Forest Town Nature Conservation Group
c/o Shlomo Dowen, Chair

Website: http://www.foresttown.net/

Registered Charity No. 1157957

FTNCG MANSFIELD DISTRICT COUNCIL LOCAL PLAN REVIEW SUBMISSION JULY 2025

Question 15: Potential new housing allocations

Please let us know if you have any comments or information about any of the potential housing allocations, or have any other site suggestions.

Introduction and overview

The Forest Town Nature Conservation Group (FTNCG) is the registered charity (Charity Commission Registration Number 1157957) that owns and manages the Spa Ponds Nature Reserve in Mansfield. FTNCG benefits from the involvement of more than 50 members and several hundred supporters, alongside numerous 'corporate volunteers'.

FTNCG wishes to ensure that this beloved site is protected from being harmed by new housing developments in the vicinity of Spa Ponds, and we are more generally interested in safeguarding the nature conservation interests in and around Forest Town, as these could be adversely impacted by the scale and location of potential housing allocations.

Spa Ponds was designated as a Local Green Space (LGS) by Mansfield District Council (MDC) for the site's "beauty, historic significance, recreational value, tranquillity, and richness of wildlife". Spa Ponds is also formally recognised as a Local Wildlife Site (LWS), a Community Open Space, and as part of Mansfield's Strategic Green Infrastructure (GI).

Spa Ponds attracts thousands of visitors each year, including ramblers, joggers, cyclists, horse-riders, dog walkers, local schoolchildren, families, young people, bird-spotters, photographers, conservationists, and tourists. Our visitors especially value the peace and quiet they experience at Spa Ponds.

We are worried that nearby housing developments could ruin one of the few places in Mansfield where you can escape everyday life and enjoy the relaxing and uplifting calmness of nature, and we are concerned about adverse impacts on existing footpaths and bridleways upon which users rely for their enjoyment of these established, and in some cases historic, routes. For example, Packman's Way was identified as having been an "ancient forest road" by land-surveyor Decimus Godson (Nottingham Review - 18 March 1842).

For the reasons outlined above and explored in more detail below, FTNCG strongly objects to the proposed housing allocations at Site 56 (1,333 houses on 'Warren Farm, Land North of New Mill Lane'), Site 187 (750 houses on 'Land forming part of Peafield Farm'), and Site 188 (220 houses on 'Land forming part of Warren Farm'). These should not be considered 'reasonable' sites for housing development and should instead be protected and enhanced, including to take advantage of the biodiversity opportunities presented by these relatively natural greenfield sites.

These sites are part of Mansfield's Strategic Green Infrastructure and they should remain part of the countryside rather than being turned into houses. Ongoing inclusion of these three sites as part of Mansfield's Strategic GI network would help protect the qualities that make Spa Ponds special whilst preserving the appearance and character of this valued landscape.

It should be noted that the landscape associated with the proposed development sites 56 and 188 is visible from a number of locations, including various public footpaths, within and around Spa Ponds (which includes some points very high in the landscape that offer views over a significant distance).

This historic landscape should be protected from development, not least because these sites help provide visual context for the historic setting of Spa Ponds, Warren Farm, the Flood Dykes / Water Meadows, and the registered monument known as Beeston Lodge.

Beeston Lodge is an Historic England Scheduled Monument located immediately to the north-east of Spa Ponds (Historic England List Entry Number: 1006386, Date first listed: 14th April 1955). The setting of this heritage asset is significant and should be protected from visible changes to the landscape setting that would inevitably arise were development to commence at any of the three sites of concern.

Protecting and indeed enhancing all three of the proposed development sites would also help protect species such as common toad and deer who use the adjacent greenspace to travel to and from Spa Ponds, enabling these creatures to continue to be able to visit the site.

If, despite the evidence, housing allocations are given to these sites then there should be appropriate (both grassy and wooded) buffer strips (that do not cast shade on any part of Spa Ponds), enhanced hedgerows, and additional measures in place to minimise (mitigate and compensate for) any potential harm to Spa Ponds. However, we do not believe that all of these harms can be fully prevented and so the best way forward is to completely rule out new housing development at these three sites.

Loss of Tranquillity & Public Enjoyment

FTNCG's Concerns

Spa Ponds is designated as a Local Green Space due to the site's beauty, historic significance, recreational value, richness of wildlife, and significantly also due to the site's tranquillity. Development of sites 56, 187, and/or 188 would jeopardise all of these characteristics, not least by disrupting the Spa Ponds site's tranquillity.

According to the current Mansfield District Council Local Plan:

> "This green space [at Spa Ponds] offers a unique and tranquil recreational experience on the edge of urban area (Forest Town)".

This language is similar to the language that has long been used to describe Spa ponds.

As contemporary local historian Pauline Marples put it in her account of a 2011 walk to Spa Ponds:

> "...we immediately turned into a footpath [Packman's Road] that took us into the beauty and peace of woodland away from the noise of traffic on the busy Clipstone Road".

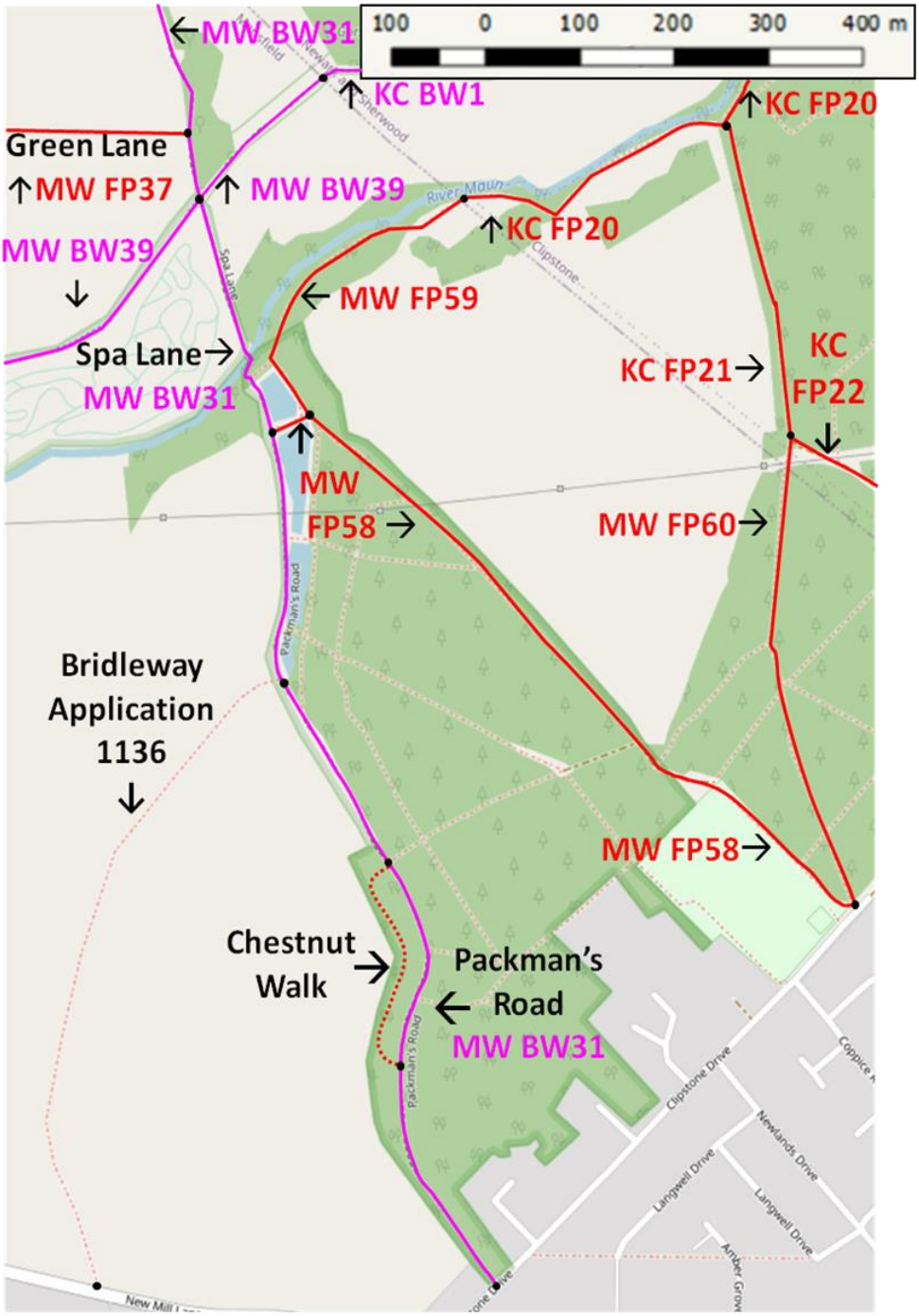
The fact that the Spa Ponds site is valued by local residents and visitors to Mansfield is evidenced by the significant number of Local Plan Review consultation submission written in support of protecting Spa Ponds, and by the more than 27,000 volunteer hours devoted to maintaining and improving this community-owned site delivered since the Forest Town Nature Conservation Group started recording volunteer hours in May 2015.

Noise and increased footfall could harm the tranquillity, which was one of the features of Spa Ponds that merited Local Green Space designation.

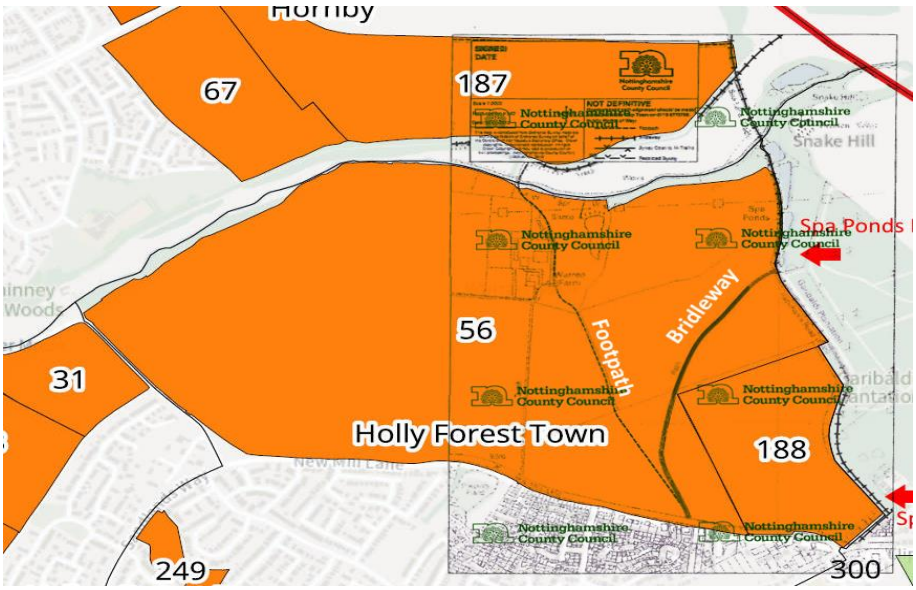
A significant increase in visitor numbers, noise from nearby housing, and noise associated with construction of both dwellings and other infrastructure (e.g. roads, drains, etc.), could be expected to spoil the calm atmosphere that contributed to Spa Ponds being granted its special Local Green Space status.

The recreational value of walking trails on Site 56 and 187 is at least partially recognised in Appendix C of the Green Infrastructure SPD as part of Mansfield's Recreation Based Green Infrastructure, and the value of the trails on Site 56 could be diminished by development of Site 188 (see below).

