



**City of  
Doncaster  
Council**

**Doncaster Planning Policy**

---

## **Habitat Regulations Report**

**Stainforth Neighbourhood Development Plan (NDP)  
2023-2035**



# **Contents**

## **Executive Summary**

### **1. Introduction**

- 1.1 Habitat Regulations Assessment of Development Plans
- 1.2 Natura 2000 Sites
- 1.3 Report Aims

### **2. Sites Information**

- 2.1 European Sites to be Considered
- 2.2 Conservation Objectives

### **3. Methodology**

- 3.1 Introduction
- 3.2 Stage 1: Screening for Likely Significant Effects
- 3.3 Stage 2: Appropriate Assessment
- 3.4 Stage 3: Assessment of alternative solutions
- 3.5 Stage 4: Imperative Reasons of Overriding Public Interest

### **4. Stage 1 - Screening**

- 4.1 Screening Exercise

### **5. Conclusion**

- 5.1 Results of the screening exercise

## **Appendices**

- Appendix 1: Map showing locations of European Sites

## **Executive Summary**

This report is the completed Habitat Regulations Report for Stainforth's Neighbourhood Plan. The potential impact on European Sites, of the policies proposed within Stainforth Neighbourhood Plan are assessed. The European sites considered are Thorne Moors SAC, Hatfield Moors SAC, Thorne and Hatfield Moors SPA, the River Derwent SAC and the Humber Estuary SAC, SPA and Ramsar. During the screening exercise no policies were identified as having the potential to have a likely significant effect on any European Sites.

# **1. Introduction**

## **1.1 Habitat Regulations Assessment of Development Plans**

1.1.1 Under the provisions of the Habitats Directive, and translated into UK law by the Habitats Regulations<sup>1</sup>, a competent authority must carry out an assessment of whether a plan or project will significantly affect the integrity of any European Site, in terms of impacting the site's conservation objectives.

1.1.2 This report is the completed Habitat Regulations Report for Stainforth's Neighbourhood Plan. This report screens the policies for their potential to impact upon European sites.

1.1.3 This report has been prepared in light of the April 2018 Court of the European Union ruling in the case of People over Wind, Peter Sweetman v Coillte Teoranta. As a result mitigation and avoidance measures are not considered at the screening stage.

## **1.2 Natura 2000 Sites**

1.2.1 Natura 2000 sites are a network of sites spanning Europe that are considered to represent natural habitats of the highest value for nature conservation. The sites can be important for plants and animals that are rare or considered threatened in a European context. The network of sites were established under the 1992 Habitats Directive<sup>2</sup> and 1979 Birds Directive<sup>3</sup> and consist of Special Areas of Conservation (SACs) and Special Protection Areas (SPAs). These sites are often simply referred to as 'European Sites'. SACs are designated for their importance for habitats while SPAs are designated for their importance for birds. In addition to SPA and SAC sites, Ramsar<sup>4</sup> sites are designated areas important for their wetland habitats. The National Planning Policy Framework states that Ramsar sites should receive the same level of protection as SPA and SAC sites. This means that any Ramsar sites should be taken into account in the HRA process.

## **1.3 Report Aims**

1.3.1 This report aims to:

- Identify the sites within the 15km of the Stainforth Neighbourhood Plan boundary.
- Summarise the reasons for designation of each of these sites.
- Screen each of the policies within the Neighbourhood Plan to determine if there is a likely significant effect on any European Site.
- Undertake, if necessary, an appropriate assessment of policies or site allocations that have been identified at the screening stage to determine whether or not these would adversely affect the integrity of any European Site.

---

<sup>1</sup> The Conservation of Habitats and Species Regulations 2017.

<sup>2</sup> Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora.

<sup>3</sup> Council Directive 79/409/ECC on the conservation of wild birds (as amended and subsequently codified in Directive 2009/147/EC).

<sup>4</sup> Convention on Wetlands of International Importance especially as Waterfowl Habitat. Ramsar (Iran), 2nd February 1971.

## **2. Sites Information**

### **2.1 European Sites to be Considered**

2.1.1 No European Sites lie within the boundary of the Stainforth's Neighbourhood Plan boundary. Five sites have been identified that lie within 15km<sup>5</sup> of the boundary:

- Hatfield Moor SAC
- Thorne Moor SAC
- Thorne & Hatfield Moors SPA
- River Derwent SAC
- Humber Estuary SAC, SPA and Ramsar

Appendix 1 contains a map showing the location of the above sites in relation to the Stainforth Neighbourhood Plan boundary.

