## **Newark and Sherwood District Council**

Second Publication Newark and Sherwood Allocations and Development Management Development Plan Document

Main Modifications Habitats Regulations Assessment Report

September 2025







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Main Modifications
Habitats Regulations Assessment Report

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## **Contents**

1	Introduction	1
1.1	Overview of Local Plan review	1
2	Summary of HRA findings	3
2.1	Summary of HRA work	
3 3.1	Screening of Modifications Introduction	5 5
3.2	Overview of Main Modifications	5
3.3	Screening conclusions	5
4	Conclusions	7
4.1	Summary	7
	endix A: Schedule of Main Modifications and Screening	
Ta	ables	
Table	2.1. Summary of emerging DPD HRA assessment work	3

## Acronyms & Abbreviations

AA Appropriate Assessment

DPD Development Plan Document

DTA David Tyldesley and Associates

HRA Habitats Regulations Assessment

LDF Local Development Framework

**LSE** Likely Significant Effect

**NSDC** Newark and Sherwood District Council

**PPG** Planning Policy Guidance

ppSPA Possible Potential Special Protection Area

SAC Special Area of Conservation

SPA Special Protection Area

### 1 Introduction

#### 1.1 Overview of Local Plan review

- 1.1.1 Newark and Sherwood District Council (NSDC) is in the process of reviewing their Local Development Framework (LDF) through a Plan Review<sup>1</sup>. The LDF consists of the following documents:
  - Policies Map
  - Amended Core Strategy Development Plan Document (DPD)
  - Allocations and Development Management DPD
  - Supplementary Planning Documents
  - Neighbourhood Plans
- 1.1.2 This report relates to the review of the Allocations and Development Management DPD. NSDC carried out a public consultation between September and November 2023 on the Second Publication Amended Allocations and Development Management DPD. The emerging DPD was submitted to the Secretary of State for independent examination on the 18<sup>th</sup> January 2024. The Examination Hearings took place in November 2024<sup>2</sup>. Following these hearings the Council received post hearing advice from the Inspector which set out initial preliminary findings on a number of strategic soundness matters and provided recommendations for modification of the DPD review.
- 1.1.3 Lepus Consulting has prepared this report on behalf of the Council to inform the Habitats Regulations Assessment (HRA) of the DPD review at the stage of Main Modifications. This report supplements the Second Publication Amended Allocations and Development Management DPD HRA Report which was prepared by Lepus Consulting in September 2023<sup>3</sup>.
- 1.1.4 This report focuses on whether the modifications to the emerging DPD will result in new Likely Significant Effects (LSEs) upon any European site, and whether the conclusions of the 2023 HRA report remain valid in light of these modifications. In the context of this report, European sites include Special Areas of Conservation (SAC), Special Protection Areas (SPA), Ramsar sites<sup>4</sup> and Possible Potential Special Protection Areas (ppSPA).
- 1.1.5 This report solely focuses upon Main Modifications to the DPD made since the Examination hearings; it does not re-assess any aspect of the Second Publication Amended Allocations and Development Management DPD.

<sup>&</sup>lt;sup>1</sup> Newark and Sherwood District Council. Local Development Framework. Available at: <a href="https://www.newark-sherwooddc.gov.uk/ldf/">https://www.newark-sherwooddc.gov.uk/ldf/</a> [Date Accessed: 02/09/25].

<sup>&</sup>lt;sup>2</sup> Newark and Sherwood District Council. Examination Homepage. Available at: <a href="https://www.newark-sherwooddc.gov.uk/aadm-representation/examination-homepage/#d.en.3311446">https://www.newark-sherwooddc.gov.uk/aadm-representation/examination-homepage/#d.en.3311446</a> [Date Accessed: 02/09/25].

<sup>&</sup>lt;sup>3</sup> Lepus Consulting (September 2023) Newark and Sherwood District Council. Second Publication Amended Allocations and Development Management DPD Habitats Regulations Assessment Report.

<sup>&</sup>lt;sup>4</sup> Wetlands of international importance (both listed and proposed).

- 1.1.6 This report does not contain all information normally presented in an HRA report and should therefore be read in conjunction with the September 2023 Second Publication Amended Allocations and Development Management DPD HRA report.
- 1.1.7 This HRA has been prepared in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended)<sup>5</sup>, known as the Habitats Regulations and has been informed by National Planning Policy Guidance (PPG)<sup>6</sup>.

<sup>&</sup>lt;sup>5</sup> The Conservation of Habitats and Species Regulations 2017 SI No. 2017/1012, TSO (The Stationery Office), London. Available at: <a href="https://www.legislation.gov.uk/uksi/2017/1012/contents">https://www.legislation.gov.uk/uksi/2017/1012/contents</a> [Date Accessed: 02/09/25] as amended by The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019. Available at: <a href="https://www.legislation.gov.uk/ukdsi/2019/9780111176573">https://www.legislation.gov.uk/ukdsi/2019/9780111176573</a> [Date Accessed: 02/09/25].

<sup>&</sup>lt;sup>6</sup> Ministry of Housing, Communities and Local Government (July 2019) Planning Practice Guidance Note, Appropriate Assessment, Guidance on the use of Habitats Regulations Assessment.

## 2 Summary of HRA findings

#### 2.1 Summary of HRA work

- 2.1.1 The following HRA reports have been prepared to help inform the preparation of the DPD review:
  - Amended Allocations and Development Management DPD Regulation 18 Options
     Report Habitats Regulations Assessment Report (Lepus Consulting, August 2021)
  - Publication Allocations and Development Management DPD Regulation 19 Habitats
     Regulations Assessment Report (Lepus Consulting, August 2022)
  - Second Publication Amended Allocations and Development Management DPD Habitats Regulations Assessment Report (Lepus Consulting, September 2023)
- 2.1.2 Table 2.1 provides a summary of the HRA work that was undertaken to support the plan making process.