As can be seen from the map below, Spa Ponds is well connected to the area in terms of footpaths and bridleways:

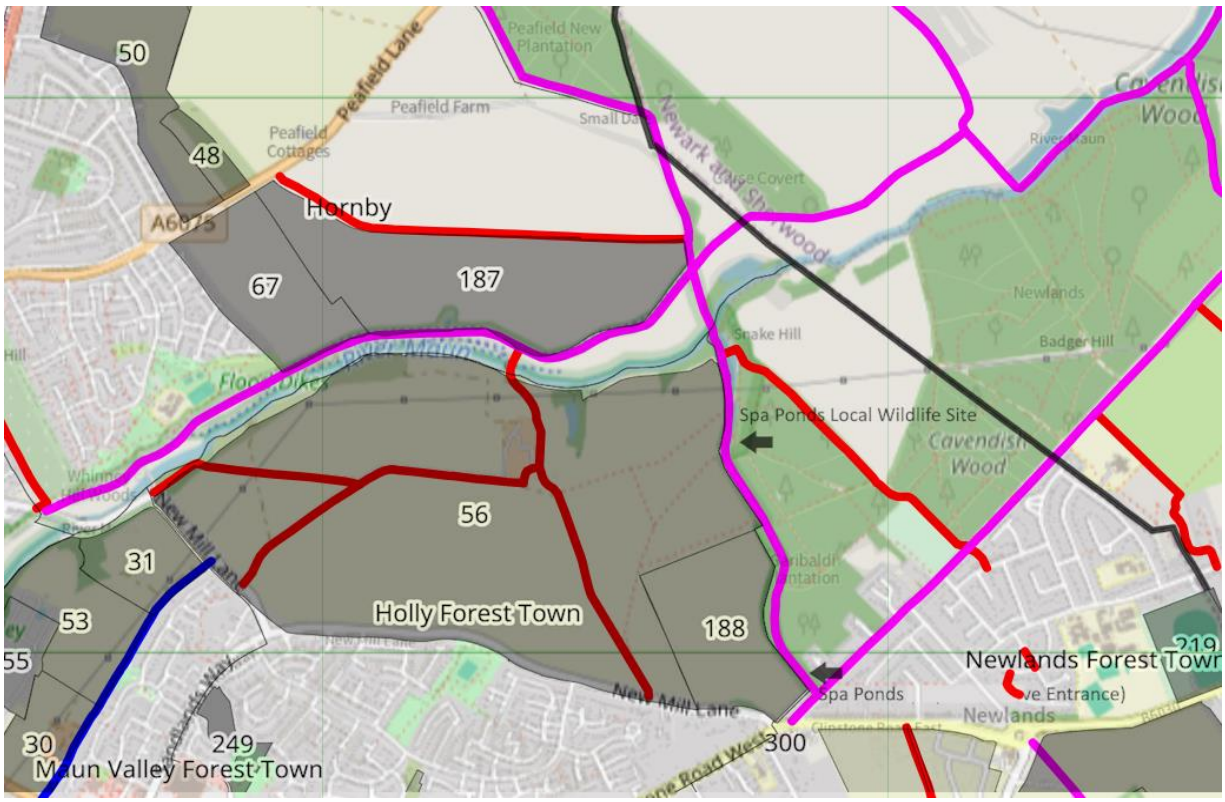


Bridleway Application 1136 was confirmed on the 4th of March 2022, and joins with a footpath that carries on to Warren Farm. The path from this order has been overlaid on top of the proposed allocations:



That map also shows a faded depiction of a track running south from Warren Farm which can be seen more clearly on the original Ordnance Survey map:

While incomplete, the rowmaps.com website shows that the various paths highlighted above are just part of a wider network of registered footpaths and bridleways that extend across the proposed development site allocations:



There are a number of outstanding applications for footpaths or bridleways to be registered in this area due to Nottinghamshire County Council's significant backlog in the processing of rights of way applications. For example, on the 20th of May 2025 a Planning Inspector directed the County Council to determine the Rights of Way (ROW) application to add a footpath from New Mill Lane to Warren Farm, Spa Ponds.

The delay in processing these applications does nothing to diminish the fact that the land to the west of Spa Ponds on proposed allocation 56 is associated with a large number of long-used footpaths and bridleways.

As such, the introduction of housing and other land use changes could also adversely impact on the use of many registered and unregistered public footpaths and bridleways, thereby threatening public enjoyment, including the pleasure derived from local heritage walks, as there are several popular rights-of-way and heritage walking routes that cross the area. Building here would erode the scenery and experience that walkers have come to enjoy.

National Planning Policy Framework (NPPF)

The December 2024 National Planning Policy Framework (NPPF) states:

> "Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should: …identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason…"

> "Planning policies and decisions should protect and enhance public rights of way and access…"

Nottinghamshire Rights of Way Management Plan 2018 – 2026

According to the current Rights of Way Management Plan for Nottinghamshire:

> "It is vital that Nottinghamshire's PROW [Public Rights of Way] network is maintained; not only for the direct benefits for those who use it but also the wider benefits the network brings to Nottinghamshire's economy. Nottinghamshire's PROW network is a key heritage asset which can support the Council's wider aims with regards to economic development and numerous businesses throughout the County".

> "The PROW network in the county continues to be viewed primarily as a recreational resource but it also highlighted how important the network is in accessing essential services. The most popular activities are cited as walking and cycling, although horse riding continues to be a popular activity in Nottinghamshire".

> "The PROW network in Nottinghamshire is a vital resource in promoting health and wellbeing for Nottinghamshire residents and visitors. Public rights of way provide a means for people to walk, cycle and horse ride that is free of charge and can improve physical, mental and social wellbeing. The link between promoting health and wellbeing and what the PROW network can offer, should be championed at every available opportunity as a means of safeguarding the management and maintenance of the network for future generations to enjoy".

Draft Local Plan

The vision of the Draft Local Plan states:

> "Our Vision for Mansfield in 2043 is: By 2043 the district of Mansfield will have continued its transformation to a healthier, greener and more vibrant place to live, work and enjoy…
>
> pedestrian routes will have been improved providing attractive green infrastructure through the urban areas connecting to the wider countryside…
>
> The natural assets in the district will have been protected and enhanced to help shape new places to live, increase biodiversity, and improve connectivity to benefit wildlife and the health and wellbeing of the district's residents."

Table 2.1 ('Key issues and opportunities') notes the increasing pressure on green infrastructure and in response states the following opportunity/requirement:

> "the Local Plan Review should aim to **protect** existing and create a well-designed and integrated networks of green infrastructure that delivers economic, social and environmental benefits" (**emphasis added**).

Paragraph 9.48 of the Draft Local Plan states:

> "The district's existing sustainable transport network includes: …the Public Rights of Way and footway networks;".

Green Infrastructure Supplementary Planning Document (SPD)

The Green Infrastructure SPD states:

> "Green Infrastructure should seek to deliver multiple benefits including: …Health – Green and blue infrastructure can offer substantial physical and mental health benefits. This includes areas of tranquillity".

Appendix C of the GI SPD notes both that Spa Ponds is part of Long Distance Multi-User Trails and that land to the north and west of Spa Ponds are part of 'Other Trails'.

This is displayed in the map reproduced overleaf.

As shown in the overlay below, this overlaps with proposed sites 56 and 187:

This indicates that housing development (including on site 188) could have a significant adverse impact on Mansfield's recreation-based green infrastructure either by removing the footpaths or reducing the non-urban context which are a key feature of these footpaths in allowing people to experience both the countryside and elements of the historic Sherwood landscape.

Once Nottinghamshire County Council formally register some of the outstanding footpaths it is likely that more land to the west of Spa Ponds will be part of both trails and long distance multi-user trails, including trails that connect with Spa Ponds.

Landscape, Long Views & Historic Setting

FTNCG's Concerns

Land associated with the historic Warren Farm, including land currently used as farmland, provides important aspects of the historic context for Spa Ponds and environs, including several other historic features such as Warren House, the Flood Dykes / Water Meadows and Beeston Lodge.

Introducing additional houses on sites 56 and 188 of the proposals map could adversely impact on the relevant heritage context.

Relevant monuments with a formal designation include:

- Listed Building (II) 2.2.32: Warren Farmhouse - Registered 22 October 1986 [Building record M10507 - Warren Farmhouse]
- Scheduled Monument 57: Beeston Lodge [Monument record M4005 - Beeston Lodge, Mansfield Woodhouse]

Recorded monuments in the Nottinghamshire Historic Environment Record which could be considered non-designated heritage assets include:

- Monument record M17560 - Spa Ponds, Mansfield Woodhouse
- Monument record M17901 - Bridge at Warren Farm, Mansfield Woodhouse
- Monument record M17902 - Bridge on Spa Lane, Mansfield Woodhouse
- Monument record M8579 - Water meadows near River Maun, Clipstone

The historic Clipstone Park is also recognised as Park/Garden record MNT26660.

With respect to Warren House, it should be noted that this building's history stretches back centuries. According to the current landowner, Warren Farmhouse was built in 1433.

From our own research we have found preserved historic references to The Warren at Warren Farm from as far back as the 1740 lease from John Hall to Thomas Clarke for 80 acres of land “near adjoining unto Clipston Park and commonly called or known by the name of The Warren” lasting 21 years (University of Nottingham: Pl E12/5/2/8).

Spa Ponds has long been associated with the Warren and arable land to the west. The importance of the use of the land west of Spa Ponds as farmland was key to the historic expansion of Clipstone Peel which used land to the west of the peel for agriculture.

In Clipstone Park and ‘Peel’, historian David Crook wrote that in around 1316:

> “The river below the peel was diverted to make pasture, and the extent states that there were 198 acres of arable, presumably in a field mentioned in the accounts. The first keeper, Peter le Pavour, was initially allowed sums totalling about £98 for…rye and…oats for seed corn, and detailed stock accounts for a variety of livestock are given. The accounts leave no doubt that the primary function of the peel was an agricultural one”.

David Crook also noted that the legacy of the peel lives on in place names such as Peafield Lane, with ‘peafield’ being a corruption of ‘peel field’.

In terms of the Warren's connection to Spa Ponds, the northern portion of Spa Ponds (i.e. the current Local Wildlife Site) was historically viewed at the eastern edge of the Warren. It was classified as such within the c. 1832 land swap between the Halls and the 4th Duke of Portland.

The same area in the northern part of Spa Ponds site was also listed as warren (grass) containing fishponds in the 1845 Tithe Map of Mansfield Woodhouse.

It was also listed as warren in the Duke of Portland’s shooting map of 1863 (Pl E12/6/21/6/9), with the broader plot listed as: “Let to the tenant of Warren Farm”.

The surrounding warren and farmland are part of Spa Ponds’ history and charm. The introduction of new buildings would alter cherished existing views, including vistas visible from both the high ground and across the valley.

The beauty of the site and the character of the area could be adversely impacted by housing development. For example, by disrupting the current view, as some parts of the Spa Ponds site have a relatively high elevation affording excellent views of the area, while other parts of the site are exceptionally low-lying, meaning these parts of the site are especially vulnerable to flood risk and pollution from sediment run-off, as well as to disruption of tranquillity due to overlooking dwellings.

The views from nearby footpaths would also be adversely impacted by housing built on map plots 56 and 188.

National Planning Policy Framework

The NPPF states:

> "Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives): an environmental objective – to protect and enhance our natural, built and historic environment..."
>
> "Strategic policies should set out an overall strategy for the pattern, scale and design quality of places and make sufficient provision for: …conservation and enhancement of the natural, built and historic environment, including landscapes and green infrastructure, and planning measures to address climate change mitigation and adaptation."

Draft Local Plan

The Draft Local Plan's vision states:

> "Our Vision for Mansfield in 2043 is:... Our heritage assets and their settings will have been conserved and enhanced to maintain their important contributions to creating a sense of place and also delivering regeneration".

According to the opportunity / requirements section of Table 2.1 ('Key issues and opportunities'):

- "the Local Plan Review policies will need to protect existing heritage assets"
- "the impact of proposed development on the setting of heritage assets will need to be considered".

Relevant Strategic policies include:

- Strategic Policy 9: "Managing the impact of planned growth and development on heritage assets".
- Strategic Policy 11: "Managing the impact of planned growth and development on landscape character".

Relevant Objectives include:

- Objective 4: "Conserve and enhance the identity, character and diversity of the district's historic and cultural heritage assets and their settings".
- Objective 14: "Conserve and enhance the quality of the district's landscape character and key landscape features by positively addressing **National Character Area profiles** and landscape policy actions within the Sherwood…landscape areas through the design and location of new developments". (**emphasis added**)

Natural England National Character Area [NCA] Profile 49 - Sherwood

In terms of National Character Area Profile 49, Key Characteristics for Sherwood include:

- “Wooded horizons frame extensive areas of open arable farmland with large, geometric fields contained by low, often treeless, hawthorn hedges”.

The statement regarding open arable farmland is illustrated by the following photograph published by Natural England, which clearly resembles the view of Spa ponds from the adjacent fields (comprising sites 56 and 188):

This is also reminiscent of the current view (below) from Spa Ponds looking towards the fields at sites 56 and 188:

In the foreground of the photograph above we can see a stretch of new hedgerow that uses the traditional Sherwood Hedgerow Mix, dominated by hawthorn. In the background we can see a mosaic of geometric fields and hedge boundaries.

Natural England's Sherwood description also notes:

> "Views through Sherwood are characteristically over agricultural land and bounded by woodland. Wooded horizons are a common feature".

Similarly, an aerial photograph of site 56 (below) shows how its current appearance is in line with this characteristic Sherwood view of agricultural land bounded by woodland:

Natural England's Detailed Statements of Environmental Opportunity includes 'Additional opportunity 2: Consider the location and design of new development to retain local distinctiveness' which provides a number of examples, such as:

- "Ensuring cultural heritage, protection of local vernacular, and sense of place are considered in the process of planning for likely settlement expansion".
- "Ensuring new development enhances settlement character and integrates into the landscape / townscape by ensuring it is sensitively located and designed…"
- "Protecting islands of solitude found where there is little settlement intrusion, for example in the agricultural land to the north of the area, which is remote and encompassed by wooded horizons".

According to Natural England's Analysis of Ecosystem Services within the National Character Area Profile for Sherwood:

- "A sense of place is provided by the varied but distinctive patchwork enclosed arable land, large pine plantations, lowland woodland and heaths of the former medieval Sherwood Forest and wastes".
- "There is an opportunity to protect areas, such as the core and northern areas of the NCA [National Character Area for Sherwood], where tranquillity and intrusion are presently low. This will allow people to feel connected to nature and contribute to wellbeing and health".
- "Expanding the public rights of way network in areas traditionally managed as part of the ducal estates where the network is not as strong as in other areas would bring recreational benefits to the local population".

Landscape Character Assessment Addendum (Mansfield District Council, December 2015)

The proposed allocations cover policy zones:

- SH12 (for the land to the west of Spa Ponds - relevant to allocations 56 and 188)
- SH15 (along the River Maun - relevant to allocation 56)
- SH25 (land to the north west of Spa Ponds - relevant to allocation 187).

