

Winthorpe with Langford Neighbourhood Plan

Habitat Regulations Assessment (HRA) Screening Report

1.0 Introduction

1.1 Changes made by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 (the 2019 Regulations) updated the Conservation of Habitats and Species Regulations 2017 (as amended) (the 2017 Regulations). Most of these changes involved transferring functions from the European Commission to the appropriate authorities in England and Wales because of the UK leaving the EU. All other processes or terms in the 2017 Regulations remain unchanged and existing guidance is still relevant. The obligations of a competent authority in the 2017 Regulations for the protection of sites or species did not change. A competent authority is a public body, statutory undertaker, minister or department of government, or anyone holding public office. The main changes to the 2017 Regulations are:

- the creation of a national site network within the UK territory comprising the protected sites already designated under the Nature Directives, and any further sites designated under these Regulations;
- the establishment of management objectives for the national site network (the 'network objectives');
- a duty for appropriate authorities to manage and where necessary adapt the national site network as a whole to achieve the network objectives;
- an amended process for the designation of Special Areas of Conservation (SACs);
- arrangements for reporting on the implementation of the Regulations, given that the UK no longer provides reports to the European Commission;
- arrangements replacing the European Commission's functions with regard to the imperative reasons of overriding public interest (IROPI) test where a plan or project affects a priority habitat or species;
- arrangements for amending the schedules to the Regulations and the annexes to the Nature Directives that apply to the UK.

1.2 SACs and Special Protection Areas (SPAs) in the UK no longer form part of the EU's Natura 2000 ecological network. The 2019 Regulations have created a national site network on land and at sea, including both the inshore and offshore marine areas in the UK. The national site network includes:

- existing SACs and SPAs;
- new SACs and SPAs designated under these Regulations;

Any references to Natura 2000 in the 2017 Regulations and in guidance now refers to the new national site network.

Maintaining a coherent network of protected sites with overarching conservation objectives is still required in order to:

- fulfil the commitment made by government to maintain environmental protections;
- continue to meet our international legal obligations, such as the Bern Convention, the Oslo and Paris Conventions (OSPAR), Bonn and Ramsar Conventions.

1.3 As a land use plan, an assessment of the Winthorpe with Langford Neighbourhood Plan (the Plan) may be required under the Conservation of Habitats and Species (Amendment) Regulations 2012 (the Habitat Regulations) in order to determine whether the Plan may result in a significant effect on identified sites.

1.4 The screening process is used to establish whether any elements of the Plan may have a significant effect on these sites. Regulation 32 in the Neighbourhood Planning (General) Regulations 2012 (as amended) sets out an additional basic condition to those set out in primary legislation. Regulation 32 states: "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 2010 (d)) or a

European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007 (e)) (either alone or in combination with other plans or projects).

2.0 The Winthorpe with Langford Neighbourhood Plan

2.1 This Neighbourhood Plan has been prepared by and for residents of the parishes of Winthorpe and Langford. The Neighbourhood Area (the area covered by the Neighbourhood Plan) includes the whole of the two parishes and was formally designated by Newark and Sherwood District Council (the Local Planning Authority) on 26th February 2021.

2.2 The Plan is based on a Vision, which is summarised as: “A distinctive, diverse and well-connected place, securing a safe, evolving and sustainable community.” The Plan’s objectives are based on the Vision, and they provide the context for the Plan’s Policies. The objectives are to:

1. Enable residents and businesses to influence change in their locality.
2. Address current traffic and parking issues, by promoting more sustainable means of transportation, including walking, cycling and use of buses.
3. Celebrate the parishes’ history and distinctive character, conserving and enhancing the built heritage and ensuring that new developments make a positive contribution.
4. In appropriate locations, mostly within Winthorpe’s Village Envelope, provide for limited further residential development of a scale and type appropriate to meet the local community’s needs.
5. Provide locally for employment and enterprise of types and scales appropriate to each location.
6. Provide for developments and changes that will support the viability of services and facilities that enable residents – and businesses - to meet regular needs locally.
7. Preserve, maintain and extend the existing network of footpaths and green open spaces, ensuring adequate access for all and equipped spaces for users of different ages.
8. Protect the rural countryside, including particular views over the landscape, both during the day and at night.
9. Preserve existing green features and plan for the future greening of the village.
10. Protect ecological corridors and wildlife sites in the parishes, achieving harmony between human socio-economic development and natural environment quality.
11. Promote broadband and mobile phone connectivity and improved access to utilities for existing and new development.
12. Improve resiliency to flooding, pollution events and climate change, ensuring the safety of people and properties.