Table 2.1: Summary of emerging DPD HRA assessment work

	, ,	
HRA report	Date	Key findings
Habitats Regulations Assessment of the Newark	August 2021	The Regulation 18 HRA report screened all policies and allocations that comprised the DPD and identified potential LSEs at the following European sites:
and		Birklands and Bilhaugh SAC
Sherwood District		Humber Estuary SPA
Council Plan		Humber Estuary SAC
Review		Humber Estuary Ramsar
Amended		The Wash SPA
Allocations & Development		The Wash Ramsar
Management		The Wash and North Norfolk Coast SAC
Development Plan		Sherwood Forest ppSPA
Document - Options Report Regulation 18 HRA Report		The Regulation 18 HRA report therefore identified the requirement for an Appropriate Assessment to be undertaken alongside the plan making process.
Newark & Sherwood District	August 2022	The Publication HRA provide an updated screening assessment to capture changes to the DPD following the Regulation 18 consultation, and an Appropriate Assessment of the following topics:
Council Habitats Regulations		<ul> <li>Birklands and Bilhaugh SAC – air pollution and public access and disturbance (recreation)</li> </ul>
Assessment		Humber Estuary SPA – water quality
Publication		Humber Estuary SAC - water quality
Allocations & Development		Humber Estuary Ramsar - water quality.
Management Development Plan Document		In addition, to ensure a risk-based approach to the HRA was adopted, consideration was also given to the following potential proposed SPA:

HRA report	Date	Key findings
		<ul> <li>Sherwood Forest ppSPA - air pollution, public access and disturbance (recreation and urbanisation impacts) and habitat loss / fragmentation</li> </ul>
		The HRA made a series of recommendations during the development of the DPD aimed at strengthening the plan's wording to ensure adequate policy protection was provided. The Appropriate Assessment also took into consideration the protective nature of policies within the Publication DPD itself and looked at the hierarchical nature of the plan making process.
		Following adoption of the HRA recommendations, the HRA concluded that the DPD would have no adverse impact on site integrity at any European site, or upon the ppSPA, either alone or in-combination.
Newark and Sherwood District Council Second Publication Amended	September 2023	The Second Publication Amended Allocations & Development Management DPD was updated to take on board representation received during the Publication consultation exercise (2023). Revisions included additional Gypsy and Traveller sites, an additional housing site (previously de-allocated) and minor amendments to policy wording, where appropriate, to reflect changes in circumstances including updates to relevant legislation or regulation updates.
Allocations		The HRA provide an updated screening to capture any changes to the DPD, and an Appropriate Assessment of the same topics identified in the 2022 HRA.
Development Management DPD		The HRA made a series of recommendations, and the Appropriate Assessment took into consideration the protective nature of policies within the Publication DPD itself and existing protection measures as set out in high level strategic policy and existing planning policy frameworks.
Habitats Regulations Assessment Report		Following adoption of the HRA recommendations, the HRA concluded that the DPD would have no adverse impact on site integrity at any European site, or upon the ppSPA, either alone or in-combination.

2.1.3 Natural England (the Statutory Nature Conservation Body) was consulted on the conclusions of the Second Publications Amended Allocations and Development Management DPD HRA Report. Their response (013 HRA S 0019) indicated their agreement with the HRA conclusions stating: 'Natural England is satisfied that the HRA Report follows accepted methodology and is in line with appropriate legislation and guidance. We also acknowledge that policies that may have a Likely Significant Effect on a European Site have been identified and considered further through an Appropriate Assessment. We note that the HRA has made a series of recommendations aimed at strengthening the Plan's wording to ensure adequate policy protection is provided and that this additional wording has now been incorporated into the policies. With these recommendations now included Natural England agrees with the conclusion of the HRA that the Plan would have no adverse impact on site integrity at any Habitats site, or upon the Sherwood ppSPA either alone or in-combination'.

## 3 Screening of Modifications

#### 3.1 Introduction

- 3.1.1 This HRA report is part of a sequence of assessment phases which began in 2021 (see Table 2.1). It focuses on changes prepared by NSDC which have been made in response to the findings issued by the planning inspector conducting the examination hearings held in November 2024. Unless otherwise stated, all assessment findings reported in the 2023 HRA (Second Publication Amended Allocations and Development Management DPD) remain the same (as summarised in Table 2.1).
- 3.1.2 The HRA process has engaged with the following European sites:
  - Birklands and Bilhaugh SAC
  - Humber Estuary Ramsar
  - Humber Estuary SAC
  - Humber Estuary SPA
  - The Wash and North Norfolk Coast SAC
  - The Wash Ramsar
  - The Wash SPA
- 3.1.3 In addition, to ensure a risk-based approach to the HRA was adopted, consideration has also given to the potential proposed Sherwood Forest ppSPA.
- 3.1.4 Following the HRA methodology set out in Chapters 3 and 4 of the 2023 HRA report, modifications were reviewed to check whether there were any implications for the findings of the 2023 HRA and screened for new LSEs on the above European sites (Stage 1 of the HRA process).

#### 3.2 Overview of Main Modifications

3.2.1 The Main Modifications are set out in the Main Modifications Schedule. Main Modifications comprise modifications which form part of the Inspector's determination into the soundness of the DPD review. In addition, there will be a number of minor modifications which will not change the findings of the HRA and have therefore not been assessed in this report.

#### 3.3 Screening conclusions

3.3.1 The results of the Main Modifications screening exercise are presented in Appendix A. The right-hand column identifies whether there are any LSEs which may trigger a change to the conclusions of the 2023 HRA report.

- 3.3.2 The majority of modifications relate to clarification of points, updates to reflect the latest position, correction of errors or addition of explanatory text. Other changes relate to amendments to policy wording which would not trigger new development or any other change likely to have an effect on a European site. A number of policies have been removed to reflect the current housing position, but no new allocations have been added. These modifications were found to have no new LSE on any European site, either alone or in-combination with other plans or projects, and therefore would not change the findings of the 2023 HRA report.
- 3.3.3 The Main Modifications do not lead to the allocation of new Gypsy, Traveller or Travelling Showpeople pitches and therefore will not result in a new LSE or any change to the conclusions of the 2023 HRA report.
- 3.3.4 In summary, it can be concluded that there will be no new LSEs from any Main Modification made since the Examination, and therefore no change to the findings of the 2023 HRA report and therefore the DPD as modified is compliant with the Habitats Regulations.