Sherwood Landscape Policy Zone 12 ('Cavendish Wooded Estatelands') is associated with the overall policy action of "Restore and create". This is described as:

> "Support for actions that restore distinctive features and the removal or mitigation of detracting features, whilst creating new features or areas where they have been lost or are in poor condition".

Relevant characteristic visual features include:

- Gently undulating topography
- Irregular medium sized arable fields

One of the actions is to: "Conserve the integrity and rural character of the landscape by concentrating new development around the existing urban edge of Mansfield Woodhouse".

Sherwood Landscape Policy Zone 15 ('River Maun Meadowlands with Plantations') is associated with the overall policy action of "Conserve and reinforce". This is described as:

> "Support for actions that conserve distinctive features and features in good condition, and strengthen and reinforce those features that may be vulnerable".

Relevant actions include:

- "**Conserve** and **reinforce** the pastoral character of the river valley".
- "**Conserve** the sparsely settled character of the river corridor by avoiding development within the immediate flood plain of the River Maun".
- "**Contain** new small scale development within historical field boundaries".

Sherwood Landscape Policy Zone 25 ('Birklands Wooded Estatelands') is associated with the overall policy action of "Conserve and reinforce". This is described as:

> "Support for actions that conserve distinctive features and features in good condition, and strengthen and reinforce those features that may be vulnerable".

Characteristics visual features include "Geometric pattern of medium to large-scale arable fields".

Relevant actions include:

- "**Conserve** and **reinforce** existing hedgerows and seek opportunities to restore the historic field pattern with new hedgerow planting with some hedgerow trees, where appropriate".
- "**Conserve** the historic character and setting of village settlements…"
- "**Conserve** the integrity and remote rural character of the landscape…"

Green Infrastructure Supplementary Planning Document (SPD)

According to the Green Infrastructure SPD, Green Infrastructure Assets that should be protected and enhanced include:

- "Landscape character and amenity – landscape policy zones, landscape features and public amenity areas (e.g. paths, open space, etc.)".
- "Heritage assets – Scheduled Monuments, listed buildings and conservation areas and **their settings and the historic landscape**". (**emphasis added**)

According to the Green Infrastructure SPD, functions that should be protected and where possible enhanced include:

- "Providing green areas that protect heritage assets, landscapes and their settings including protecting underground artefacts and visual settings for built heritage assets".
- "Strengthen ecological networks, allow for ecosystem functioning and reduce fragmentation of habitats".

Clipstone Park (the historic royal deer park), including the area adjoining Spa Ponds, is listed in Appendix D as 'Heritage based Green Infrastructure'.

MDC register of Non-Designated Heritage Assets

Mansfield District Council's register of non-designated heritage assets includes "Spa Ponds and surrounding environs" an area defined as follows:

> "Spa Ponds **and environs** covers about **5 hectares of land** on the eastern edge of Mansfield, close to the border with Newark & Sherwood District Council and in relation to the townscape exists within the context of the rural/urban fringe. The site includes a bridleway and a bridge over the River Maun connecting Mansfield Woodhouse and Forest Town. The site features oak-birch woodland and other trees including sweet chestnut, as well as a series of spring-fed ponds. **There are a range of heritage assets on and around the Spa Ponds site**." (**emphasis added**)

The 'surrounding environs' element is important because it highlights how the asset extends beyond Spa Ponds itself, hence why the area is described as being 'about 5 hectares' - which is larger than the area of land owned by the Forest Town Nature Conservation Group (FTNCG).

As set out in FTNCG's nomination for the site, 5 hectares includes the "strip of land along [the] eastern edge of Warren Farm along the Packman's Road boundary hedge".

The nomination form states the site was considered 'at risk' for the following reason:

> "There is a risk that if the adjacent Warren Farm site is developed then this development could damage the historic bank and ditch associated with Clipstone Park and the potential trackway on the western side of the bank and ditch.
>
> Spa Ponds is in a valley, and so the elevation of the Warren Farm site to the west of Spa Ponds means that development close to the site could have direct and indirect detrimental impact on the setting and character of Spa Ponds.
>
> There is also the danger that water would be displaced through development and that this displaced water could cause damage to Spa Ponds and its heritage assets".

The nomination included a Statement of Significance from MBArchaeology which states:

> "The Spa Ponds site is an important heritage site in the Mansfield Region, and provides both an open green space with associated ecology for local people, and a site of local and regional historic interest".

Refusal of planning permission for Site 188

Planning application 2009/0532/NT for site 188 was refused by Mansfield District Council on the 20th of December 2010.

Part of the basis for the refusal was the judgment that such housing development would constitute:

- Development in the countryside which fell outside the acceptable exceptions.
- Within and detrimental to the Sherwood Forest Special Landscape Area. According to the 2010 Mansfield Landscape Character Assessment: “This is an area on the eastern edge of the District where management is focused on the promotion of acceptable forms of recreational and tourist development whilst respecting the special landscape and ecological value of the area”.
- Failure to rule out unacceptable traffic impact on the surrounding road network.

This highlights the long-held recognition of the special landscape and ecological value of the site 188 and the surrounding area, and the need for such land to be protected from housing development.

Underground spring source, flood risk and run-off

FTNCG’s Concerns

We know that the ponds at Spa Ponds are fed by underground springs, but we do not know the source of the water that feeds the ponds via these underground springs. This means that we cannot rule out the potential ‘existential threat’ or other harms to these underwater springs that could arise from development on the nearby sites identified in the HELAA as sites 56 and 188. There is a possibility that some or all these sites may feed into the spring that supplies the water for the ponds at Spa Ponds.

Because no-one is certain where all the underground spring water comes from, development could accidentally pollute or divert these hidden sources. The risk to the water environment at Spa Ponds is not acceptable, and as that risk cannot be ruled out without extensive investigations, in the absence of such investigations that definitively identify the source of the water that feeds the ponds at Spa Ponds, these sites should be removed from the list of potential sites for housing allocation.

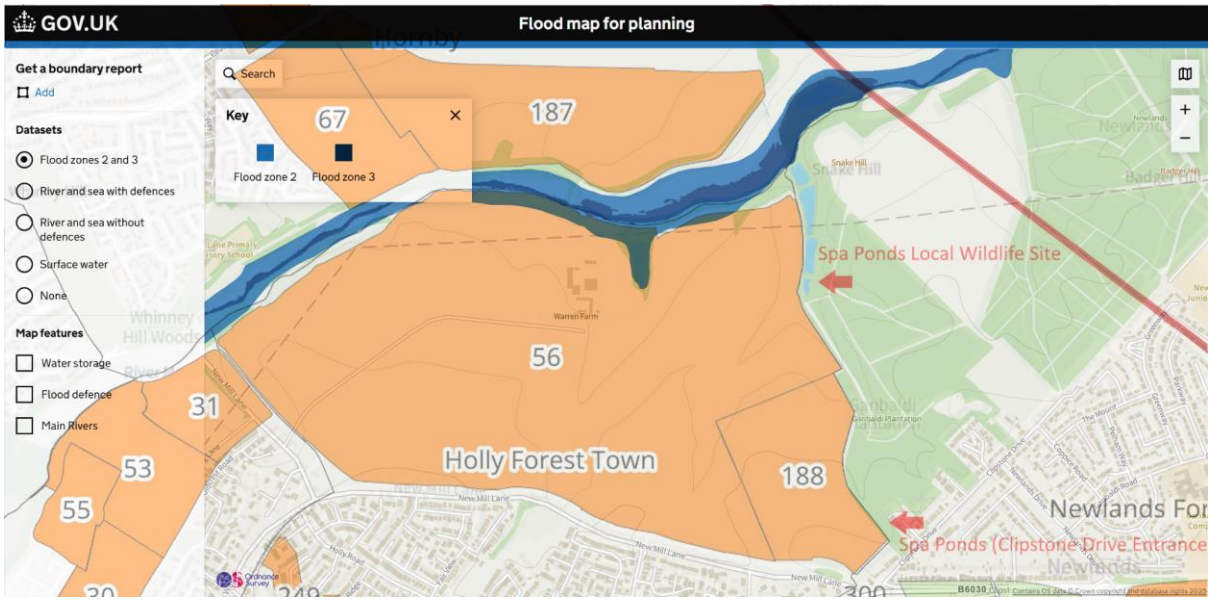
A further reason to remove both these sites and also site 187 from the sites to be allocated for housing development relates to the increased risk of flooding, both at Spa Ponds and more widely (including at the Edwinstowe) posed by housing development and in particular by the concreting / paving over the existing arable fields. Site 56 has the potential to increase flood risk at the Maun Scrub and Grassland LWS.

Paved surfaces shed rain quickly. That extra water - and any mud or chemicals (e.g. nitrates and phosphates from fertilisers) that it carries - could flood low-lying parts of Spa Ponds and/or wash pollution into the River Maun, exacerbating flooding at Edwinstowe and elsewhere along the River Maun.

The land referred to in the HELAA as sites 56, 187, and 188 all serve an important function with respect to flood prevention and alleviation, by absorbing large volumes of water. In the event that these plots of land can no longer serve this vital function, the risk of flooding will inevitably increase, contrary to relevant policies and strategies that anticipate an increasing need to avoid flooding in light of anticipated challenges due to climate change.

We note the River Maun at Edwinstowe and Ollerton flood warning area, including the junction on A614 Mansfield Road and Ollerton Road, and how there is already evidence that the River Maun is causing flooding in Edwinstowe, and measures should be put in place to reduce the damage and to prevent further damage in the future.

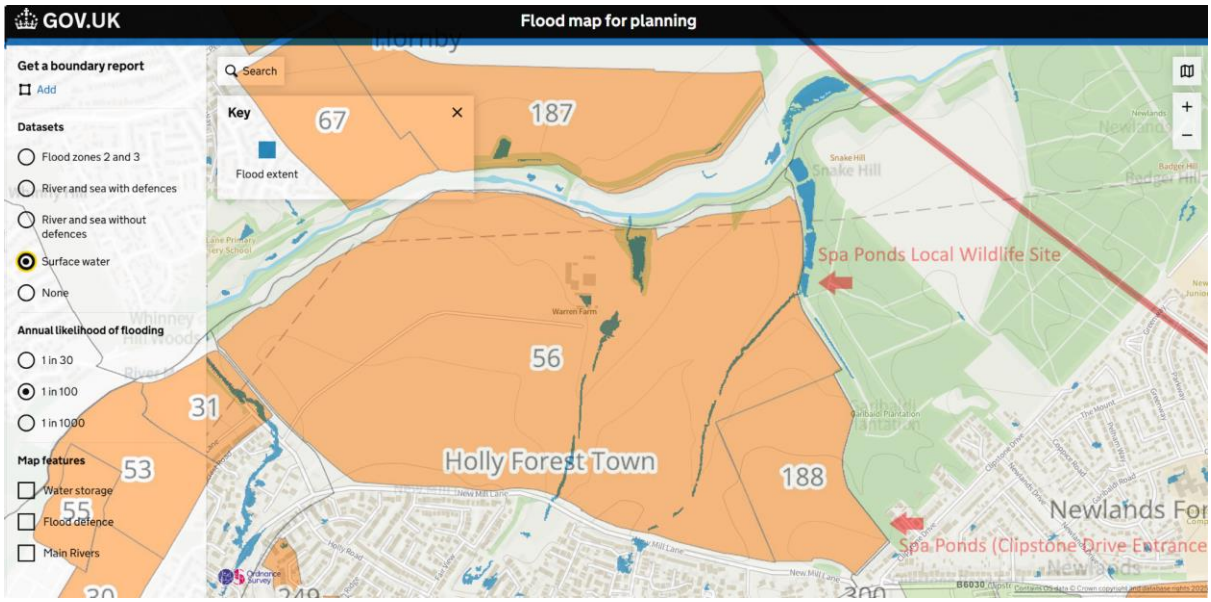
If one overlays the Government's Flood Map for Planning over the proposed allocations, ones can see the overlap:



As can be seen above, the northern portion of site 56 is shown as being in Flood Zone 3.

Flood Zone 3 indicates a high probability of flooding.

The Government's surface water map also shows two stretches of flooding-related surface water running down site 56:



Furthermore, as noted in the extracts from Mansfield District Council's Strategic Flood Risk Assessment Addendum below, the land between proposed allocations 56 and 188 are included in the Environment Agency Flood Zone Appendix F map as being "indicative areas of concentrated runoff".

The 2018 Addendum to the Flood Risk Assessment notes that no development should take place on the flood plain, and highlights how "Grassland between Old Mill Lane and New Mill Lane could be opened up to provide enhanced flood storage function".

This is in line with the subsequent classification of the area around Spa Ponds as being designated as Green Infrastructure for its Climate Change Mitigation role.

The area around Packman's Bridge in the northern part of Spa Ponds is regularly impacted by flooding of the River Maun and the wider Local Wildlife Site was impacted by the 'parsnip flood' of 2014 where flash floods caused the formation of gullies and 'levies' and meant that various root vegetable from nearby fields ended up in the ponds at Spa Ponds.

National Planning Policy Framework

The December 2024 National Planning Policy Framework (NPPF) states:

> "Strategic policies should set out an overall strategy for the pattern, scale and design quality of places and make sufficient provision for…conservation and enhancement of the natural, built and historic environment, including landscapes and green infrastructure, and planning measures to address climate change mitigation and adaptation".

Draft Local Plan

Draft Policy IN2(d) highlights the importance to "improve resilience to the impacts of climate change".

