n/a | n/a | No |
| Policy 4: Protecting and Enhancing Biodiversity | None. This policy supports the improvement of environment assets and biodiversity in the Plan area - it will not itself result in new development. | n/a | n/a | No |
| Policy 5: Improving Walking and Cycling Routes | Increase in recreation pressure. | Physical loss and damage.  Disturbance from recreation. | Birklands and Bilhaugh SAC    Sherwood Forest prospective potential Special Protection Area (ppSPA) | No significant effects anticipated.  Physical loss and damage would not be possible in respect of the Birklands and Bilhaugh SAC, as the Neighbourhood Area is 2.26km away.  In respect of the Sherwood Forest ppSPA, this policy applies across the whole Neighbourhood Area, hence physical loss and damage could be possible, if other policies were not in-force – albeit this is not the case.  The policy includes specific stipulations that proposals should not harm protected habitats. In addition, in accordance with Bassetlaw Local Plan Policy ST38, any proposals would need to be accompanied by a ‘shadow level’ Habitats Regulation Assessment, so as to identify any significant adverse effects on the ppSPA, and appropriate mitigation.  This Policy alone would not be expected to cause a significant increase in traffic, air pollution, or recreational disturbance in the area. |
| Policy 6: Achieving Well Designed Places | None. This policy sets out principles to influence the design and layout of development enabled by other policies - it will not itself result in new development. | n/a | n/a | No |
| Policy 7a: Housing Mix | None – this policy is designed to influence the mix and specification of residential development enabled by other policies. It will not itself result in new development. | n/a | n/a | No |
| Policy 7b: Housing Tenure | None – this policy addresses the tenure of new homes supported by other policies in the Plan. It will not itself result in new development. | n/a | n/a | No |
| Policy 8: Yew Tree Road Site | Residential development.  Increase in vehicle traffic.  Increase in recreation pressure. | Physical loss and damage.  Air pollution.  Disturbance from recreation. | Birklands and Bilhaugh SAC    Sherwood Forest prospective potential Special Protection Area (ppSPA) | No significant ‘new’ effects anticipated as the site allocated by this policy is carried-over from the original Neighbourhood Plan, and is in conformity with the Bassetlaw Local Plan 2020 – 2038.  The site in question is approximately 7.19km at the nearest from the Birklands and Bilhaugh SAC, and 2.67km at the nearest from the Sherwood Forest ppSPA. Physical loss and damage is, therefore, not possible.  The site is within the 5km buffer zone around the Sherwood Forest ppSPA. It is, therefore, already covered by the stipulations in Policy ST38 of the Bassetlaw Local Plan, specifically the need for a ‘shadow level’ Habitats Regulation Assessment to accompany all proposals, so as to identify any significant adverse effects on the ppSPA, and appropriate mitigation.  This policy alone would not be expected to cause a significant increase in traffic and air pollution in the area and should help to deliver the residential development required by the Bassetlaw Local Plan in the most sustainable location.  With regards to pathways, it is considered that the residential nature and small scale of the development supported in this Policy, including the distance of the site to the European sites will result in no significant effects occurring. For the pathways for the ppSPA, although this site is in close proximity to the breeding areas it is deemed that the residential nature and small scale of the development supported in this Policy, along with other factors mentioned above, will result in no significant effects occurring. |
| Policy 9: Protecting and Enhancing Heritage Assets | None. This policy ensures that the heritage assets within the Plan area are respected and, where possible, enhanced – it will not itself result in new development. | n/a | n/a | No |
| Policy 10: Supporting the Local Economy | Economic development.  Increase in vehicular traffic. | Physical loss and damage.  Air pollution. | Birklands and Bilhaugh SAC    Sherwood Forest prospective potential Special Protection Area (ppSPA) | No significant ‘new’ effects anticipated.  Physical loss and damage would not be possible in respect of the Birklands and Bilhaugh SAC, as the Neighbourhood Area is 2.26km away.  In respect of the Sherwood Forest ppSPA, this policy applies across the whole Neighbourhood Area, hence physical loss and damage could be possible, if other policies were not in-force – albeit this is not the case.  The whole Neighbourhood Area is within the 5km buffer zone around the Sherwood Forest ppSPA. It is, therefore, already covered by the stipulations in Policy ST38 of the Bassetlaw Local Plan, specifically the need for a ‘shadow level’ Habitats Regulation Assessment to accompany all proposals, so as to identify any significant adverse effects on the ppSPA, and appropriate mitigation.  This Policy alone would not be expected to cause a significant increase in traffic and air pollution in the area. |
| Policy 11: Protecting Facilities for the Community | Development of community facilities.  Increase in vehicular traffic. | Physical loss and damage.  Air pollution. | Birklands and Bilhaugh SAC    Sherwood Forest prospective potential Special Protection Area (ppSPA) | No significant ‘new’ effects anticipated.  Physical loss and damage would not be possible in respect of the Birklands and Bilhaugh SAC, as the Neighbourhood Area is 2.26km away.  In respect of the Sherwood Forest ppSPA, this policy applies across the whole Neighbourhood Area, hence physical loss and damage could be possible, if other policies were not in-force – albeit this is not the case.  The whole Neighbourhood Area is within the 5km buffer zone around the Sherwood Forest ppSPA. It is, therefore, already covered by the stipulations in Policy ST38 of the Bassetlaw Local Plan, specifically the need for a ‘shadow level’ Habitats Regulation Assessment to accompany all proposals, so as to identify any significant adverse effects on the ppSPA, and appropriate mitigation.  This Policy alone would not be expected to cause a significant increase in traffic and air pollution in the area. |
| Policy 12: Renewable Energy, Energy Efficiency, and Low Carbon Technologies | Development of energy generation infrastructure. | Physical loss and damage. | Birklands and Bilhaugh SAC    Sherwood Forest prospective potential Special Protection Area (ppSPA) | No significant ‘new’ effects anticipated.  Physical loss and damage would not be possible in respect of the Birklands and Bilhaugh SAC, as the Neighbourhood Area is 2.26km away.  In respect of the Sherwood Forest ppSPA, this policy applies across the whole Neighbourhood Area, hence physical loss and damage could be possible, if other policies were not in-force – albeit this is not the case.  The whole Neighbourhood Area is within the 5km buffer zone around the Sherwood Forest ppSPA. It is, therefore, already covered by the stipulations in Policy ST38 of the Bassetlaw Local Plan, specifically the need for a ‘shadow level’ Habitats Regulation Assessment to accompany all proposals, so as to identify any significant adverse effects on the ppSPA, and appropriate mitigation.  This Policy alone would not be expected to cause a significant increase in traffic and air pollution in the area. |
| Policy 13: The Redevelopment of the Former Garage Sites | Residential development.  Development of community facilities.  Increase in vehicular traffic. | Physical loss and damage.  Air pollution.  Disturbance from recreation. | Birklands and Bilhaugh SAC    Sherwood Forest prospective potential Special Protection Area (ppSPA) | No significant effects anticipated as, although this is a new policy, it supports redevelopment of previously developed sites.  The two sites addressed by the policy are approximately 7km at the nearest from the Birklands and Bilhaugh SAC, and 2.68km at the nearest from the Sherwood Forest ppSPA. Physical loss and damage is, therefore, not possible.  The sites are within the 5km buffer zone around the Sherwood Forest ppSPA. They are, therefore, already covered by the stipulations in Policy ST38 of the Bassetlaw Local Plan, specifically the need for a ‘shadow level’ Habitats Regulation Assessment to accompany all proposals, so as to identify any significant adverse effects on the ppSPA, and appropriate mitigation.  This policy alone would not be expected to cause a significant increase in traffic and air pollution in the area, and should help to deliver the residential development required by the Bassetlaw Local Plan in the most sustainable location.  With regards to pathways, it is considered that the nature and small scale of the development supported in this Policy, including the distance of the two sites to the European sites will result in no significant effects occurring. For the pathways for the ppSPA, although this site is in close proximity to the breeding areas, it is deemed that the nature and scale of the development supported, along with other factors mentioned above, will result in no significant effects occurring. |