## 4 Conclusions

#### 4.1 Summary

4.1.1 This report assesses whether modifications to the DPD review will result in new LSEs upon any European site, and whether the conclusions of the 2023 HRA report remain valid in light of these modifications. This assessment has indicated that there will be no new LSEs as a result of the proposed modifications. It can therefore be concluded that the Main Modifications will not change the findings of the 2023 HRA report and will not have an adverse impact on site integrity at any European site alone or in-combination.

# Appendix A: Schedule of Main Modifications and Screening

#### **Key to Main Modifications in document**

Black Text, Underlined
Black Text, Strike through

Main Modifications additional text to Submission Local Plan (2023) version Main Modification deleted text from Submission Local Plan (2023) version

Proposed Main Modifications to the Amended Allocations & Development Management (DM) DPD

Part of the Amended Alloctions & DM DPD	Main Modificatio n (MM)	Proposed Change	Reason for proposed change	Does the MM trigger a change to the conclusions of the 2023 HRA or a new LSE?
Chapter 1: I	ntroduction			
Paragraph 1.32	MM1*	Amend to reflect requirement to prepare a new Local Plan (including timescale):  This DPD supports the delivery of the Amended Core Strategy adopted in 2019. It reflects the somewhat unusual situation that our earlier 2011 Core Strategy had higher development targets and therefore rolling the plan period forward to 2033 has not required additional housing and employment allocations to be made. Now that the Amended Allocations & Development Management DPD The NPPF will require that in 2024 the Council reviews the Amended Core Strategy to see if it remains up to date, at that point it is likely that the Council will begin the process of developing a new Local Plan. As the Amended Core Strategy is now over five years old the Council will begin a process of producing a new Local Plan during 2025. It is not proposed to simply review the Amended Core Strategy as the preference now in the NPPF (and in the reformed development plan system) is for a single Local Plan document. A Local Development Scheme has been prepared setting out a timetable for preparing a new Local Plan. Preparatory work will commence at the beginning of 2025 and once the government have introduced the guidance and regulations associated with the new system (planned for summer/autumn 2025) the Council will pursue a new plan under which ever system is the most appropriate.	To set out the Council's formal position on the production of a new Local Plan.	This update to administrative text will cause no change to the conclusions of the 2023 HRA and no new LSE are triggered.
Chapter 2: N	lewark Area			
NUA/Ho/2 and other references to minerals	MM2*	Amend first sentence to read: Land south of Quibells Lane has been allocated on the Policies Map for residential development providing around 25 dwellings of which 5 have already been completed.	To reflect the latest position	No. This modification does not trigger a change to the conclusions of the 2023 HRA report or a new LSE.

Part of the Amended Alloctions & DM DPD	Main Modificatio n (MM)	Proposed Change	Reason for proposed change	Does the MM trigger a change to the conclusions of the 2023 HRA or a new LSE?
NUA/Ho/5	MM3*	Amend 4 <sup>th</sup> Bullet point to read: Proposals should consider will need to demonstrate that the impact of development on any identified mineral resource ensuring it is not needlessly sterilised, and wWhere this cannot be demonstrated, prior extraction may be sought in accordance with Policy SP7 of the Nottinghamshire Minerals Local Plan (2021). where practical; Consideration should also be given to the potential use of minerals extracted as a result of on site ground works rather than treating them as a waste material.  Amend 5 <sup>th</sup> Bullet point to read: Pre-determination archaeological evaluation submitted as part of any planning application, and Any post-determination mitigation measures, required will be secured by condition on any planning consent are likely to be required; and	To aid clarity	No. This modification does not trigger a change to the conclusions of the 2023 HRA report or a new LSE.
NUA/Ho/6	MM4*	Amend first sentence to read: Land between 55 and 65 Millgate has been allocated on the Policies Map for residential development providing around 10 5 dwellings on the remainder of the site.  Amend 3 <sup>rd</sup> Bullet point to read: Pre-determination archaeological evaluation submitted as part of any planning application. and Any post-determination mitigation measures, required will be secured by condition on any planning consent are likely to be required.	To reflect the latest position and to aid clarity	Amendment to the housing figures. These changes are below the level of housing provision previously assessed in the 2023 HRA report. The 2023 HRA therefore provides a worst-case assessment and any decrease in housing number

Part of the Amended Alloctions & DM DPD	Main Modificatio n (MM)	Proposed Change	Reason for proposed change	Does the MM trigger a change to the conclusions of the 2023 HRA or a new LSE?
				would result in less of an impact. Therefore, there will be no change to the conclusions of the 2023 HRA and no new LSE triggered.
NUA/Ho/8	MM5*	Amend 2 <sup>nd</sup> Bullet point to read: Pre-determination archaeological evaluation submitted as part of any planning application <u>.</u> and Any post-determination mitigation measures required will be secured by condition on any planning consent <u>.</u> are likely to be required;	To aid clarity	No. This modification does not trigger a change to the conclusions of the 2023 HRA report or a new LSE.
NUA/Ho/9	MM6*	Amend 2 <sup>nd</sup> Bullet point to read: Pre-determination archaeological evaluation submitted as part of any planning application. and Any post-determination mitigation measures, required will be secured by condition on any planning consent. are likely to be required;	To aid clarity	No. This modification does not trigger a change to the conclusions of the 2023 HRA report or a new LSE.
NUA/Ho/10	MM7*	Amend 5 <sup>th</sup> Bullet point to read: Proposals should consider will need to demonstrate that the impact of development on any identified mineral resource ensuring it is not needlessly sterilised. and w Where this cannot be demonstrated, prior extraction may be sought in accordance with Policy SP7 of the Nottinghamshire Minerals Local Plan (2021).	To aid clarity	No. This modification does not trigger a change to the