2018 Addendum to the Mansfield District Council Strategic Flood Risk Assessment

According to the 2018 Addendum to the MDC Strategic Flood Risk Assessment:

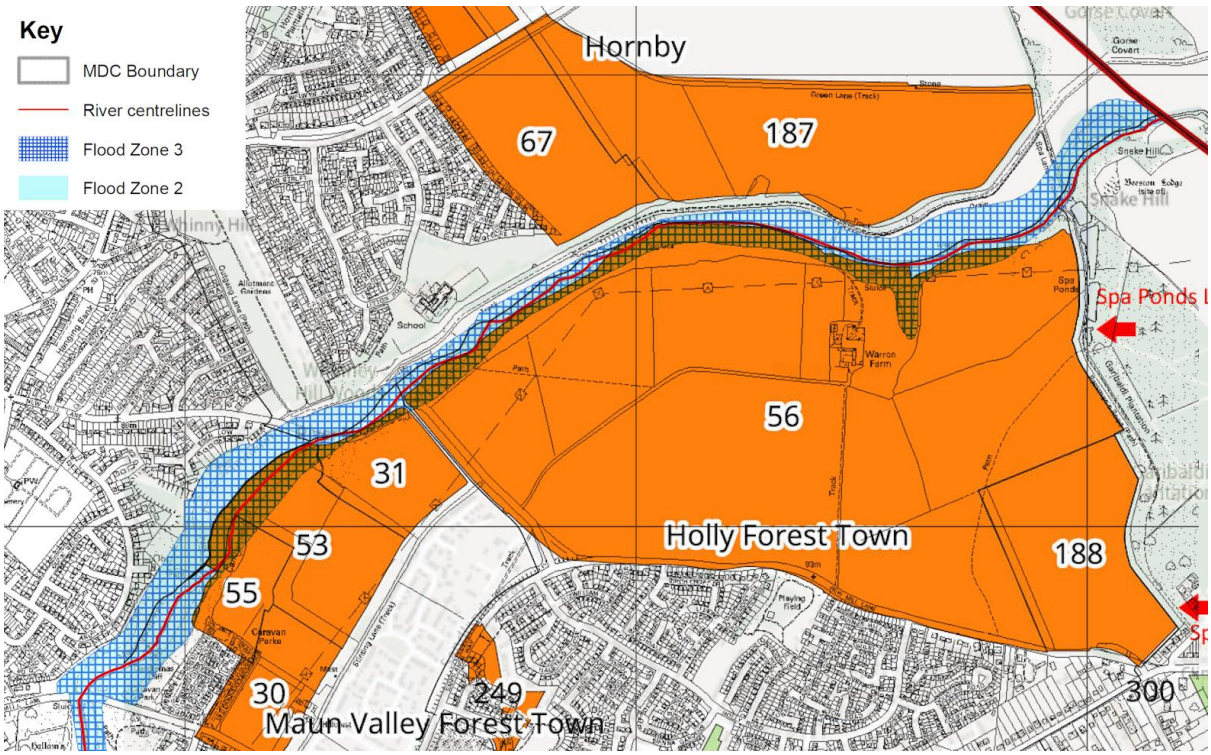
> "There are additional areas of surface water flooding identified through the EA maps. That is namely: …Warren Farm to New Mill Lane"

Under 'Possible Development Constraints & Improvements' the Assessment states:

> "No development should be permitted within the floodplain. Grassland between Old Mill Lane and New Mill Lane could be opened up to provide enhanced flood storage function."

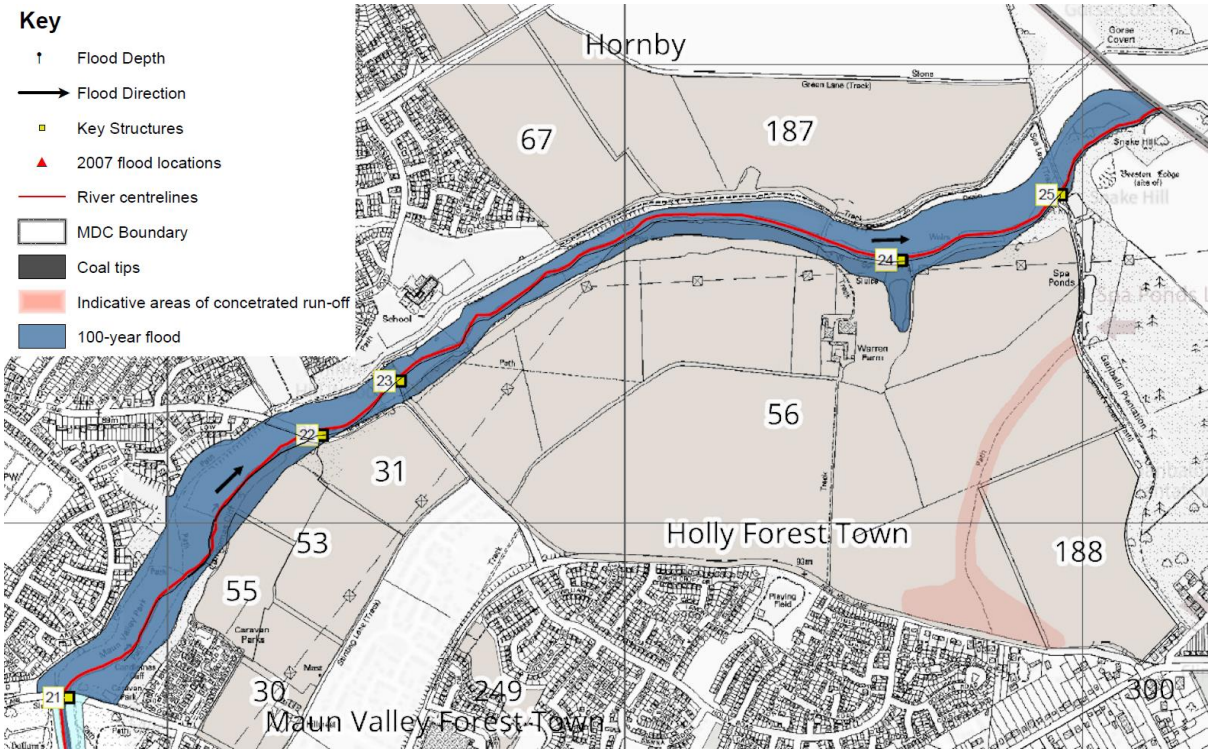
Environment Agency Flood Zone Appendix D

Extract of Environment Agency Flood Zone Map D with overlay:



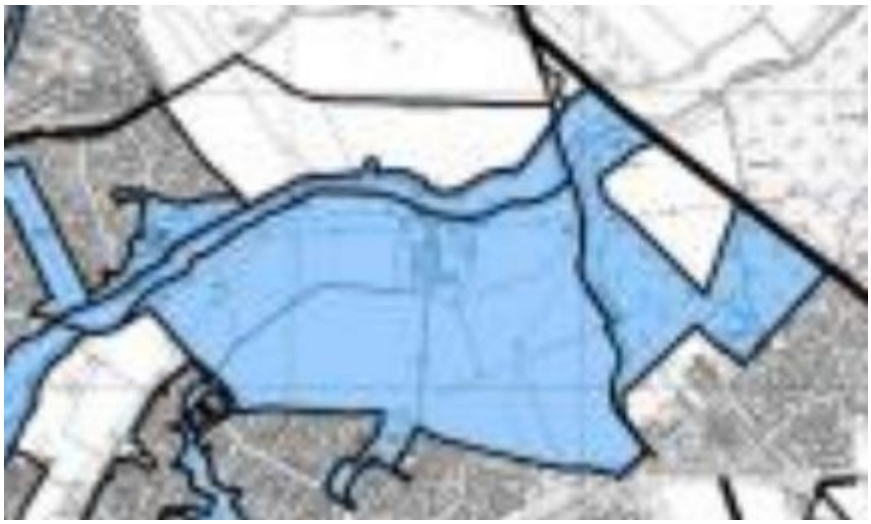
Environment Agency Flood Zone Appendix F

Extract of Environment Agency Flood Zone Map F with overlay:



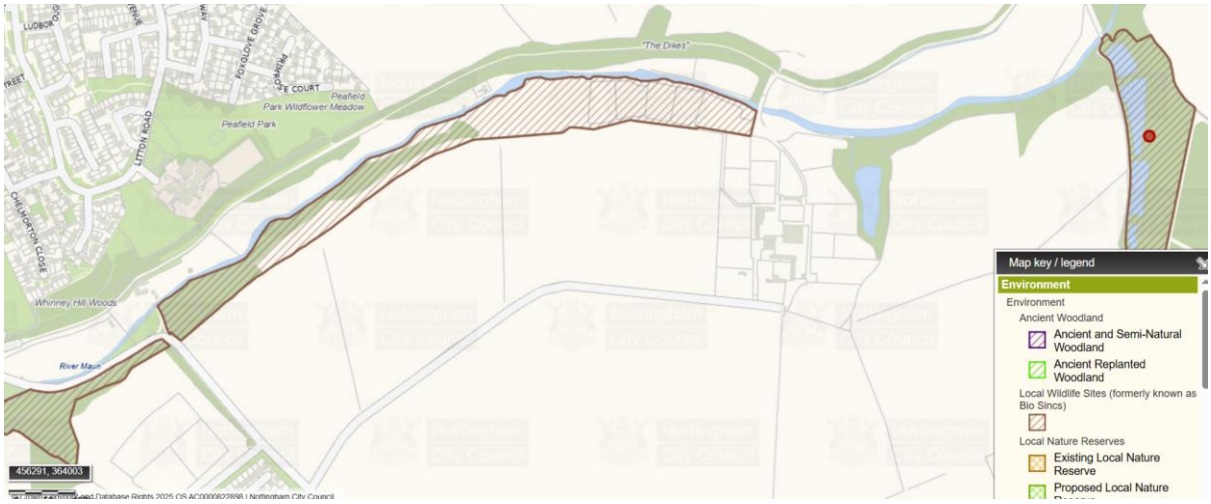
Green Infrastructure Supplementary Planning Document (SPD)

Spa Ponds and the sites to the west are depicted in the green Infrastructure SPD as Climate Change Mitigation Areas (including the Maun Scrub and Grassland LWS):



Maun Scrub and Grassland Local Wildlife Site (LWS)

The northern portion of site 56 overlaps with the Maun Scrub and Grassland LWS.



Movement of wildlife: Toads and other amphibians

FTNCG's Concerns

Amphibians rely on the ponds at Spa Ponds for breeding. There is a sizable population that comes in from outside of the Spa Ponds site year after year for this breeding, and this includes travel across sites 56 and 188 (and potentially also sites 30, 31, 53, and 55).

In addition to the physical barrier to accessing the site created by built development to the west of Spa Ponds, there is a serious danger that an increase in development to the west of Spa Ponds would introduce sources of disturbance (e.g. pets), run-off (and therefore pond pollution), and traffic hazards that could disrupt the lifecycle for amphibians.

As such, the proposed housing allocations could have a significant adverse impact on successful spawning, larval development and metamorphosis, thereby limiting recruitment and ultimately threatening the long-term survival of these valued amphibians.

Predation by pets, including cats and dogs, also pose threats to small mammals living at Spa Ponds, and could even impact adversely on small deer (we have a record of a muntjac deer having been killed by one or more dogs).

Draft Local Plan

Section 10 of the Draft Local Plan focuses on the natural environment, and opens with the following statement:

> "The natural environment provides vital resources for supporting healthy communities, mental well being, and sustainable growth. It also provides us with a unique combination of landscape features that help define local identity".

The Local Plan goes on to say:

> "Over time, the area's native habitats have become fragmented and biodiversity has experienced considerable losses. In order to address this, it is important that we protect and sensitively manage what we have whilst seeking opportunities to restore connections for wildlife that have become fragmented, and improve the health of the district's habitats and species".

Followed by:

> "When planning for new growth, it is also important that potential pollution and other environmental hazards, which might lead to adverse impacts on human health and the natural environment, are avoided, minimised and mitigated".

Table 9.2 ('Key green infrastructure functions') states that one of the key functions and related assets is:

> "Nature conservation - designated sites, habitats and habitat opportunity areas. Also include ecological networks made up of a combination of designated sites and areas of habitat outside these designations. **This function includes supporting the movement of wildlife"**. **(emphasis added)**

Green Infrastructure Supplementary Planning Document (SPD)

According to the Green Infrastructure SPD:

> "...Thoughtful provision of GI can also enhance provision of Biodiversity networks providing habitats for flora and fauna and **movement networks** for animals and birds. Its protection and enhancement are important for supporting the delivery of sustainable places." (**emphasis added**)

> "5.2 Green Infrastructure should seek to deliver multiple benefits including: …Nature conservation – including enhancement and provision of designated and non-designated habitats and protection of species (including **networks for movement of species**), ecosystem functions and biodiversity." (**emphasis added**)

> "The following functions should be protected and where possible enhanced: …Allowing **movement of wildlife** along corridors and providing locations for habitats to form and thrive…" (**emphasis added**)
>
> "Adverse impacts should be avoided in all cases. Adverse impacts arising from new development include those that would: **would truncate the network of linked spaces or make the movement of people and / or wildlife more difficult**…" (**emphasis added**)

Value of Spa Ponds for toads assessed against LWS criteria

The Nottinghamshire Local Wildlife Site Handbook (July 2018) sets out that one of the criteria for Local Wildlife Site (LWS) designation is:

> "Any site where a significant population size for Nottinghamshire of Common Frog Rana temporaria, Common Toad Bufo bufo, or Smooth Newt Lissotriton vulgaris (as determined by reference to Annex 1) is present and breeding, to include all contiguous semi-natural habitat (suitable for terrestrial foraging and hibernating) within a 250m radius of the water body".