# In-combination Effects

* + - * 1. Regulation 105 of the Amended Habitats Regulations 2017 requires an Appropriate Assessment where “a land use plan is likely to have a significant effect on a European site (either alone or in combination with other plans or projects) and is not directly connected with or necessary to the management of the site”. Therefore, it is necessary to consider whether there may be significant effects from the Elkesley Neighbourhood Plan in combination with other plans or projects.
        2. The first stage in identifying ‘in-combination’ effects involves identifying which other plans and projects in addition to the Elkesley Neighbourhood Plan may affect the European sites that were the focus of this assessment. There are a large number of potentially relevant plans and projects which could be considered, therefore, the review focused on planned spatial growth within Bassetlaw District, with the [Habitats Regulations Assessment](https://www.bassetlaw.gov.uk/media/6475/hra-report-for-reg-19_summer-2021.pdf) of the Bassetlaw Local Plan (August 2021) the key source of reference.
        3. In respect to the Sherwood Forest ppSPA, the HRA initially identified likely significant effects resulting from the development proposed in the Bassetlaw Local Plan. Through further investigation of the impact pathways and proposed mitigation, however, it was concluded that no adverse effects on the integrity of the ppSPA would occur. In respect to the Birklands and Bilhaugh SAC, the assessment identified potential effects as a result of increased recreational pressure. However, protections included in the adopted version of the Bassetlaw Local Plan (Policy ST38 – Biodiversity and Geodiversity), and an ongoing Recreational Impact Assessment, allowed for potential adverse effects on the integrity of the SAC to be ruled-out.
        4. The scale of development proposed by the Elkesley Neighbourhood Plan is in conformity with the Bassetlaw Local Plan, meaning that its ‘incombination’ effect is judged as insignificant.