Part of the Amended Alloctions & DM DPD	Main Modificatio n (MM)	Proposed Change	Reason for proposed change	Does the MM trigger a change to the conclusions of the 2023 HRA or a new LSE?
		where practical; Consideration should also be given to the potential use of minerals extracted as a result of on site ground works rather than treating them as a waste material; and  Amend 6 <sup>th</sup> Bullet point to read:  Pre-determination archaeological evaluation submitted as part of any planning application. and Any post-determination mitigation measures required will be secured by condition on any planning consent. are likely to be required; New development here should respect the plot shapes of the medieval field system.		conclusions of the 2023 HRA report or a new LSE.
Policy NUA/MU/1	MM8*	Amend first paragraph to read: Land North of the A17 has been allocated on the Policies Map for mixed use development. The site will accommodate a Hotel/Conference Facility, restaurant facilities to support the wider showground uses, and employment uses.	In response to Representors 067 and 075	No. This modification does not trigger a change to the conclusions of the 2023 HRA report or a new LSE.
NUA/MU/4	MM9*	Policy deleted as development now completed	To reflect the latest position	No. This does not trigger a change to the conclusions of the 2023 HRA report or a new LSE. The 2023 HRA provides a worst-case assessment of a larger quantum of development for the Local Plan review and therefore can be

Part of the Amended Alloctions & DM DPD	Main Modificatio n (MM)	Proposed Change	Reason for proposed change	Does the MM trigger a change to the conclusions of the 2023 HRA or a new LSE?
				considered to be precautionary
NUA/E/1	MM10*	Amend criterion iv to read: Pre-determination archaeological evaluation submitted as part of any planning application. and Any post-determination mitigation measures, required will be secured by condition on any planning consent. are likely to be required;	To aid clarity	No. This modification does not trigger a change to the conclusions of the 2023 HRA report or a new LSE.
NUA/E/4	MM11*	Amend Bullet 3 <sup>rd</sup> point to read: Pre-determination archaeological evaluation submitted as part of any planning application <u>.</u> and Any post-determination mitigation measures, required will be secured by condition on any planning consent <u>.</u> are likely to be required;	To aid clarity	No. This modification does not trigger a change to the conclusions of the 2023 HRA report or a new LSE.
Co/MU/1	MM12*	Policy deleted as development now completed	To reflect the latest position	The 2023 HRA provides a worst case assessment and any decrease in housing or employment number would result in less of an impact. The

Part of the Amended Alloctions & DM DPD	Main Modificatio n (MM)	Proposed Change	Reason for proposed change	Does the MM trigger a change to the conclusions of the 2023 HRA or a new LSE?
ST/MU/1	MM13*	Policy deleted to reflect latest position.	To reflect the	2023 HRA is therefore considered to provide a precautionary assessment. Therefore, there will be no change to the conclusions of the 2023 HRA and no new LSE triggered.  No. This does
31/110/1	MMIS	Policy deleted to reflect latest position.	latest position and to aid clarity	not trigger a change to the conclusions of the 2023 HRA report or a new LSE.
Chapter 3: S	outhwell Area			
So/Ho/2	MM14*	Policy deleted as development now completed	To reflect the latest position	The 2023 HRA provides a worst case and precautionary assessment and any decrease in housing number would result in less of an

Part of the Amended Alloctions & DM DPD	Main Modificatio n (MM)	Proposed Change	Reason for proposed change	Does the MM trigger a change to the conclusions of the 2023 HRA or a new LSE?
				impact. Therefore, there will be no change to the conclusions of the 2023 HRA and no new LSE triggered.
So/Ho/5	MM15*	Amend criterion vii to read: Development will be required to seek to maintain and enhance the current provision of Rights of Ways which traverse the site; and  Amend criterion viii to read: Pre-determination archaeological evaluation submitted as part of any planning application. and Any post-determination mitigation measures required will be secured by condition on any planning consent are likely to be required-reflecting the high archaeological potential of the site.	Amend error and to aid clarity	No. This modification does not trigger a change to the conclusions of the 2023 HRA report or a new LSE.
So/Ho/7	MM16*	Amend first sentence to read: Southwell Depot has been allocated on the Policies Map for residential development providing around 18 15 dwellings.  Delete criterion i: The extent of the sites eastern boundary being defined by the safeguarded line of the Southwell Bypass; Amend criterion iv to read: Pre-determination archaeological evaluation submitted as part of any planning application, and Any post-determination mitigation measures required will be secured by condition on any planning consent, are likely to be required.	To reflect County Highways and to aid clarity	The 2023 HRA provides a worst case and precautionary assessment and any decrease in housing number would result in less of an impact. Therefore, there will be no change to

Part of the Amended Alloctions & DM DPD	Main Modificatio n (MM)	Proposed Change	Reason for proposed change	Does the MM trigger a change to the conclusions of the 2023 HRA or a new LSE?
				conclusions of the 2023 HRA and no new LSE triggered.
So/E/2	MM17*	Amend 4 <sup>th</sup> Bullet point to read: Pre-determination archaeological evaluation submitted as part of any planning application. and-Any post-determination mitigation measures required will be secured by condition on any planning consent, are likely to be required;	To aid clarity	No. This modification does not trigger a change to the conclusions of the 2023 HRA report or a new LSE.
Chapter 5: S OB/MU/1	herwood Area MM18*	Cocond bullet line 2 insert full step and amond contains assertingly	To aid clarity	No. This
		Second bullet, line 2 insert full stop and amend sentence accordingly.  Amend 2 <sup>nd</sup> Bullet point to read:  Include public open space within the site or at alternative locations within the area, provided in accordance with Policy DM3 Developer Contributions and Planning  Obligations. This shall be designed to reflect the need to provide SANGS to relieve recreational pressure on the Birklands & Bilhaugh SAC in line with Policy DM7.	To aid clarity	minor modification does not trigger a change to the conclusions of the 2023 HRA report or a new LSE.
Ed/Ho/2	MM19*	Amend 4 <sup>th</sup> Bullet point to read: Pre-determination archaeological evaluation submitted as part of any planning application. and Any post-determination mitigation measures required will be secured by condition on any planning consent are likely to be required; to reflect the medium archaeological potential of the site.	To aid clarity	No. This modification does not trigger a change to the conclusions of the 2023 HRA report or a new LSE.