### **2.2 Conservation Objectives**

2.2.1 Information on each of the above sites was collected to help inform the Habitat Regulations Assessment process. This included citations for SAC's and SPA's. Details of the conservation objectives of each of the sites were also reviewed. Together this information was used to identify whether any of the draft policies in the Stainforth Neighbourhood Plan document have the potential to affect site integrity.

2.2.2 The reasons for site designation for each site are detailed below in Table 1.

---

<sup>5</sup> No set distance is prescribed in the HRA process, however 15km is considered reasonable in this instance.

**Table 1: Reasons for site designation**

<b>Site</b>	<b>SAC Qualifying Features</b>	<b>Conservation Objectives</b>  With regard to the SAC and the natural habitats and/or species for which the site has been designated (the 'Qualifying Features'), and subject to natural change:	<b>SPA Qualifying Features</b>	<b>Conservation Objectives</b>  With regard to the SPA and the individual species and/or assemblage of species for which the site has been classified (the Qualifying Features), and subject to natural change:	<b>Ramsar</b>
Thorne Moors	The site qualifies due to the presence of degraded raised bog habitat capable of regeneration.	<p>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;</p> <ul style="list-style-type: none"> <li>• The extent and distribution of qualifying natural habitats.</li> <li>• The structure and function (including typical species) of qualifying natural habitats, and</li> <li>• The supporting processes on which qualifying natural habitats rely</li> </ul>	The site qualifies as it is used regularly by 1% or more of the Great Britain breeding population of European nightjar	<p>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;</p> <ul style="list-style-type: none"> <li>• The extent and distribution of the habitats of the qualifying features</li> <li>• The structure and function of the habitats of the qualifying features</li> <li>• The supporting processes on which the habitats of the qualifying features rely</li> <li>• The population of each of the qualifying features, and,</li> <li>• The distribution of the qualifying features within the site.</li> </ul>	n/a
Hatfield Moors	The presence of degraded raised bog habitat capable of regeneration.	As above	<p>The site qualifies as it is used regularly by 1% or more of the Great Britain breeding population of:</p> <ul style="list-style-type: none"> <li>• European nightjar</li> </ul>	As above	n/a

Site	SAC Qualifying Features	Conservation Objectives	SPA Qualifying Features	Conservation Objectives	Ramsar
		With regard to the SAC and the natural habitats and/or species for which the site has been designated (the 'Qualifying Features'), and subject to natural change:		With regard to the SPA and the individual species and/or assemblage of species for which the site has been classified (the Qualifying Features), and subject to natural change:	
River Derwent	<p>The presence of:</p> <ul style="list-style-type: none"> <li>Alluvial forests with Alder <i>Alnus glutinosa</i> and Ash <i>Fraxinus excelsior</i>.</li> <li>Lowland hay meadows (<i>Alopecurus pratensis</i>, <i>Sanguisorba officinalis</i>).</li> <li>Otter <i>Lutra lutra</i>.</li> </ul>	<p>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;</p> <ul style="list-style-type: none"> <li>The extent and distribution of qualifying natural habitats and habitats of qualifying species</li> <li>The structure and function (including typical species) of qualifying natural habitats</li> <li>The structure and function of the habitats of qualifying species</li> <li>The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely</li> <li>The populations of qualifying species, and,</li> <li>The distribution of qualifying species within the site.</li> </ul>	n/a	n/a	n/a