The reason given for this criterion is that:

> "Although not rare, these species have suffered a considerable decline in numbers in the Nottinghamshire countryside over the last century due to habitat degradation and loss. Common Toad is a Species of Principal Importance".

Spa Ponds is designated as an LWS due to the exceptionally large population of common toad that the site supports.

Successive toad counts carried out by FTNCG show that Spa Ponds maintains "a significant population size for Nottinghamshire of Common Toad (Bufo bufo)…present and breeding". Frogs were also identified, although not in numbers that would qualify as significant with respect to the relevant guidelines.

The threshold number of adult toads noted on a single visit to a site taken to indicate a significant population size for Nottinghamshire is 75.

The highest numbers of Common Toad counted for each pond in 2015 were as follows:

- Pond 2 (nearer the spring): 661 on 6th April 2015 (Comprising 554 Male + 107 Female)
- Pond 3: 431 on 6th April 2015 (Comprising 366 Male + 65 Female)
- Pond 4 (nearest the Maun): 565 on 4th April 2015 (Comprising 463 Male + 102 Female)

Added together, FTNCG's 2015 Toad Count recorded a maximum total of 1,657 toads. Subsequent toad counts at Spa Ponds demonstrate how Spa Ponds continues to be an important site for breeding toads, and biodiversity and water quality improvement work carried out at Spa Ponds in recent years, including both the creation of new wetland habitat and the introduction of two hibernacula, mean the site is likely to be even more attractive to toads.

Other wildlife concerns

FTNCG Concerns

Spa Ponds Local Green Space and LWS provides a range of critical ecological services, including habitat connectivity, extending biodiversity, air quality improvement, carbon sequestration, pollination, water purification and the improvement of water quality feeding into the River Maun, flood risk mitigation, soil formation, and substantial community health benefits and other cultural services including recreation (e.g. walking, horse riding), as well as preserving cultural heritage.

Such ecosystem services are recognised as fundamental to human survival, providing essential resources and regulating vital ecological processes necessary for human health and ecological enhancement. The importance of wetlands and forests, such as those found at Spa Ponds, is recognised for acting as natural filters, purifying water and reducing the need for costly human-made filtration systems.

Housing developments at sites 56, 187, and 188 pose a genuine and unwelcome risk of undermining these vital benefits. These suggested development sites conflict directly with strategic policies aimed at promoting biodiversity net gain, maintaining landscape character, and protecting essential green infrastructure within Mansfield.

The sources below - including the Green Infrastructure SPD and the BOM for Mansfield - show that in addition to connectivity for toads and other amphibians (frogs), large portions of the land to the west of Spa Ponds currently provide clear ecological value that could be put at risk from housing development.

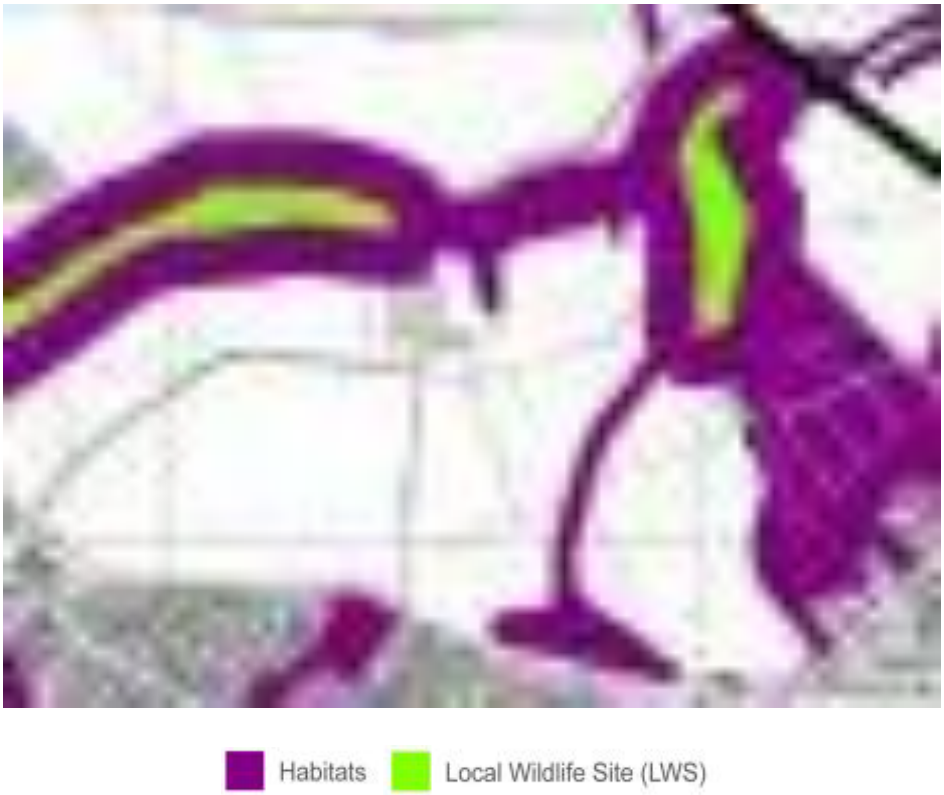
Some of the ecological value of Spa Ponds comes from supporting species such as dragonflies, damselflies, butterflies, insects and bats which also make use of adjacent land to the west and north of Spa Ponds. As such, adverse impacts on the habitat for these creatures could be expected to impact adversely on Spa Ponds and reduce the value created by the current high level of connectivity across the area which allows for the free movement of wildlife across many hectares of land.

Experience in Nottinghamshire and elsewhere demonstrates how it is much easier to protect existing connectivity than to seek to 're-connect' areas that have been fragmented.

The sources cited below also recognise and/or support the case for buffer strips to the west of Spa Ponds to prevent run-off from adversely impacting on the ponds. However, building new houses just to add such buffer strips would not be a good justification for building houses.

Green Infrastructure Supplementary Planning Document (SPD)

A buffer around Spa Ponds and the public footpath running south-west from Spa Ponds are recognised as habitats of value for nature conservation within the Green Infrastructure SPD, particularly within Appendix F.



According to the Green Infrastructure GI SPD:

> "Adverse impacts should be avoided in all cases. Adverse impacts arising from new development include those that would:
>
> - reduce the size of existing areas of GI [Green Infrastructure]
> - have an adverse impacts on the quality of existing areas of GI or
> - would truncate the network of linked spaces or make the movement of people and / or wildlife more difficult…"

The proposed site allocations would have the potential to reduce the size of existing areas of GI, and have adverse impacts on the quality of existing areas of GI, as well as truncating the network of linked spaces that could make the movement of people and / or wildlife more difficult.

Biodiversity Opportunity Map (BOM) for Mansfield

The Mansfield Biodiversity Opportunity Map (BOM) identifies a number of opportunities for improvements around Spa Ponds which could be imperilled by housing development:

- Page 15: Map ID 455 calls for “buffers around buffers around LWS/ancient woodland” at Spa Ponds.
- Page 17: Map ID 605 calls for “Allow a robust buffer strip to be created between the arable field and Spa Ponds”

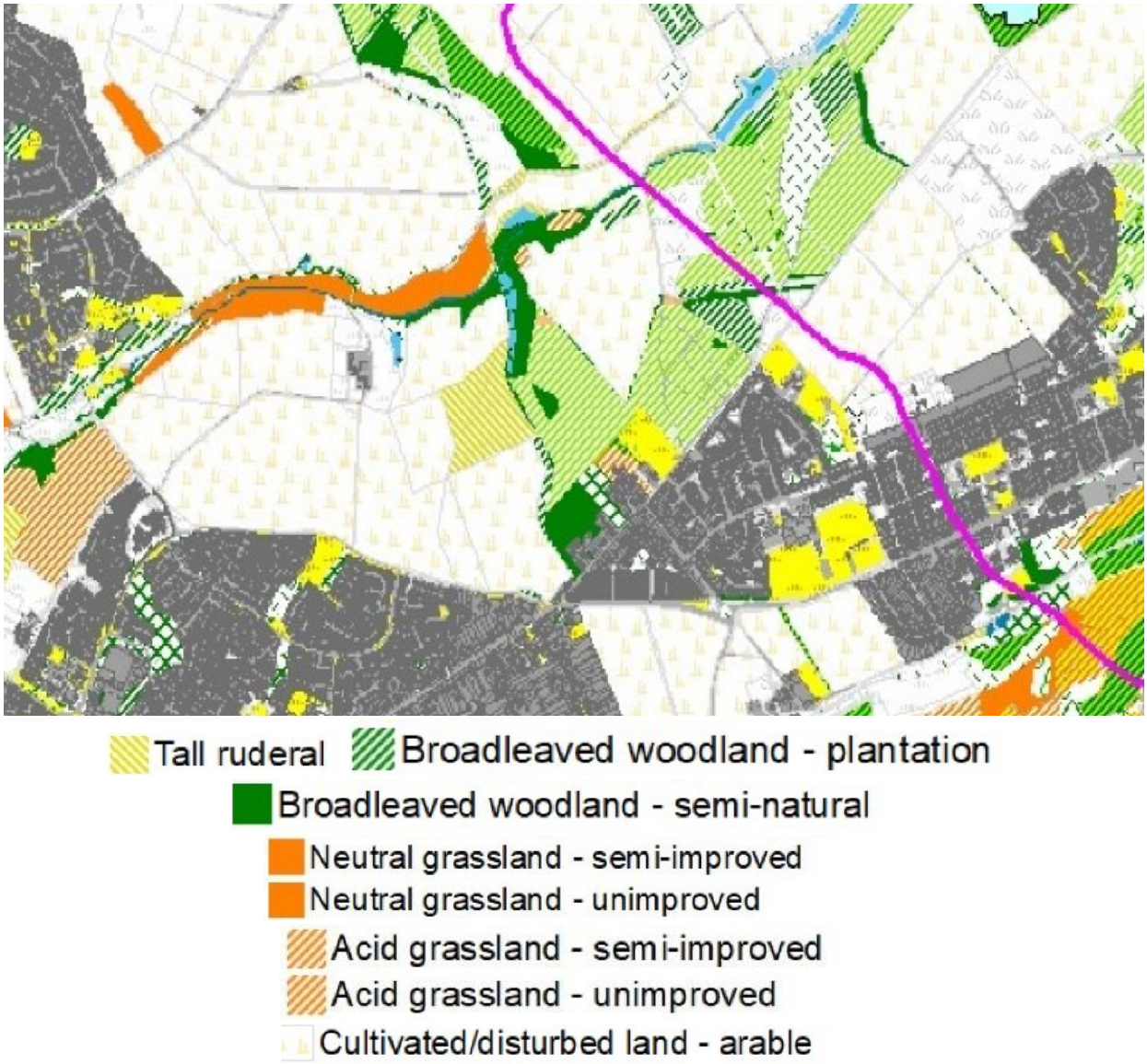
The BOM map (reproduced overleaf) also records that a plot of land immediately adjacent to the west of Spa Ponds was considered ‘Tall ruderal’ land.

Tall ruderal herb vegetation (nettles, thistles, willow-herb, etc.) boost local biodiversity both in their own right and by providing larval food-plants for butterflies such as Small Tortoiseshell, Peacock, Red Admiral and Comma, and by offering warm, structurally varied swards used by grasshoppers, bush-crickets and many other insects.

These abundant insects, including night-flying moths, in turn form essential prey for bats and other insect-eating mammals. Such vegetation can also support birds and small mammals, both directly and indirectly, providing food and shelter.

The map overleaf also shows land around the River Maun, which at least partially correlates with the Maun Scrub and Grassland LWS and proposed allocation areas 56, 67 and 187 as some of the only land designated as Neutral Grassland in the area and so plays a valuable role in protecting and increasing biodiversity.

Extract from the Mansfield BOM map:



Measures to protect and improve grassland, including Neutral Grassland, are set out in the Nottinghamshire & Nottingham Local Nature Recovery Strategy. This is discussed further in a subsequent section.