Part of the Amended Alloctions & DM DPD	Main Modificatio n (MM)	Proposed Change	Reason for proposed change	Does the MM trigger a change to the conclusions of the 2023 HRA or a new LSE?
Edwinstowe Urban Boundary Para 5.23	MM20*	Amend paragraph 5.23 to read: The village envelope became an urban boundary and was extended as part of the Amended Core Strategy process to include the Strategic Site allocated at Thoresby Colliery. An additional amendment has been made at Mill Lane to better reflect the urban boundary.  See proposed MM* below: amendment to Map 11 - Edwinstowe	To reflect representation s made	No. This modification does not trigger a change to the conclusions of the 2023 HRA report or a new LSE.
Policy Bi/Ho/1	MM21*	Delete the second bullet point: Phasing of development in relation to the implementation of the planning permission for residential development adjacent.	In response to Representor 72	No. This modification does not trigger a change to the conclusions of the 2023 HRA report or a new LSE.
Bi/Ho/2	MM22*	Amend 3 <sup>th</sup> Bullet point to read:  Proposals <u>should consider will need to demonstrate that the impact of development on</u> any identified mineral resource <u>ensuring it</u> is not needlessly sterilised. <u>and wWhere</u> this cannot be demonstrated, prior extraction may be sought <u>in accordance with Policy SP7 of the Nottinghamshire Minerals Local Plan (2021).</u> where practical; Consideration should also be given to the potential use of minerals extracted as a result of on site ground works rather than treating them as a waste material.	To aid clarity	No. This modification does not trigger a change to the conclusions of the 2023 HRA report or a new LSE.
Bi/MU/1	MM23*	Amend first sentence to read: Land to the east of Eakring Road has been allocated on the Policies Map for mixed use development providing around 75 dwellings and retail (now completed) development.  Amend 3 <sup>rd</sup> Bullet point to read:	To reflect the latest position and to aid clarity	The 2023 HRA provides a worst case and precautionary assessment and any

Part of the Amended Alloctions & DM DPD	Main Modificatio n (MM)	Proposed Change	Reason for proposed change	Does the MM trigger a change to the conclusions of the 2023 HRA or a new LSE?
		Pre-determination archaeological evaluation submitted as part of any planning application. and Any post-determination mitigation measures required will be secured by condition on any planning consent. are likely to be required;		decrease in housing number would result in less of an impact. Therefore, there will be no change to the conclusions of the 2023 HRA and no new LSE triggered.
Bi/E/1	MM24*	Amend paragraph2 to read:  Development proposals on the site will be required to address In addition to the general policy requirements in the Amended Core Strategy and the Development Management Policies in Chapter 7, with particular reference to Policy DM2 Allocated Sites, Policy DM3 Developer Contributions and Planning Obligations, Policy DM5(b) regarding flood risk, and make appropriate contributions to infrastructure provision in accordance with the Developer Contributions SPD development on the site will be subject to the following:  In order to address the surface water flood risk associated with the site a detailed site-specific Flood Risk Assessment will be required, informing the design and layout of development for which a sequential approach towards the location of uses should be followed and appropriate drainage measures provided. These drainage measures should apply the drainage hierarchy in first prioritising the use of Sustainable Drainage Systems and ensure that flood risk can be managed and not increased elsewhere.		No. This modification does not trigger a change to the conclusions of the 2023 HRA report or a new LSE.
Para 5.31	MM25*	Amend paragraph to read: The village envelope has been amended to include the development under construction at Oldbridge Way, and completed development elsewhere in the village and to also remove site Bi/Ho/1.	Consequential amendment	No. This modification does not trigger a change to the conclusions of

Part of the Amended Alloctions & DM DPD	Main Modificatio n (MM)	Proposed Change	Reason for proposed change	Does the MM trigger a change to the conclusions of the 2023 HRA or a new LSE?
				the 2023 HRA report or a new LSE.
	lansfield Fring			
Ra/Ho/2	MM26*	Amend first sentence to read: Land to the east of Warsop Lane has been allocated on the Policies Map for residential development providing around 190 dwellings. The western part of the site has been developed and the residual allocated is anticipated to provide around 95 dwellings.	To reflect the latest position	The overall number of dwellings remains the same. Therefore this modification will not result in a change to the conclusions of the 2023 HRA report.
CI/MU/1	MM27*	Amend the third sentence, first paragraph of the policy to read: Including the retention of the headstocks and powerhouse, the site will accommodate around 120 dwellings, up to 12 hectares of employment provision, retail and enhanced Public Open Space. The retail element will be of a size and scale which helps facilitate the wider delivery of the scheme and may include a small supermarket and other complementary facilities to help to meet the needs of the site and the wider settlement.	In response to Representor 024	No. This modification does not trigger a change to the conclusions of the 2023 HRA report or a new LSE.
Bl/Ho/1	MM28*	Amend 4 <sup>th</sup> Bullet point to read: Pre-determination archaeological evaluation submitted as part of any planning application <u>.</u> and Any post-determination mitigation measures required will be secured by condition on any planning consent <u>.</u> are likely to be required;	To aid clarity	No. This modification does not trigger a change to the conclusions of the 2023 HRA

Part of the Amended Alloctions & DM DPD	Main Modificatio n (MM)	Proposed Change	Reason for proposed change	Does the MM trigger a change to the conclusions of the 2023 HRA or a new LSE?
				report or a
Chanter 7: I	Develonment M	  anagement Policies		new LSE.
DM4	MM29*	Amend second paragraph of Policy to read:  Applications to develop new wind energy schemes involving turbines of sufficient size to require planning permission will only be considered acceptable:  In areas identified set away from sensitive receptors and identified as suitable for wind energy development in the Development Plan;  Where it is demonstrated that the local community has been consulted and are supportive; and Where the planning impacts identified by the affected local community have been fully addressed.  Applications to develop new wind energy schemes involving turbines of sufficient size to require planning permission will only be considered acceptable in areas set away from sensitive receptors.  Insert third paragraph of Policy to read:  Guidance on applications for wind turbines is provided by the District Council's Wind Energy SPD and guidance on solar power applications will be provided by the District Council's Solar Energy SPD.	To reflect changes to national policy	No. This modification does not trigger a change to the conclusions of the 2023 HRA report or a new LSE.
DM5a	MM30*	Amended second paragraph of policy to read:  All Nnew residential development (unless otherwise identified by the Council) will also need to perform positively against Building for a Healthy Life (or any successor version of the tool).	To aid clarity In response to Representor 050	No. This modification does not trigger a
				change to the conclusions of the 2023 HRA report or a new LSE.
Para 7.44	MM31*	Amend paragraph to read:	To clarify the separate roles	No. This modification