Site	SAC Qualifying Features	Conservation Objectives	SPA Qualifying Features	Conservation Objectives	Ramsar
		With regard to the SAC and the natural habitats and/or species for which the site has been designated (the 'Qualifying Features'), and subject to natural change:		With regard to the SPA and the individual species and/or assemblage of species for which the site has been classified (the Qualifying Features), and subject to natural change:	
Humber Estuary	<p>The presence of the following habitats and species:</p> <ul style="list-style-type: none"> <li>• Atlantic salt meadows</li> <li>• Coastal lagoons</li> <li>• Dunes with <i>Hippophae rhamnoides</i></li> <li>• Embryonic shifting dunes</li> <li>• Estuaries</li> <li>• Mudflats and sandflats not covered by seawater at low tide</li> <li>• Fixed dunes with herbaceous vegetation ('grey dunes').</li> <li>• <i>Salicornia</i> and other annuals colonising mud and sand.</li> <li>• Sandbanks which are slightly covered by sea water all the time.</li> <li>• Shifting dunes along the shoreline with</li> </ul>	<p>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;</p> <ul style="list-style-type: none"> <li>• The extent and distribution of qualifying natural habitats and habitats of qualifying species</li> <li>• The structure and function (including typical species) of qualifying natural habitats</li> <li>• The structure and function of the habitats of qualifying species</li> <li>• The supporting processes on which qualifying natural habitats and habitats of qualifying species rely</li> <li>• The populations of qualifying species, and,</li> <li>• The distribution of qualifying species within the site.</li> </ul>	<p>The site qualifies as it is used regularly by 1% or more of the UK wintering population of:</p> <ul style="list-style-type: none"> <li>• Great bittern</li> <li>• Common shelduck</li> <li>• Hen harrier</li> <li>• Pied avocet</li> <li>• European golden plover</li> <li>• Red knot</li> <li>• Dunlin</li> <li>• Ruff</li> <li>• Black-tailed godwit</li> <li>• Bar-tailed godwit</li> <li>• Common redshank</li> </ul> <p>The site qualifies as it is used regularly by 1% or more of the UK breeding population of:</p> <ul style="list-style-type: none"> <li>• Little tern</li> </ul>	<p>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;</p> <ul style="list-style-type: none"> <li>• The extent and distribution of the habitats of the qualifying features</li> <li>• The structure and function of the habitats of the qualifying features</li> <li>• The supporting processes on which the habitats of the qualifying features rely</li> <li>• The population of each of the qualifying features, and,</li> <li>• The distribution of the qualifying features within the site.</li> </ul>	<p>The site contains near natural estuary habitat with the following habitats – dune systems and humid dune slacks, estuarine waters, intertidal mud and sand flats, saltmarshes and brackish coastal lagoons.</p> <p>The second largest grey seal breeding colony.</p>

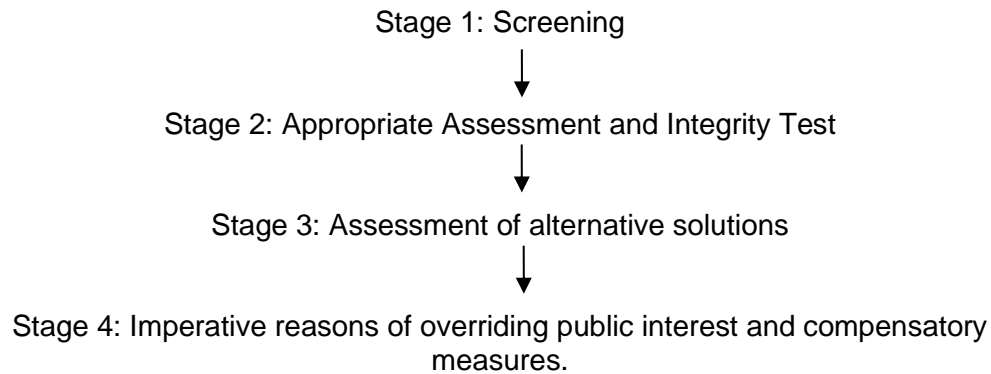


Site	SAC Qualifying Features	Conservation Objectives	SPA Qualifying Features	Conservation Objectives	Ramsar
		With regard to the SAC and the natural habitats and/or species for which the site has been designated (the 'Qualifying Features'), and subject to natural change:		With regard to the SPA and the individual species and/or assemblage of species for which the site has been classified (the Qualifying Features), and subject to natural change:	
	<p><i>Ammophila arenaria</i> ('white dunes').</p> <ul style="list-style-type: none"> <li>• Grey seal</li> <li>• River lamprey</li> <li>• Sea lamprey</li> </ul>		<ul style="list-style-type: none"> <li>• Great bittern</li> <li>• Eurasian marsh harrier</li> <li>• Pied avocet</li> </ul>		<p>Migration route for lamprey species.</p> <p>Internationally important assemblages and populations of waterfowl and waders.</p>

### **3. Methodology**

#### **3.1 Introduction**

3.1.1 This report uses guidance from the Habitat Regulations Assessment Handbook. To summarise briefly, an assessment under the Habitat Regulations can be split into four stages:



#### **3.2 Stage 1: Screening for Likely Significant Effects**

3.2.1 The screening stage identifies if a policy or plan will have an impact on a European Site and therefore if an 'Appropriate Assessment' is needed. The first stage is to identify which policies or parts of a plan will have no likely significant effect on any European Site. Categories A-H listed in Table 2 identify common reasons why a policy is not likely to have a significant effect on a European site. Categories I to L identify reasons why a policy might impact upon a European Site. These screening categories are taken from the Habitat Regulations Assessment Handbook. In chapter 4 each policy is considered in turn and the results of the screening exercise recorded.