It should be noted that echo-locational surveys have identified the following bats that nest and forage in and around Spa Ponds, including on adjacent sites such as sites 56 and 188:

- Brown long-eared bat (Plecotus auritus)
- Daubenton's bat (Myotis daubentoni)
- Brandt's bat (Myotis brandtii)
- Noctule bat (Nyctalus noctula)
- Pipistrelle bat (Pipistrellus pipistrellus)
- Soprano Pipistrelle (Pipistrellus Pygmaeus)

Value of Spa Ponds recognised by the Sherwood Habitats Strategy Group

According to the Sherwood Habitats Strategy Group's State of Nature in Sherwood Report (2023):

> "Spa Ponds are of good ecological appearance, supporting many aquatic plants and invertebrates…"

Recorded wildlife sightings at Spa Ponds

As set out on page 12 of the Spa Ponds Site Management Plan (March 2021) - available at: https://www.foresttown.net/nature/Spa_Ponds_Site_Management_Plan_March_2021.pdf - Spa Ponds hosts a variety of important species and habitats:

FEATURE	ATTRIBUTES	IMPORTANCE	
		Local BAP	UK BAP
Habitats			
Semi-natural broadleaved woodland	Roosting potential for bats, oak-birchwoodland	•	
Hedgerow	BAP bird nesting habitat, bat foraging and commuting routes and amphibian cover and sheltering opportunities. provide ecological corridor	•	•
Ponds	Sherwood Sandstone spring, important LBAP site for amphibian breeding, Daubenton's bat foraging site, odanata foraging and ovipositing	•	•
River	Good spawning sands and gravels	•	•
SPECIES*			
Amphibians	Common toad *Bufo bufo*	•	•
Mammals	Brown long-eared bat *Plecotus auritus*	•	•
	Daubenton's bat *Myotis daubentoni*	•	
	Brandt's bat *Myotis brandtii*	•	
	Noctule bat *Nyctalus noctula*	•	•
	Pipistrelle bat *Pipistrellus pipistrellus*	•	
	Roe deer *Capreolus capreolus*	•	
	Soprano Pipistrelle *Pipistrellus Pygmaeus*	•	•
Fish	Bullhead *Cottus gobio*	•	
Birds	Common Starling *Sturnus vulgaris*	•	•
	Dunnock *Prunella modularis*	•	
	Grey wagtail *Motacilla cinerea*	•	
	Lesser-spotted woodpecker *Dryobates minor*	•	•
	Linnet *Linaria cannabina*	•	•
	Skylark *Alauda arvensis*	•	•
	Song Thrush *Turdus philomelos*	•	•
	Yellowhammer *Emberiza citrinella*	•	•
Vascular Plants	Bluebell Hyacinthoides *non-scripta*	•	•
	Lesser stitchwort *Stellaria graminea*	•	
	Meadow cranesbill *Geranium pratense*	•	
	Nettle leaved bell *flower Campanula trachelium*	•	
	Nipplewort *Lapsana communis*	•	

*Note: There is no LBAP information for the following groups: Ants, Molluscs, Algae, Bees, Bryozoans, Fungi, Caddis flies, Stone flies, Lichens, Crustacea, True bugs, Liverworts, Flies, Wasps, Mosses, Millipedes, Worms, Stoneworts. We are aware of a range of fungi, dragonflies and damselflies regularly found at Spa Ponds.

The extent of biodiversity in and around Spa Ponds is demonstrated by the many wildlife sightings recorded by conservationists over the past decade or so, which include: Eurasian Otter (Lutra lutra), West European Hedgehog (Erinaceus europaeus), Tree Bumblebee (Bombus hypnorum), Eastern Grey Squirrel (Sciurus carolinensis), Eurasian Badger (Meles meles), Field Vole (Microtus agrestis), European Mole (Talpa europaea), European Rabbit (Oryctolagus cuniculus), Eurasian Common Shrew (Sorex araneus), Barn Owl (Tyto alba), Scarlet Elfcup (Sarcoscypha austriaca var. austriaca), Mallard (Anas platyrhynchos), Moorhen (Gallinula chloropus), Pheasant (Phasianus colchicus), Blackcap (Sylvia atricapilla), Song Thrush (Turdus philomelos), Water Rail (Rallus aquaticus), Buzzard (Buteo buteo), Smooth Newt (Lissotriton vulgaris), Reed Warbler (Acrocephalus scirpaceus), Redwing (Turdus iliacus), Carrion Crow (Corvus corone), Kingfisher (Alcedo atthis) and a host of other birds, and of course Common Toad (Bufo bufo).

Species found to the west of Spa Ponds in sites 56 and 188

According to iRecord, species recorded in site 56 include:

- **Birds:** Skylark (*Alauda arvensis*);and Linnet (Linaria cannabina); Long-tailed Tit (Aegithalos caudatus); Lapwing (Vanellus vanellus); Linnet (Linaria cannabina) (2021)
- **Plants:** Hedgerow Crane's-bill (*Geranium pyrenaicum*) (2022)
- **Butterflies:** Small Tortoiseshell (Aglais urticae) (2021); Painted lady (Vanessa cardui) and Ringlet (Aphantopus hyperantus) (2021)

Sightings along the River Maun around site 56 include Water Vole in 2019.

This is just a small sample of the wildlife on these sites that has not been captured by recent sighting records.

We are confident that further surveys at an appropriate time of year would find significant levels of biodiversity interest across site 56 and elsewhere.

Nature Recovery Strategy & Biodiversity Net Gain Opportunity Cost

FTNCG Concerns

There are identified opportunities to improve nature conservation on land to the north and west of Spa Ponds, including on both sides of the River Maun. Such improvements can be delivered more effectively if they are not competing with new housing development. As such, it would not be reasonable to attempt to justify housing development in this sensitive area based on the promise of providing funding to instigate these identified improvements, e.g. as part of some sort of Biodiversity Net Gain (BNG) scheme.

The introduction of houses into the countryside would significantly increase the cost of delivering equivalent levels of improvement because it would also have to more than compensate for the loss of connectivity and the introduction of additional disturbances and other sources of biodiversity degradation.

As such, the greatest opportunity for delivering biodiversity improvements in Mansfield in the long term can be found by maintaining the land as part of the countryside and recognising its irreplaceable nature conservation value.

Furthermore, some of the identified opportunities would only work on specific pieces of land, and so if this land were to be developed then those opportunities would be lost.

In line with the discussions in an earlier section of this representation (e.g. regarding the designation of land to the west of Spa Ponds as part of the Green Infrastructure for Climate Change Mitigation), there are significant issues in relation to flood risk across the proposed allocations.

As a result of development the existing flood risk would be greatly exacerbated by the displacement of water currently absorbed by the undeveloped land. This displacement of large volumes of water would result in a significantly greater need to protect and enhance the area beyond that modelled as part of the Biodiversity Opportunity Mapping (BOM) carried out to date to inform the emerging Nottinghamshire & Nottingham Local Nature Recovery Strategy.

For example, the aforementioned measures to protect and improve grassland, including Neutral Grassland, identified by the BOM and set out in the Nottinghamshire & Nottingham Local Nature Recovery Strategy, would be rendered undeliverable were housing development to take place on existing or potential grassland areas, including for example those areas described as “field margins” or “buffer strips along watercourses”. This is explored in further detail below.

The lands to the west and north of Spa Ponds have been agricultural land, warren, fields, heath or woodland for more than a thousand years. As noted above, the unique level of connectivity and contiguity is a key asset which would be impossible to re-created elsewhere. As such it is important to consider the potential improvements which can be made on some of this land and the fact that this could be compensation for off-site development elsewhere in preference to developing some of the land for housing.

However, if some of the land is developed for housing it is also essential that this is sensitively located and that it does actually result in the delivery of wider improvements that will stand the test of time and deliver genuine and significant biodiversity gains.

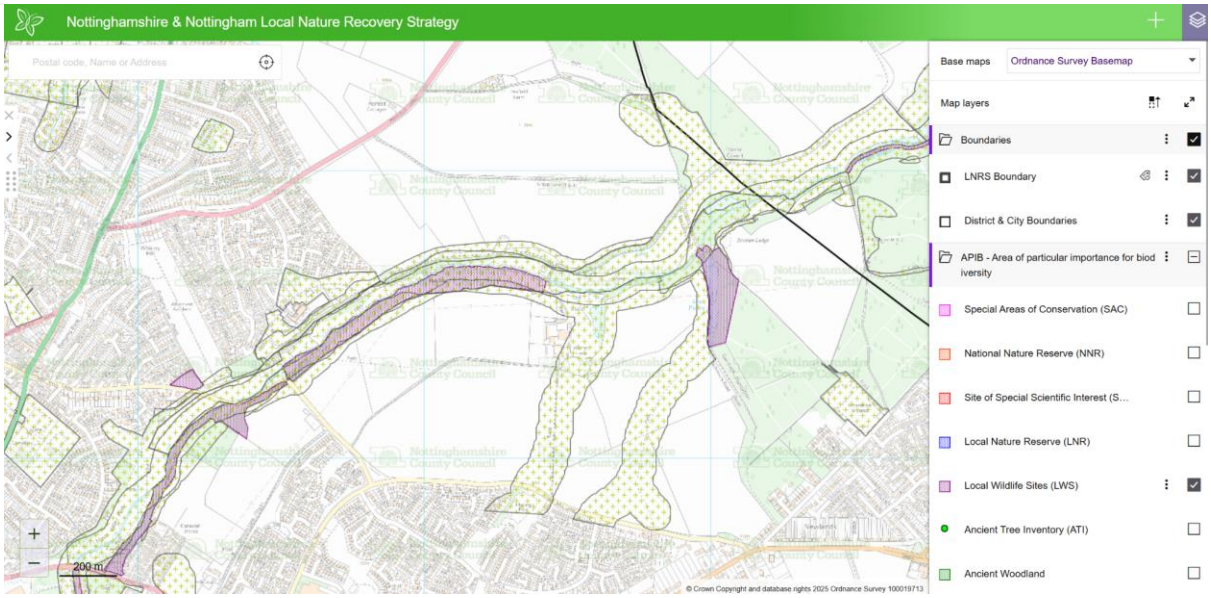
Detailed consideration of the adverse impact of the proposed housing allocations with respect to the emerging Local Nature Recovery Strategy for Nottinghamshire and Nottingham

Paragraphs 10.25 - 10.28 of MDC's Draft Local Plan Review Consultation Document set out the importance of Local Nature Recovery Strategies (LNRS). These passages in the Draft Local Plan Review explicitly acknowledge that "Nottinghamshire County Council have produced a draft LNRS for consultation", and that: "The council [i.e. MDC] has a **legal duty to take account of the LNRS during the preparation of local plans** (Levelling Up and Regeneration Act)". (**emphasis added**)

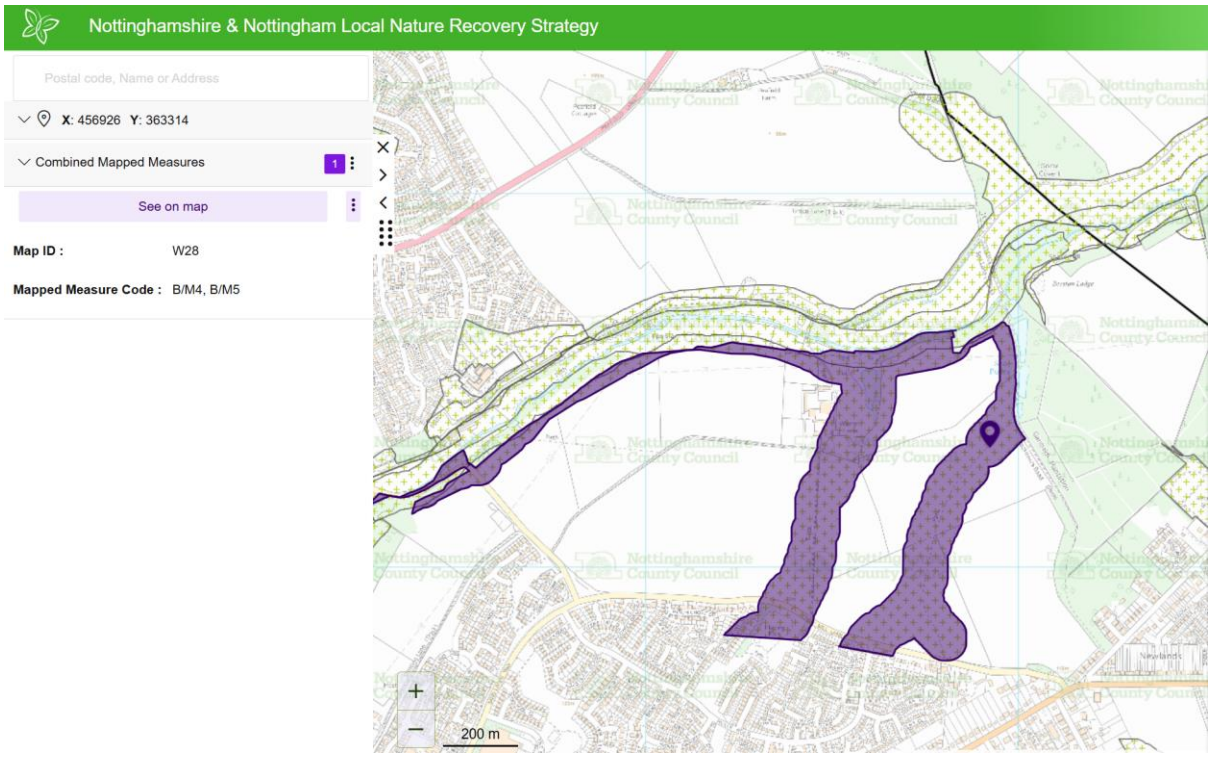
Table 10.3 of the Draft Local Plan Review Consultation Document lists the emerging (Draft) LNRS as part of the evidence base that has informed MDC Local Plan Policy NE2 (Biodiversity and geodiversity).

It is disappointing that the Draft LNRS did not also inform MDC's consideration of the potential new housing allocations, as sites located near to the Spa Ponds Nature Reserve appear to have been deemed to constitute a 'reasonable alternative' based on assessments that pre-date the emerging Nottinghamshire LNRS to which MDC has a legal duty to take into account.