Part of the Amended Alloctions & DM DPD	Main Modificatio n (MM)	Proposed Change	Reason for proposed change	Does the MM trigger a change to the conclusions of the 2023 HRA or a new LSE?
		Allocated sites within the Amended Core Strategy were assessed against the Strategic Flood Risk Assessment Level 1 (SFRA L1) and sites within the AA&DM DPD have been assessed against both this and the SFRA L2, with the Sequential Test having been passed. Development proposals on unallocated sites will also need to pass the Sequential Test and development proposals on both allocated and unallocated sites within areas at risk of flooding will need to pass the Exception Test. Policy DM5(b) and Policy DM5(c), in combination with Core Policy 10 in the Amended Core Strategy, provide a comprehensive approach towards addressing flood risk and guiding application of the Sequential and Exceptions Tests. Through Criterion 10 in Policy DM5(b) further detail is provided over the local approach towards application of the Exceptions Test and surface water management. Policy DM5(c) separately details the local approach which will be followed in applying the flood risk Sequential Test.	of Policy DM5(b) and DM5(c)	does not trigger a change to the conclusions of the 2023 HRA report or a new LSE.
DM5c	MM32*	Amend first and second paragraphs to read:  In-line with Core Policy 10 of the Amended Core Strategy, the Council will follow a sequential approach to development and flood risk, seeking to steer new development away from those areas at highest risk (all sources). Development will not be permitted if there are reasonably available sites appropriate for the proposed development in areas at lower risk of flooding.  The area of search within which to undertake the Test will normally be District-wide, unless it is appropriate for this to be further refined having had regard to relevant policy objectives within the Development Plan and/or any valid functional requirements of the proposed use. With specific regard to housing development, the presence of a settlement-level housing needs assessment will not normally justify restricting application of the test to that location, except in the circumstances outlined below.	In line with planning practice guidance	No. This modification does not trigger a change to the conclusions of the 2023 HRA report or a new LSE.
DM7	MM33*	Amend paragraph headed Enhancing Biodiversity to read:  Development proposals in all areas of the District should seek to enhance biodiversity. Proposals should take into account the latest information on biodiversity including Nottinghamshire Biodiversity Opportunity Mapping, and the forthcoming Local Nature Recovery Strategy. Except for exempt development proposals, the enhancement should be a net gain of at least 10% (or if different, the relevant percentage set out in the Environment Act) as measured by the applicable DEFRA metric or any successor document. These gains must be guaranteed for a period of at least 30 years. On 9th November 2023 a two year transition period will end; after biodiversity net gain of the relevant percentage becomes a legal requirement on developments where it is applicable.	Factual update	Changes to legislation has resulted in an amendment to BNG requirements. This does not trigger a change to the conclusions of the 2023 HRA

Part of the Amended Alloctions & DM DPD	Main Modificatio n (MM)	Proposed Change	Reason for proposed change	Does the MM trigger a change to the conclusions of the 2023 HRA or a new LSE?
DM8 (1 of 2)	MM24*	Amend Section 5. Conversion of existing buildings  In the interests of sustainability, consideration should be given to the conversion of existing buildings before proposing replacement development. Proposals will be should investigate and assessed alternative uses for buildings in accordance with the aims of the Spatial Strategy and the NPPF and present a case for the most beneficial use. Redevelopment proposals, which significantly expand the existing form of the building, or require substantial rebuilding, will not be considered under this element of the policy, but will instead be assessed as new development in open countryside under other relevant provisions of this policy. Proposals for the re-use of existing buildings will normally be required to submit a protected species survey and proposed mitigation alongside the planning application (i.e. a pre-determination species survey).  Proposals for residential development that re-use redundant or disused buildings will be supported if they demonstrate that such development would enhance its immediate setting.  Planning permission will be supported for the conversion to new residential uses of buildings of architectural or historical merit where it warrants their preservation, and they can be converted without significant rebuilding, alteration or extension. Further guidance over how proposals for the conversion of traditional rural buildings will be considered is provided in the Conversion of Traditional Rural Buildings Supplementary Planning Document.  Proposals for the re-use of barns and other associated agricultural buildings will-be required to submit a protected species survey and proposed mitigation alongside the planning application (i.e., a predetermination protected species survey).	In response to Representors 053 and 81	new LSE.  No. This modification does not trigger a change to the conclusions of the 2023 HRA report or a new LSE.
DM8 (2of 2)	MM25*	immediate setting has been provided for.  Amend the end of Policy DM8 to: Re-include second to last paragraph of the existing policy to read: All proposals will need to satisfy other relevant Development Management Policies, take account of any potential visual impact they create and in particular address the requirements of Landscape Character in accordance with Core Policy 13.	Administrative error	No. This modification does not trigger a change to the

Part of the Amended Alloctions & DM DPD	Main Modificatio n (MM)	Proposed Change	Reason for proposed change	Does the MM trigger a change to the conclusions of the 2023 HRA or a new LSE?
		Insert the following new paragraphs:  Applications for renewable energy generation in the open countryside will be judged against Core Policy 10 of the Amended Core Strategy and Policy DM4 Renewable Energy.  Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality. Proposals resulting in the loss of the most versatile areas of agricultural land, will be required to demonstrate a sequential approach to site selection.	To aid clarity	conclusions of the 2023 HRA report or a new LSE.
DM9	MM36*	Amend the last sentence of criterion 1. Listed Buildings to read: Any harm to, or loss of, the special architecture or historical significance of the building will require clear and convincing justification set out in full in the a heritage impact assessment in accordance with the aims of Core Policy 14.	Amend typographical error	No. This modification does not trigger a change to the conclusions of the 2023 HRA report or a new LSE.
DM12	MM37*	Policy DM12 Presumption in Favour of Sustainable Development Minerals Safeguarding Areas  A positive approach to considering development proposals will be taken that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. Where appropriate, the Council will work pro-actively with applicants jointly to seek solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions within the district.  The Development Plan is the statutory starting point for decision making. Planning applications that accord with the policies in the Development Plan for Newark and Sherwood (including, where relevant, policies in Neighbourhood Development Plans) will be approved without delay, unless material considerations indicate otherwise. The Development Plan also includes the The Nottinghamshire Minerals Local Plan—which identifies Minerals Safeguarding Areas. Within these areas consideration of the impact of the proposed development on minerals resources may be required in line with the provisions of that Plan. The Minerals Safeguarding Areas are shown on the Policies Map.	To reflect that it is no longer necessary to quote the presumption in favour of sustainable development in the DPD.	No. This modification does not trigger a change to the conclusions of the 2023 HRA report or a new LSE.