**Table 2: Screening Categorisation**

<b>Screening category</b>	<b>Justification</b>
<b>A.</b> General statement policy / general aspiration (screened out).	Policies which are no more than general statements of policy or general political aspirations should be screened out because they cannot have a significant effect on a site.
<b>B.</b> Policy listing general criteria for testing the acceptability / sustainability of proposals (screened out)	General policies designed to test proposals in the plan for their general acceptability or for their general sustainability credentials cannot have any effect on a European site.
<b>C.</b> Proposals referred to but not proposed by the plan (screened out)	Screen out any references to specific proposals for projects such as those which are identified, for example, in higher policy frameworks relating perhaps to nationally significant infrastructure projects.
<b>D.</b> Environmental protection / site safeguarding policy (screened out)	Policies where the obvious purpose is to protect the natural environment, including biodiversity, or to conserve or enhance the natural or historic environment. They can be screened out because the implementation of policies is likely to protect rather than adversely affect European sites and not undermine their conservation objective.
<b>E.</b> Policies or proposals which steer change in such a way as to protect European sites from adverse effects (screened out)	These types of policies or proposals will have the effect of steering change away from European sites whose qualifying features may be affected by the change and they can therefore be screened out.
<b>F.</b> Policy that cannot lead to development or other change (screened out)	Many policies are included in plans of many kinds which will not themselves lead to development or other change, for example, because they relate to design or other qualitative criteria for development or other kinds of change.
<b>G.</b> Policy or proposal that could not have any conceivable effect on a site (screened out)	Policies which make provision for change but which could have no conceivable effect on a European site, because there is no casual connection or link between them and the qualifying features of any European site.
<b>H.</b> Policy or proposal the (actual or theoretical) effects of which cannot undermine the conservation objectives (either alone or in combination with other aspects of this or other	Policies or proposals which make provision for change but which could not have a significant effect on a European site, either alone or in combination can be screened out. These may include cases where there are some potential effects which would plainly be insignificant and could not undermine the conservation objectives.

plans or projects) (screened out)	
<b>I.</b> Policy or proposal with a likely significant effect on a site alone (screened in)	There are many reasons why a policy may have a likely significant effects on a site alone.
<b>J.</b> Policy or proposal with an effect on a site but not likely to be significant alone, so need to check for likely significant effects in combination.	Aspects of the plan which would have some effect on a site, but the effect would not be likely to be a significant effect; so they must be checked for in combination (cumulative) effects.
<b>K.</b> Policy or proposal not likely to have a significant effect alone or in combination	Aspects of the plan assigned to J which turn out to not be significant in combination.
<b>L.</b> Policy or proposal likely to have a significant effect in combination	Aspects of the plan assigned to J which turn out to be significant in combination.

### **3.3 Stage 2: Appropriate Assessment**

3.3.1 If stage 1 identifies any of the policies as having a likely significant effect then these will be subject to an appropriate level of assessment to establish exactly what the potential impacts of the plan are on European site integrity. An iterative process is then undertaken that aims to change the policy or include mitigation in a manner that removes any risk of a negative impact on a site.

3.3.2 In making the assessment of how site integrity is impacted by a project or plan then it is essential that the precautionary principle is adopted. The key premise of the precautionary principle is that in situations where an impact on site integrity cannot definitely be ruled out, then an adverse impact should be assumed.

### **3.4 Stage 3: Assessment of alternative solutions**

3.4.1 If after stage 2 negative impacts on site integrity cannot be ruled out then it must be demonstrated objectively that there are no feasible alternative solutions which are less damaging.