# Conclusions

### SEA Screening

* + - * 1. As required by the regulation, a draft version of this report was issued for the purposes of consultation with the statutory bodies, specifically the Environment Agency, Historic England, and Natural England. On conclusion of the five-week consultation (19 November to 23 December 2024), responses had been received from all three bodies. The responses are included in full at Appendix 1, and can be summarised as follows:

**Environment Agency:** clarifies that the organisation does not advise on whether the Plan falls under the requirements of the SEA Directive, but may be able to assist by advising on whether it will result in significant environmental impacts within their remit (no comments made as such in the response).

**Historic England:** concurs with the view that the preparation of a Strategic Environmental Assessment is not required and does not disagree that a HRA is not required, but defers to other consultees on this matter.

**Natural England:** agrees with the conclusion that significant effects on statutorily designated nature conservation sites or landscapes are unlikely, and significant effects on habitats sites, either alone or in combination, are unlikely.

### SEA Screening

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

### HRA Screening

* + - * 1. The HRA Screening Assessment concludes that no significant effects are likely to occur with regard to the integrity of the Birklands and Bilhaugh SAC and Sherwood Forest ppSPA as a consequence of the implementation of the Plan. As such, **a full HRA does not need to be undertaken**.
        2. The main reason for these conclusions is:
* The development that is supported in the Plan is deemed to be of a scale and nature and located on sites that will not result in any significant effects on the identified European sites.

# Appendix 1: Consultation Responses

**Environment Agency**

Received 23 December 2024

We are pleased to see that our suggested wording related to water efficiency measures has been incorporated into the latest version of the plan.

Thank you for consulting us on the Strategic Environmental Assessment (SEA) & Habitat Regulations Assessment (HRA) Screening Report as part of the Elkesley Neighbourhood Plan.

The Environment Agency, together with other bodies in England and Wales, is a statutory consultee in the SEA process. We must be consulted by plan-makers (or “responsible authorities”) at certain key stages.

We appreciate that a neighbourhood development plan may require a strategic environmental assessment (SEA) under the Directive and early SEA screening is advised. The Environment Agency may be able to assist the Local Planning Authority at this stage by advising on whether your plan will result in significant environmental impacts within our remit. However please note that we do not advise on whether the plan falls under the requirements of the SEA Directive.

Should the local authority determine that a Neighbourhood Plan does require SEA, we must be consulted on the scope to ensure our key environmental issues are addressed.

**Historic England**

Received 20 November 2024

Thank you for your consultation and the invitation to comment on the SEA Screening Document for the above Neighbourhood Plan.

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

Our comments are based on the information supplied with the screening request. On the basis of the information supplied and in the context of the criteria set out in Schedule 1 of the Environmental Assessment Regulations [Annex II of the ‘SEA’ Directive], Historic England concurs with your view that the preparation of a Strategic Environmental Assessment is not required.

Regarding HRA Historic England does not disagree with your conclusions but would defer to the opinions of the other statutory consultees.

The views of the other statutory consultation bodies should be taken into account before the overall decision on the need for a SEA is made. If a decision is made to undertake a SEA, please note that Historic England has published guidance on Sustainability Appraisal / Strategic Environmental Assessment and the Historic Environment that is relevant to both local and neighbourhood planning and available at: <https://www.historicengland.org.uk/images-books/publications/sustainability-appraisal-and-strategic-environmental-assessment-advice-note-8/>

**Natural England**

Received 18 December 2024

Thank you for your consultation on the above dated and received by Natural England on 19 November 2024.