Part of the Amended Alloctions & DM DPD	Main Modificatio n (MM)	Proposed Change	Reason for proposed change	Does the MM trigger a change to the conclusions of the 2023 HRA or a new LSE?
Para 8.7 – page 139	MM38*	Amend first bullet point to read:  • Significant requirement for additional affordable housing across all parts of the District. with a need for 243 affordable homes per annum.	To avoid confusion regarding housing targets in the District	No. This modification does not trigger a change to the conclusions of the 2023 HRA report or a new LSE.
Core Policy 1 – page 140	MM39*	Amend Part B Tenure Requirements by deleting third paragraph:  The affordable home ownership product element of the contribution will comprise the overall national 25% First Homes with the remaining 15% made up of other affordable home ownership products based on an up-to-date assessment of local need. First Homes should secure a minimum discount of 30% against market value.  Delete Part D Implementing the 10% Affordable Home ownership product target:  D Implementing the 10% Affordable Home ownership product target  National policy requires that at least 10% of dwellings on qualifying sites be affordable home ownership products. This should be provided unless;  It is identified that it would significantly prejudice the ability to meet the identified affordable housing needs of specific groups. This should be established using local housing need research; or  It meets one of the exceptions set out in national policy.  National policy does not allow an exemption on grounds of viability for the provision of the 10% affordable home ownership products.	To reflect change in NPPF	No. This modification does not trigger a change to the conclusions of the 2023 HRA report or a new LSE.
Para 8.14 – page 142	MM40*	Core Policy 2 Rural Affordable Housing as adopted in the Amended Core Strategy continues to be the policy that should be used to determine proposals for rural affordable exceptions sites. The Policy is recreated below so that all of the Affordable Housing Policies can easily be read together. Spatial Policy 3 Rural Areas and Spatial Policy 4 Green Belt are within the Amended Core Strategy. No changes to the adopted policy are proposed.	To aid clarity	

Part of the Amended Alloctions & DM DPD	Main Modificatio n (MM)	Proposed Change	Reason for proposed change	Does the MM trigger a change to the conclusions of the 2023 HRA or a new LSE?
Para 8.15 – page 143	MM41*	Delete paragraph and title for Entry Level Exceptions Sites:  Entry Level Exceptions Sites  National planning policy sets out that local planning authorities should support the development of entry-level exception sites which are suitable for first time buyers (or those looking to rent their first home), unless the need for such homes is already being met within the authority's area. Given that such schemes are exceptional in nature proposals should demonstrate how they help to meet the District's specific needs around tenure, mix and type for entry level housing. Similarly any scheme should respond to the particular housing need characteristics in the locality of the proposal demonstrated by the provision of appropriate evidence. The NPPF then goes on to set out a number of requirements including location and scale. The Council's policy places the national requirements within the local planning policy context.	No longer required due to changes in the 2023 NPPF	No. This modification does not trigger a change to the conclusions of the 2023 HRA report or a new LSE.
Core Policy 2A – Page 143	MM42*	Delete Core Policy 2A – Entry Level Exception Housing  Entry-level exception sites as set out in national planning policy will be supported in locations adjacent to the Urban Boundary/Village Envelopes of the Newark Urban Area, Service Centres and Principal Villages where it can be demonstrated that they are addressing a shortfall of the type of entry level product being promoted in the proposal.  Such proposals should also reflect the type of entry level product that is required in the locality of the proposal. They should not be larger than one hectare in size or exceed 5% of the size of the existing settlement and be in line with DM5b Design and the Sustainable Design SPD.  Entry-level exceptions sites are not acceptable in the Green Belt, on Main Open Areas, Open Breaks, Local Green Space, or areas at risk of flooding, or on designated nature conservation sites or that impact on the special character of heritage assets contrary to the provisions of Core Policy 14 Historic Environment.	No longer required due to changes in the 2023 NPPF	No. This modification does not trigger a change to the conclusions of the 2023 HRA report or a new LSE.
Para 8.26 – page 147	MM43*	Amend Para 8.26 and associated table to read:  Together these categories provide a comprehensive understanding of GRT accommodation needs. The overall level of need equates to 169 pitches, and this figure provides the local pitch target of which 134 pitches are necessary to address the needs of Travellers meeting the definition provided in Annex 1 to the Planning Policy for Traveller Sites (as amended in 2023). To enable application of the It is the identified needs of those Travellers meeting the definition in Annex 1 which provide the local pitch target for the purposes of the five year land supply test. the GTAA has broken the GRT need down into five year tranches. To enable application of the test the District's pitch requirements have been broken down into distinct five-year periods.	To address the implications of the Lisa Smith legal decision on the planning definition of a Traveller	The 2023 HRA provides a worst case and precautionary assessment and any decrease in housing number would result