2.3 The Winthorpe with Langford Neighbourhood Plan contains ten policies, which are summarised below:

Policy 1: Sustainable Development The policy aims to support development that leads to the elimination of carbon emissions, minimal use of non-renewable resources, waste reduction, biodiversity increase, and a healthy, safe, and attractive environment that benefits the local community. The policy supports:

- housing that meets local needs and is located within the defined Village Envelope of Winthorpe and on individual infill sites in Langford;
- business development that is consistent with the area in which it is located;
- recreation, services and facilities that meet the community's needs; and

- infrastructure that provides access to necessary resources.

Policy 2: Delivering Good Design The policy requires development in the Winthorpe with Langford Neighbourhood Plan Area to be attractive, functional, and responsive to local character and design aspirations.

The Winthorpe with Langford Design Guide (the Design Guide) should be fully considered in the design of all developments, and any development proposal requiring a Design and Access Statement should explain how the Design Guide principles have influenced the design. The policy supports development proposals that are consistent with the Design Guide and will not support those that are not unless they can demonstrate achieving the desired development outcomes and quality in alternative ways.

Policy 3: Renewable Energy The policy supports the integration of technology for generating energy from renewable sources within new buildings as long as it is unobtrusive and does not detract from the landscape or townscape quality.

The installation of solar energy generating plant on large warehouse and commercial building roofs within the Newark Showground Policy Area is encouraged.

However, the development of renewable energy plant will not be supported if it involves the loss of productive agricultural land or natural habitats, significant intrusion into the rural landscape, or a reduction in the visual and residential amenities of nearby dwellings.

Policy 4: Accessibility, Communications and Transport The policy aims to reduce harmful environmental impacts from transport and improve the local environment for people living and working in Winthorpe and Langford.

The policy supports development proposals that make active travel (walking, cycling etc.) safe and convenient, improve public transport infrastructure, and provide adequate provisions for cars and commercial vehicles that do not dominate the local environment and support the transition to zerocarbon energy sources.

It also aims to mitigate the impacts of traffic associated with events held at Newark Showground, noise and pollution emanating from the A46, and maximize the potential of digital communication.

The policy requires housing, business, and other developments that can be expected to generate or attract travel to include adequate provision for off-street parking space for cars and commercial/goods vehicles, secure parking space for bicycles, and facilities for charging electric vehicles.

Development will not be supported if it adversely affects any footpath, cycle path, or other active travel facility, jeopardizes the provision of environmentally sustainable travel facilities such as public transport, or adversely impacts any future expansion of the footpath and cycle path network or other active travel facility outlined in the Neighbourhood Plan's Active Travel aspirations.

Policy 5: Built Heritage This policy involves the protection of buildings, monuments, and other important places. Any new development should not harm these features and should try to improve them if possible. Anyone wanting to build in or adjacent to Winthorpe's Conservation Area must show that they have considered the area's historical importance.

The policy also prohibits changes that would damage or remove important non-designated heritage assets.

Developments that help people access and appreciate the area's history are encouraged.

Policy 6: Housing Policy 6 is about allowing houses that meet the needs of the local community.

The priorities for housing are 3-bedroom houses for families, small and medium-sized homes for older people and other small households, and assisted living accommodation.

Housing development should be in the Village Envelope in Winthorpe, with preference given to infill sites, redevelopment of sites with existing substantial buildings, and use/conversion of existing suitable buildings. Individual infill sites in Langford can also be developed.

All new housing must meet certain requirements and have safe pedestrian and vehicle access to the village.