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

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

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

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

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

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

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

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

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

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

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

# Appendix 2: Ecological attributes of the European sites

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

**Description**

Covering an approximate area of 271.84 hectares, Birklands and Bilhaugh SAC is a landscape-remnant of the historic Sherwood Forest, which is of World renowned cultural significance due to the high concentration of ancient oak trees and associated folklore. The trees and open woodland- pasture habitat have been utilised over the centuries as a medieval Royal hunting forest, as a source of timber for the construction of cathedrals and English naval fleets, and more recently for public amenity, recreation and tourism. There is high public usage across the

SAC supported by a network of Public Rights of Way and permissive paths. Part of the SAC forms part of the Sherwood Forest National Nature Reserve.

The site lies on freely-draining, acidic, sandy soils and is notable for its rich invertebrate fauna, particularly spiders, and for a diverse fungal assemblage, including Grifoa suphurea and Fistulina hepatica. The oak population consists of approximately equal numbers of the pedunculate oak Quercus robur and the sessile oak Q. petraea covering a wide range of size and age, including an exceptional population of ancient standing oaks. Although birch (mainly Betula verrucosa) forms groves between the oaks the canopy is, over large areas, still rather open allowing a dense bracken field layer to develop. A wide variety of fungi are present. Within the woodland occur glades of acid grassland dominated by the tussock-forming wavy-hair grass Deschampsia flexuosa and which contain such characteristic herbs as heath bedstraw Galium saxatile and tormentil Potentilla erecta.

**Area**

270.5ha

**Qualifying Features**

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

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

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

**Special Area of Conservation objectives**

Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring:

* The extent and distribution of qualifying natural habitats
* The structure and function (including typical species) of the qualifying natural habitats, and
* The supporting processes on which the qualifying natural habitat rely.

**Site Improvement Plan: pressures, threats and related development**

The main pressures and threats to this site include public access and disturbance in that the current visitor’s centre complex that is located within the SAC, is preventing the necessary restoration of the full extent of the oak woodland. The visitor centre complex needs to be physically removed and the area restored, but planning permission is proving problematic. Other issues include change in land management which has created a large age gap between the ancient trees, physical modification, impact of atmospheric nitrogen deposition, disease and invasive species.

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

**Description**

As the Sherwood Forest prospective potential SPA (ppSPA) is not currently designated as a European Site, there is no Standard Data form or SIP for it. However, the Sherwood Forest Important Bird Area is being used as a proxy for the purposes of this assessment, and the indicative core areas for breeding for nightjar and woodlark as identified by Natural England, are likely to be the most sensitive areas.

The Sherwood Forest IBA covers 7,320 ha and consists of several geographic sites stretching from south of Worksop to north of Nottingham. Once part of the 10,000 acre Royal Forest of Sherwood, the woodland is dominated by native oaks and other native trees such as silver birch, rowan, holly and hawthorn. It has been continuously forested since the end of the Ice Age.

Approximately 424.75ha of the Sherwood Forest ppSPA is also a designated National Nature Reserve (NNR). The reserve contains more than a thousand ancient oaks most of which are known to be more than 500 years old.

Sherwood Forest has the highest concentration of ancient trees in Europe and provides habitat for very rare invertebrates, particularly beetles, flies and spiders, many of which rely on the decaying and ageing timber of the veteran trees. Budby South Forest, in the northern half of the site, is dominated by link heather and supports a diverse range of insects and ground nesting birds such as woodlark, nightjar and tree pipit.

In 2004, it was estimated that there were approximately 63 male European Nightjar (females unknown) within in the IBA and approximately 25 breeding pairs of Woodlark.

**Qualifying Features**

The primary reasons for potential designation of this site are that the population of Caprimulgus europaeus; European nightjar represents 1.88% of the total UK breeding population and the population of Lullula arborea; Woodlark, is 2.51% of the total UK breeding population.

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

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

**Prospective potential Special Protection Area objectives**

As this area does not relate to an existing designated site, no conservation objectives have been established for it. However, it is anticipated that, were the site to be designated, any conservation objectives would reflect those for other SPAs, as follows:

* Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring:
  + The extent and distribution of the habitats of the qualifying features
  + The structure and function of the habitats of the qualifying features
  + The supporting processes on which the habitats of the qualifying features rely
  + The population of each of the qualifying features, and,
  + The distribution of the qualifying features within the site.

**Site Improvement Plan: pressures, threats and related development**

The main current threats to the site include logging and wood harvesting, climate change, changes in land use for energy production, housing and economic development, tourism and recreation and air pollution. War, civil unrest and military exercises are identified as a past threat, which is unlikely to return.

These threats have been rated low to very high, depending on the proportion of the area and/or population they are likely to affect and the severity of the threat. Recreational activities are identified as being the highest level of threat, followed by logging and wood harvesting and residential and commercial development. The IBA factsheet also identifies ‘other threat’ as being a high threat, but no details are given.

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