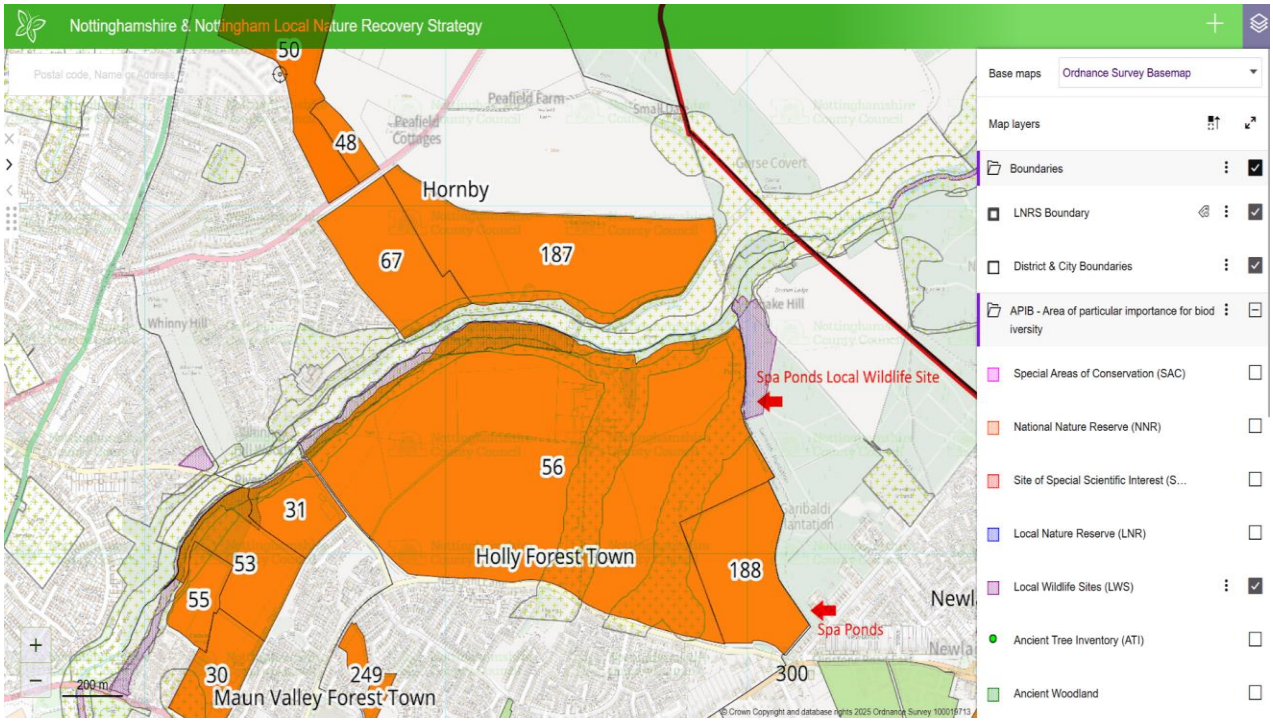
As can be seen from the screenshots overleaf, large tracts of land to the north and west of Spa Ponds are proposed for use to support the Nottinghamshire & Nottingham Local Nature Recovery Strategy.



In the first instance, FTNCG is interested in Map ID W28 (below) which is associated with LNRS measures B/M4 and B/M5 (see text below the maps for detail of these measures):



As can be seen in the following overlay, much of the eastern portion of site 56 is proposed in the Draft LNRS for measures B/M4 and B/M5 as part of W28.



Source: https://spectrum.nottscc.gov.uk/connect/analyst/mobile/#/main?mapcfg=%2FDraft%20LNRS%20Public%20Consultation

LNRS Potential Measure B/M4 is associated with the following measures:

- “Installation and retrofitting of features to reduce fragmentation caused by roads and railways, including underpasses and green bridges at key locations”. (page 57)
- “Plant and allow natural establishment of woodlands and other woody habitats at appropriate locations using the UK Forestry Standard to guide design, focussing on the woodland landscapes of the Greenwood Community Forest area, Sherwood Forest and the Mercia Mudwoods, ensuring the right tree in the right place, for the right reason, and maximising other benefits including in relation to water management”. (pages 67 and 69)

Potential Measure B/M5 is associated with the following action:

- “Strategic habitat creation as part of large-scale development, creating more habitat and better ecological connectivity at a landscape-scale”.

The LNRS also notes:

- “A number of species or groups of species associated with watercourse and wetland habitats are of particular significance in the LNRS area, and some at a national level. These include:…
  * Otter and Water Vole (the latter reduced to small number of residual populations)...
  * Amphibians using ponds, including Common Toad and Great Crested Newt…”

Consideration should be given, in this context, to the sightings of both otter and water vole in and around Spa Ponds.

Spa Ponds also supports the largest population of Common Toads recorded in Nottinghamshire, and as noted elsewhere they could be imperilled by housing development which affects the ability of toads to safely enter and leave Spa Ponds.

Anticipated future habitat pressures are listed in the LNRS (page 41-43). These include the following which could be exacerbated by the proposed housing allocations:

- Direct loss of habitat:
  - “Loss of habitat to land use change, including for residential and commercial development in urban, urban-fringe and rural areas, minerals, waste and infrastructure projects including linear infrastructure and energy production”.
- Indirect loss / decline of habitat quality:
  - “Artificial lighting and noise from adjacent development”.
  - “Recreational impacts (see below)”.
  - “Pollution to watercourses from point sources and diffuse sources leading to eutrophication (see below under Wider environmental issues)”
  - “Changes to hydrology and hydrogeology, leading to damage to water-dependent habitats including through too much and too little water”.
  - “Lack of sufficient space to allow natural processes to take place, leading to less diverse habitats”.
- Recreation and disturbance:
  - “Damage to habitats through trampling of vegetation, compaction of soils, erosion of riverbanks etc.”
  - “Secondary issue of flea treatments for dogs polluting waterbodies and dog fouling causing eutrophication of habitats”.

In terms of adverse impacts on species, LNRS pages 44 and 45 note a range of pressures. These include the following pressures that could be exacerbated by the proposed housing allocations:

- Habitat fragmentation:
    - “Loss of habitat resulting in increased habitat fragmentation, reducing ecological connectivity, increasing risk of localised species extinction and reducing likelihood of recolonisation”.
    - “Exacerbated by man-made barriers, such as roads, railway lines, urban edges etc. Road widening can substantively increase barrier effects, particularly for large mammals, foraging bats etc.”
- Loss of habitat heterogeneity:
    - “A failure to recognise the value of transitional habitats such as scrub with a tendency to manage these habitats out”.
- Recreation, disturbance and predation by pets:
    - “Increased human disturbance (including noise and visual) displacing sensitive species and/or affecting breeding success, including as a result of new technologies such as drones”.
    - “Dogs are a particularly serious issue across many sites in the county, disturbing wildlife, predating ground nesting birds and attacking conservation livestock (constraining conservation management)”.
    - “Cats are also an issue, predating small mammals and birds particularly in proximity to existing and new dwellings”.

The proposed housing allocations could also adversely impact on the achievement of the following priorities set out on pages 55, 56, 59, 66 and 71 of the Draft LNRS:

- A/P2 - “Enhanced ecological connectivity between sites and habitats and across landscapes (including urban green and blue infrastructure in urban areas) to reduce fragmentation and allow movement of species in the face of climate change”.
- A/P6 - “Increased populations of pollinators and other invertebrates”.
- B/P1 - “Improved ecological condition of existing lowland mixed deciduous woodlands and other woody habitats, including Ancient Woodlands, to enhance biodiversity and increase resilience to climate change”.
- B/P4 - “Better protection of ancient and veteran trees, and future AVTs [ancient and veteran trees], including those in the wider countryside outside woodlands”.
- C/P1 - “Improved ecological status and condition of all waterbodies to meet River Basin Management Plan (RBMP) objectives, working at a catchment scale, to enhance biodiversity and increase resilience to climate change”.
- C/P2 - “Enhanced physical and ecological connectivity along watercourses”.
- D/P1 - “Improved ecological condition of existing wetlands to enhance biodiversity and increase resilience to climate change”.
- D/P5 - “Improved conservation status of Pond species assemblage”.

- D/P6 - “Improved conservation status of Wetland species assemblage”.
- G/P2 - “Improved condition of existing on-farm habitats and field boundaries to enhance biodiversity and increase resilience to climate change”.
- G/P4 - “Improved conservation status of Farmland species assemblage”.
- SP/P15 - “Safeguard populations of Water Vole and expand their distribution”.

Table 3 of the Draft LNRS lists a number of relevant supporting actions upon which the proposed housing allocations could adversely impact, including:

- Designated sites and priority habitats:
    - “Protection of existing designated sites and areas of priority habitat”.
    - “Improved condition of SSSIs and LWSs in the LNRS area”.
- Land use planning:
    - “Appropriate planning policy in place to make planning decisions that minimise impacts on habitats and species, provide appropriate mitigation and compensation, and which maximise the biodiversity value of new developments”.

With respect to water quality and quantity, the Draft LNRS also warns on page 46 that: “urban run-off” is one of the “significant issues hampering the quality of Nottinghamshire’s watercourses”

The LNRS therefore encourages “the use of buffer strips along watercourses and SuDs within new developments” and explains that:

> “It may also include ensuring that the planning system properly considers the scale of sewage and drainage infrastructure necessary to support new (and existing) development, in addition to influencing water abstraction and flood management”.

Because the ponds at Spa Ponds feed into the River Maun, this issue is relevant both to run-off that might directly enter the Maun from the suggested housing developments and indirectly into the Maun from the suggested housing developments via Spa Ponds.

It is also worth summarising and commenting upon relevant portions of Appendix 5 of the Nottinghamshire and Nottingham Local Nature Recovery Strategy, as this Appendix focuses on “Identifying Priorities and Potential Measures for species recovery”.

The following excerpt from the emerging LNRS are especially relevant:

- With respect to the need for more, bigger, and better connected habitat it is noted that there are a range of “Species likely to markedly benefit from general creation, expansion, and improved connectivity of good quality habitats in the strategy area”
  - and the allocation of the three proposed sites in question would be likely to undermine such benefits, not least by removing land that is currently used for connectivity (e.g. with Spa Ponds and with the nearby Maun Scrub and Grassland LWS along the River Maun) and as good quality habitat in their own right.
- With respect to the need for “targeted habitat management” LNRS Appendix 5 notes how “[Some] Species may require specific configurations or complexes of connected or nearby habitat/s, either at site level or across large areas / multiple sites. This may include habitat connectivity measures for species needing support to track climate change”
  - and the allocation of the three sites in question would be likely to remove an area with the potential to address this growing and important need for connected habitats across multiple sites.
- With respect to the need for “improvements in environmental quality” it is noted that there is a need for “better catchment water quality, improved spatial planning of air pollution sources, mitigation of recreational disturbance”
  - and the allocation of the three sites in question would be likely to undermine such improvements, for example by removing areas that are currently used by wildlife to avoid ‘recreational disturbance’ associated with human visitors to Spa Ponds.

Similarly, as noted above, priority AP/2 is identified in the Nottinghamshire and Nottingham Local Nature Recovery Strategy, and this relates to the need for:

> “Enhanced ecological connectivity between sites and habitats and across landscapes (including urban green and blue infrastructure in urban areas) to reduce fragmentation and allow movement of species in the face of climate change”.

Once again, this priority would be jeopardised by the proposed allocation, as it would add to fragmentation whilst reducing movement of species in the face of climate change.

Ecological connectivity within ecosystems is widely recognised as a cornerstone of preserving biodiversity and enhancing ecosystem resilience. MDC’s revised Local Plan must not be allowed to undermine such ecological connectivity.

Additionally, it is hard to see how the proposed allocations would increase populations of pollinators and other invertebrates. It should be noted in this respect that a great deal of investment of time and finance has been devoted to establishing a pollinator corridor along the length of Spa Ponds, and furthermore recent invertebrate surveying has revealed how several rare species of invertebrate rely on Spa Ponds.

The full invertebrate survey is available at: https://www.foresttown.net/wp-content/uploads/2023/10/Spa-Ponds-Invertebrates-Final.pdf

In summary, no fewer than 318 species of invertebrate were identified during this survey, although as the survey report notes:

> "The true number of invertebrate species inhabiting Spa Ponds will be greater than the numbers listed in this report".

The survey covered both terrestrial and aquatic environments, and with respect to the ponds themselves the study identified 13 species of invertebrate with a United Kingdom conservation designation, all of which were coleoptera. One species without a conservation designation, the saproxylic staphylinid beetle Phloeostiba plana had not previously been recorded in Nottinghamshire.

The survey entailed the use of Natural England's analysis software Pantheon and the surveyor's (EMEC's Adrian Dutton) extensive professional experience to determine the significance of invertebrate assemblages present and to highlight those invertebrates of national or regional conservation importance found during the survey, including the nationally scarce: Corcticeus unicolor; Oligota apicata; Lissodema denticollis; Mordellistena neuwaldeggiana; Abdera quadrifasciata; Cantharis fusca; and Margarinotus brunneus, as well as Red Data Book (RDBK) species including: Leiodes lucens; and Notable species such as: Enicmus rugosus; Acalles ptinoides; Diplocoelus fagi; and Enicmus brevicornis, and the nationally rare Agelastica alni.