Developments in Winthorpe should have no more than 5 dwellings, and in Langford, only single dwellings are allowed. Any proposals that do not meet these requirements will not be supported.

Policy 7: Businesses and Services Policy 7 outlines guidelines for business development in different areas.

This policy supports development in the Newark Showground Policy Area. Small-scale, low-impact business development is also supported in Winthorpe Village, but only if it complies with certain requirements. The policy also supports accommodation and infrastructure for home working.

Outside of these areas, development is supported for agriculture, horticulture, rural diversification, rural tourism and ecological resources, but it must also comply with certain requirements.

Development that may detract from nearby residents' amenities will not be supported.

Policy 8: Protection of Community Facilities Policy 8 aims to protect community facilities.

The policy lists those that are considered most important to the community, and any proposal to change or redevelop them must meet specific conditions. These conditions include demonstrating that the facility is no longer fit for purpose or providing a new community facility in a suitable location.

The policy also prohibits any development that would result in the loss of these community facilities unless it is demonstrated that the property has been marketed for its current or similar use and no reasonable offers have been received, and the property has been offered to the local community at its market value, but the offer has been declined.

Policy 9: Green Infrastructure, Local Green Spaces and Biodiversity This policy aims to protect and enhance the natural areas, habitats and the things that connect them, the "Green and Blue Infrastructure".

Development that would harm this infrastructure will be resisted, and any development that protects or enhances it will be encouraged.

The policy also prohibits the loss or reduction in value of any Local Green Space and any development that would lead to a reduction in biodiversity within the parishes will not be supported. Instead, all development should contribute to a net gain in biodiversity locally, with a target of at least 10%.

Policy 10: Flood Protection and Sustainable Drainage The policy aims to minimize and manage flood risk associated with new developments.

Developers must demonstrate that the risk of flooding from all sources has been considered and that the risk is either acceptable or satisfactorily mitigated. The proposals should not increase the rates of surface water run-off or flood risk in the area.

The policy supports development proposals that use sustainable drainage systems to manage surface water, minimize surface water discharge from new dwellings, and provide permeable surface parking spaces and driveways.

The policy also encourages incorporating ecological benefits into drainage strategies for managing surface water run-off from new developments.

3.0 HRA Screening Assessment of the Winthorpe with Langford Neighbourhood Plan

- 3.1 For the HRA Screening assessment the Neighbourhood Plan Area was checked to see if any Special Protection Areas (SPA), Special Areas of Conservation sites (SAC), or Ramsar sites were located within its area, as well as those considered as potential sites (pSPA, cSAC & pRamsar). The assessment also checked to see if any of these internationally important sites were located within a 15km radius from the Neighbourhood Plan area. There is also an area to be considered that is of importance to breeding populations of woodlarks and nightjars. In line with advice from Natural England, this area is effectively treated as if it is a SPA or pSPA and is referred to as ppSPA (possible potential SPA). None of these sites, including the ppSPA, were within the Plan Area or within 15km.
- 3.2 The Plan is not connected to the management of any of the areas discussed in paragraph 3.1. While the Plan seeks to guide and inform development, it does not propose new development or allocate sites for development.
- 3.3 Existing plans and proposals must be considered when assessing new plans or programmes for likely significant effects as they may create 'in combination' effects. For the Winthorpe with Langford Neighbourhood Plan the existing plans to be considered are Newark and Sherwood District Council's Amended Core Strategy (ACS) (2019) and Allocations and Development Management DPD (ADMDDP) (2013), which have both been through HRA. The ADMDDP is being reviewed and an amended version, the Allocations and Development Management DPD (AADMDDP) was subject to an Examination in Public in November 2024. This has also been subject to HRA. The Winthorpe with Langford Neighbourhood Plan has been produced to be in strategic conformity with these documents.

4.0 Conclusion

- 4.1 For the reasons set out above, it is considered that there are not likely to be any significant effects from the production and implementation of the Winthorpe with Langford Neighbourhood Plan. It is therefore unnecessary to undertake a full HRA of the Plan.