### **3.5 Stage 4: Imperative Reasons of Overriding Public Interest**

3.5.1 In the unlikely scenario that it is not possible to adapt a plan or policy sufficiently to avoid any adverse impact on a European site then it would be necessary to establish whether there are any imperative reasons of overriding public interest that mean the plan should progress. If it is considered that such reasons exist, which outweigh the damage that will be caused to the site, then the next stage is to notify the Secretary of State who will consider whether the plan or project should proceed.

## **4. Stage 1 - Screening**

### **4.1 Screening Results**

4.1.1 Table 3 below contains the full results of the screening exercise on each of the policies within the Neighbourhood Plan document.

**Table 3: Policy and Site Screening Results**

Section of document, policies or objectives being screened	Screening category with explanation
Vision and Objectives	<b>A.</b> The vision and objectives are a general statement of aspirations and will not themselves lead directly to development.
<b>Improving Housing Choice</b>	
Policy S1: New Housing Development	<b>C.</b> The policy sets criteria for residential development already proposed in the Local Plan within Residential Policy Area and on existing residential allocations.
Policy S2: Improving Housing Choice	<b>F.</b> The policy seeks to ensure new housing development helps provide a wider range of house types than exist currently in Stainforth. It will not itself lead directly to development.
<b>Improving Accessibility for All</b>	
Policy S3: Improving Accessibility for All.	<b>F.</b> The policy seeks to ensure new development prioritises walking and cycling. This will help to reduce car use which is of benefit to the conservation objectives of many European Sites and will not itself lead to development.
Policy S4: Station Gateway	<b>E.</b> The policy sets out criteria for particular proposals at Hatfield and Stainforth train station. This includes things such as a new footbridge, public realm improvements, a bus interchange, car parking and cycling and pedestrian linkages. These features would help to reduce car use and encourage more sustainable development.
<b>Supporting Health and Wellbeing</b>	
Policy 5: Protecting and Enhancing Open Spaces and Recreational Facilities	<b>B.</b> The policy seeks to protect both formal and informal open spaces. It will not itself lead to development.
Policy S6: Protecting and Enhancing Local Community Facilities	<b>B and F.</b> The Policy seeks to retain existing community facilities as their current use. It sets criteria that would need to be met to justify the loss of such facilities. It is aimed to protect and retain such facilities rather than directly leading to development itself.

Section of document, policies or objectives being screened	Screening category with explanation
Policy S7: Hot Food Takeaways	<b>G.</b> The Policy is designed to direct hot food takeaways to within existing centres. There is no conceivable way this could impact upon European Sites.
	<b>Local Development Opportunities</b>
Policy S8: Development Opportunity Sites	<b>C.</b> The Policy identifies existing derelict or degraded sites, all of which are either allocated, within residential policy area or within an existing local center. It seeks to ensure that proposed development on the sites is appropriate and that they make a positive contribution to local amenity. The policy will not itself lead to development.
	<b>Redevelopment of the Former Hatfield Main Colliery</b>
Policy S9: Former Hatfield Main Colliery Holistic Approach to Development	<b>C.</b> The policy seeks to ensure that a masterplan is prepared for the development of an already allocated sites within the Local Plan. It will not itself lead to development.
SNP01: Stainforth Country Park	<b>C and E.</b> While this policy allocates an area of land for a use as a country park, this accords with the allocation of this wider area for mixed use development in the Doncaster Local Plan. The policy sets out elements that are considered necessary within a future country park. Open space provision will direct recreational pressures away from designated sites.
SNP02: Community use re-development of the former pithead site	<b>C.</b> This policy allocates an area of land for a mix of community uses. These uses all accord with the existing allocation in the Doncaster Local Plan for mixed use development. It will not result in additional development.
SNP03: Employment Allocation – Land between Kirton Lane and Railway Line	<b>C.</b> This policy allocates an area of land for employment uses. This accords with the existing allocation in the Doncaster Local Plan for mixed use development. It will not result in additional development.
SNP04: Housing Allocation – Land off Waggon Way	<b>C.</b> This policy allocates an area of land for approximately 210 dwellings. This accords with the existing allocation in the Doncaster Local Plan for mixed use development. It will not result in additional development.