Part of the Amended Alloctions & DM DPD	Main Modificatio n (MM)	Proposed Change	Proposed Change						
Policy GRT/1 – Pitch Requirement s – page 148	MM44*	Planning Definition Annex 1 Traveller Pitch Requirements Overall Pitch Requirements* *inclusive of the_Planend Policy GRT/1 The locally identified between 2013 and ineeds of Travellers ramended in 2023). Tfor application of the	— Pitch Requirem I pitch requiremer 2033. <u>Within this</u> meeting the definit This <u>lower</u> figure re	ents to read:  at for Gypsy, Roma overall requirement tion provided in Are epresents the local	a and Traveller ho nt there is a need nex 1 to the Plan	useholds equates 1 for 134 pitches ning Policy for Tra	to address the veller Sites (as	To address the implications of the Lisa Smith legal decision on the planning definition of a impact. Therefore there we no char the conclus the 202 and no LSE trig.  The 202 and no LSE trig.  The 203 and so worst a worst and any assessment and any any any any any and any	conclusions of the 2023 HRA and no new LSE triggered The 2023 HRA provides a worst case
		grounds on have cease	nomadic habit of ally of their own or d to travel tempor g showpeople or c pected to be supported to be supported to be supported to be supported to the supported to the dependent	life whatever the their family's or drarily or permanen ircus people travel ported by sufficientes are approved, ts thereof) meeting	purposes of imple ir race or origin, ependants' educa tly, but excluding ling together as s t information to d then their occupa g this definition.	including such per tional or health ne members of an or uch. letermine whether ation will be limite	ersons who on eeds or old age rganised group this definition ed by planning	Travellel	housing number would result in less of an impact. Therefore, there will be no change to the conclusions of the 2023 HRA and no new LSE triggered

Part of the Amended Alloctions & DM DPD	Main Modificatio n (MM)	Proposed Change	Reason for proposed change	Does the MM trigger a change to the conclusions of the 2023 HRA or a new LSE?
		The review of current pitch requirements and a new assessment of need will be commenced within 5 years of the publication of the current Gypsy and Traveller Accommodation Assessment.	5	
Policy GRT4 – Site	MM45*	Delete and amend the following content within the site allocations table:	No longer deliverable	The 2023 HRA provides
Allocations		Site Pitches		a worst case
(1 of 2) –		NUA/GRT/10 – Land at Chestnut Lodge Barnby Road, Barnby-in-the-Willows 19		and
page 150		NUA/GRT/11 – Former Belvoir Ironworks, Bowbridge Lane, Newark 15-27		precautionary
		NUA/GRT/12 — The Old Stable Yard, Land North of Winthorpe Road, Newark 14		assessment
		NUA/GRT/13 – Land at Appleby Lodge, Barnby Road, Newark 8		and any
		OB/GRT/6 – Land East of Newark Road, Ollerton 6		decrease in
		<del>62-74</del> <u>48</u>	-6	housing
				number
				would result
				in less of an
				impact. Therefore,
				there will be
				no change to
				the
				conclusions of
				the 2023 HRA
				and no new
				LSE triggered
Policy GRT4	MM46*	Delete the following content within Part B to the policy:	No longer	The 2023
– Site			deliverable	HRA provides
Allocations		NUA/GRT/12 — The Old Stable Yard		a worst case
(Part B) (2		The site is allocated for around 14 pitches. In addition to the content outlined in Part A of this policy, nev	<i>+</i>	and
of 2) – page		proposals will also be required to positively address the following:		precautionary
151		Provision of a site layout which is supported by a robust Flood Risk Assessment based on a	+	assessment
		sequential approach to site design that has, where possible, sought to accommodate pitches within		and any
		those areas at least flood risk (all forms). Demonstration is also required that wider sustainability		decrease in
		benefits to the community will be delivered and the site itself will be made safe from flood risk fo		housing
		its lifetime, that flood risk will not be increased elsewhere and where possible, flood risk will be	<del>:</del>	number
		reduced overall;		would result

Part of the Amended Alloctions & DM DPD	Main Modificatio n (MM)	Proposed Change	Reason for proposed change	Does the MM trigger a change to the conclusions of the 2023 HRA or a new LSE?
		<ul> <li>The appropriate siting of the new pitches within the overall site, to ensure that the impact on the openness of the Open Break designation is minimised, and restricted to that of a localised nature. In order to support this requirement planning application(s) for the above pitches should be supported by submission of a detailed landscaping strategy. The approved contents of this strategy should then be delivered as part of implementing planning consent. The landscape strategy should provide for the following:</li> <li>Retention of the existing landscape planting (including tree belts) along the sites north, east and western boundaries. Where necessary existing planting should be reinforced; and</li> <li>Provision of additional tree and hedge planting along the south western boundary to help mitigate the visual impact of the site.</li> <li>Non-residential facilities, intended to meet the recreational and amenity requirements of occupants should be designed to be communal in nature, and ensure sufficient space remains to meet identified accommodation needs within the boundaries of the site allocation. Non residential facilities proposed at individual pitch level will require justification;</li> <li>Integration of appropriate measures to reduce noise impact from the A1 and A46, informed through the undertaking of a robust acoustic survey. This should include (but not be limited to) the use of appropriate mitigation measures, consideration being given to the positioning of pitches within the overall site, and the location and design of any amenity facilities. The acoustic performance of any static or touring caravans providing permanent accommodation within the site should be capable of meeting, or exceeding, the relevant sound levels referenced in BS8233 (or applicable successor standard).</li> </ul>		in less of an impact. Therefore, there will be no change to the conclusions of the 2023 HRA and no new LSE triggered

#### **Habitats Regulations Assessments**

Sustainability Appraisals

Strategic Environmental Assessments

Landscape Character Assessments

Landscape and Visual Impact Assessments

Green Belt Reviews

**Expert Witness** 

**Ecological Impact Assessments** 

Habitat and Ecology Surveys

**Biodiversity Net Gain** 



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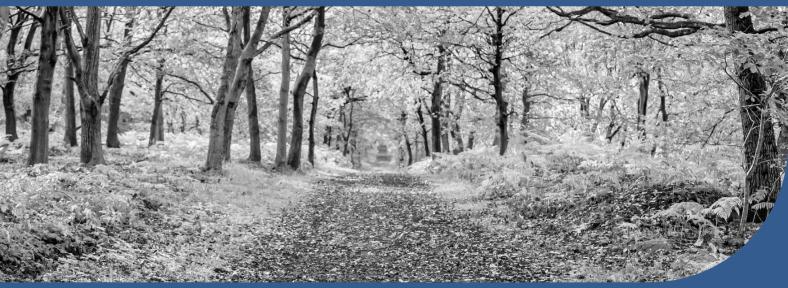
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