## **5. Conclusion**

### **5.1 Results of the screening exercise**

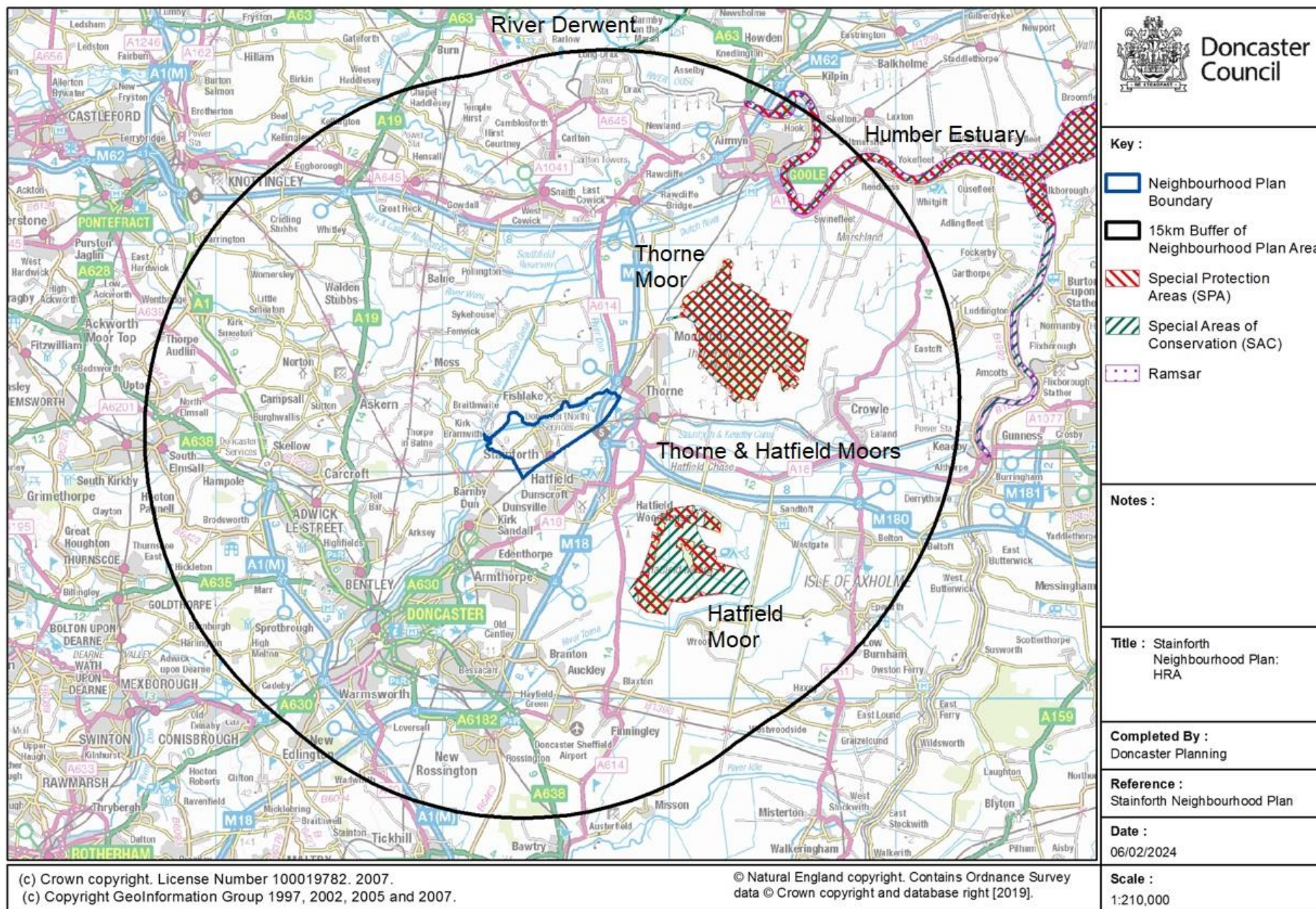
5.1.1 The screening exercise in section 4.1 identified no policies that are likely to have a significant effect on a European Site.


No further work with respect to Habitat Regulations is therefore recommended.



## **Appendix 1**


### **Map showing locations of European Site**








Doncaster  
Council


Key :

 Neighbourhood Plan Boundary

 15km Buffer of Neighbourhood Plan Area

 Special Protection Areas (SPA)

 Special Areas of Conservation (SAC)

 Ramsar

Notes :

Title : Stainforth  
Neighbourhood Plan:  
HRA

Completed By :  
Doncaster Planning

Reference :  
Stainforth Neighbourhood Plan

Date :  
06/02/2024

Scale :  
1:210,000

Page intentionally left blank