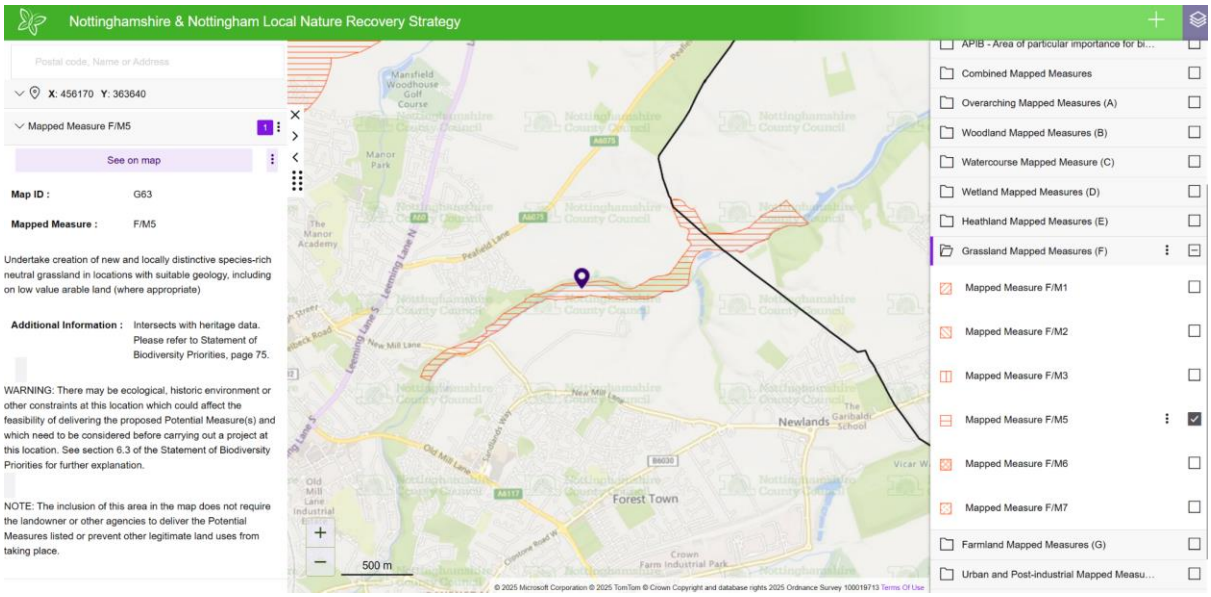
In terms of pollinators outside of Spa Ponds, FTNCG is aware that fields located to the west of Spa Pond have historically served as very prolific wildflower meadows, thereby highlighting the importance of these sites for nature conservation and biodiversity in general, and for maintaining connectivity and resilience associated with Spa Ponds in particular (including both the Spa Ponds LWS and the wider Spa Ponds site which is the focus for ongoing efforts to introduce and extend pollinator corridors).

With respect to grassland and scrub, as mentioned above, the Nottinghamshire and Nottingham Draft Local Nature Recovery Strategy Appendix B includes such relevant measures as:

- F/M2 – "Bring unmanaged and neglected grasslands back into favourable management to increase species diversity, including field margins, buffer strips along watercourses, road verges, railways and amenity grasslands".
- F/M3 – "Increase the value of grasslands in public open space…".

- F/M5 – “Undertake creation of new and locally distinctive species-rich neutral grassland in locations with suitable geology, including on low value
- arable land (where appropriate)”.
- H/M2 – “Carry out wildlife-friendly management of public green spaces (including parks, allotments, churchyards and cemeteries, road verges, walkways, watercourses, wetlands and woodlands), including by relaxing mowing regimes, establishing wildflower grasslands, planting native trees and shrubs, and creating ponds”.

For example, Policy FM/2 is directly associated with the Maun Scrub and Grassland LWS and highlights how this habitat needs protecting rather than being threatened by housing development. See the map below:



An opportunity cost of housing development in any of the areas to the north or west of Spa Ponds is that such opportunities for biodiversity improvements would be lost. To date, these and other opportunity costs (including the loss of agricultural land) do not appear to have been given adequate consideration as part of MDC’s Local Plan review process.

HELAA Critique & Site Viability

FTNCG’s Overarching Concerns

It is unclear when the version of the HELAA that accompanies the Local Plan Review was carried out, and the document does not appear to be fit for purpose.

There are signs that the document is out of date. For example, the Local Government Boundary Commission for England (LGBCE) carried out an electoral review of Mansfield District Council between 2020 and 2022.

As per the MDC webpage at: https://www.mansfield.gov.uk/elections-voting/electoral-review-1

> "The Boundary Commission for England is an independent and impartial organisation responsible for reviewing Parliamentary constituency boundaries in England. They have made their recommendations for the new boundaries to Parliament in July 2023".

Yet, despite this, MDC appears to have gone ahead with the current Local Plan Review consultation without having updated or corrected even this basic error that means that HELAA entries refer to wards that in some cases no longer exist, let alone undertaking a more comprehensive 'fact checking' of the HELAA document, despite the promise made within the HELAA Methodology document that:

> "The site-specific information relating to each site will be updated if and when more information becomes available".

Similarly, references to "Planning Status" in HELAA Appendix B - Housing and Economic Sites are confusing. Nowhere in the HELAA Methodology document is the term "Planning Status" used or explained. Confusion arises as, despite the impression that readers might be given, the planning status of 'Live' does not indicate that a live planning application for housing on this site is currently being considered by MDC.

More significantly, there appear to be numerous failures to consider important factors within the HELAA that accompanies the Local Plan Review the absence of which result in the consultants arriving at incorrect conclusions about the suitability of a range of sites as potential sites for housing allocation.

FTNCG has already made clear our view that as the HELAA, whenever it was compiled, clearly pre-dates the publication of the Nottinghamshire and Nottingham Draft Local Nature Recovery Strategy and therefore cannot be relied upon to reflect the emerging policies and measures contained within that Strategy, which MDC has a legal duty to take into account.

Northern part of site 56 fails to meet Stage 1 Criteria due to flood risk

Stage 1 Criteria includes the following:

> "Sites within functional flood plains (Flood Zone 3A and 3B) will not be considered for housing or economic development purposes".

The reason given for this is that:

> "Land that is in flood zone 3A and 3B proposed for residential and zone 3B for economic development will not be included in the HELAA".

However, as set out above, the northern portion of site 56 is mapped by the UK Government to being within Flood Zones 3A and/or 3B.

The associated entry for site 56 in HELAA Appendix B acknowledges that: “The River Maun runs adjacent to the northern boundary of the site which includes flood zones 2 and 3” and that “This area can be excluded from development with appropriate buffer and mitigation possible whilst not impacting on the viability and deliverability of the site”.

It is important that future mapping makes clear which parts of a given site are being considered for housing (the ‘developable area’) and which parts are being considered for abatement, buffer, mitigation, compensation, etc.

Failure to adequately consider constraints at Stage 2 for Site 56

In terms of flood risk, while the Flood Zones alongside the River Maun are acknowledged, the Stage 2 HELAA assessment for site 56 fails to consider the "indicative areas of concentrated runoff” and the flood risk associated with this (discussed further above).

As the Appendix 1 Guidance notes on page 29:

> “Sites and / or areas within sites at risk of flooding should be avoided in line with the sequential test”

No consideration appears to have been given to the potentially devastating and irreversible adverse impact on the historic environment for any of the relevant sites (discussed further above) despite this being one of the criteria set out in Appendix 1.

No consideration appears to have been given to the loss of agricultural land despite “Development of the site would result in the loss of an existing use which is not surplus to requirements” being one of the Appendix 1 criteria on page 29 that could rule a site out of being considered. The sites also often have unacknowledged recreational uses, e.g. within the context of the public footpaths and associated trails, which could be adversely impacted by housing development (see above).

Insufficient consideration appears to be given to “Compatible with adjoining uses”, e.g. with respect to the impact on access for toads and other adverse impact on Spa Ponds Local Wildlife Site and Local green space, including with respect to the potential for environmental protection and improvement as identified in the BOM and as promoted within the Draft LNRS (see above).

Stage 2 Achievability of Sites 56, 187, and 188 and other related issues arising

As is recognised in HELAA Appendix B, Site 56 (Warren Farm, Land North of New Mill Lane) would be:

> "Likely to require improvements to off-site junctions and upgrades to New Mill Lane".

The cost of such improvements and upgrades do not appear to have been assessed, and there is every possibility that the work necessary to mitigate the harm that would be caused through the development of Site 56 would render this site unachievable / undeliverable.

For these reasons in combination with the harms associated with damage to Spa Ponds site 56 should be discounted and removed from the HELAA.

With respect to site 187 (Land forming part of Peafield Farm), Appendix B of the HELAA describes this site as:

> "A large greenfield site that would require significant up-front on and off-site infrastructure prior to delivery of the first completions".

As the site "is not adjoining the Mansfield settlement boundary" housing development is only considered potentially deliverable "following development of site 67", and as the HELAA assessment makes clear, the development of sites 67 and 187 would "result in a significant extension into the countryside".

Thus, these sites fail both because they do not form a logical extension to an existing settlement boundary and because housing development would be incompatible with adjacent uses at Spa Ponds, which is both a Local Wildlife Site (LWS) and a Local Green Space (LGS), and at the Maun Scrub and Grassland LWS.

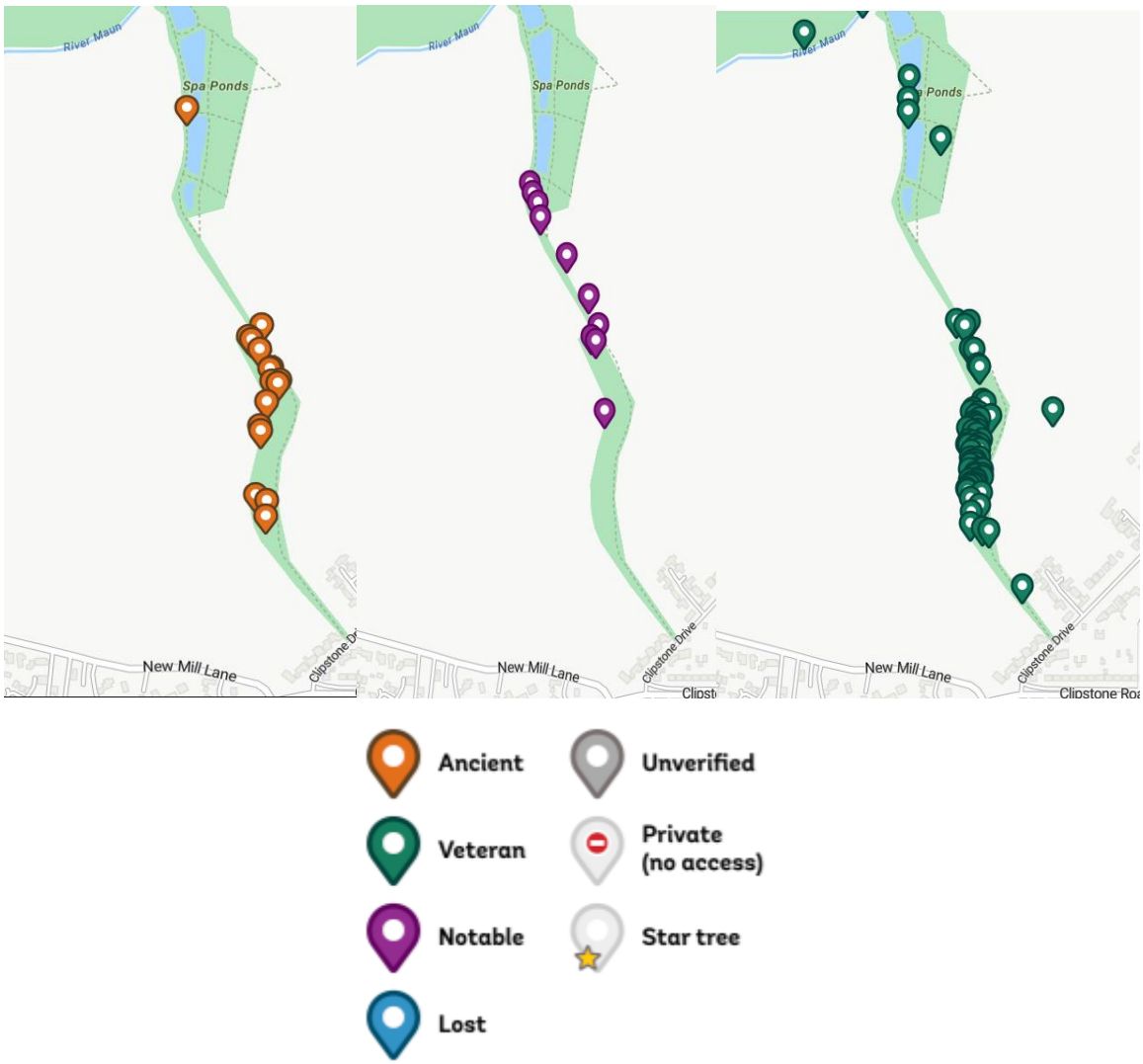
Furthermore, with respect to development at site 187, in light of the assumption that two points of access are likely to be required if the full site were to be developed, it is significant that the Appendix identifies how:

> "Only a single point of access would be possible on to the A6075…The site could result in adverse impacts on the nearby LWS to the south of the site…"

The scale and nature of any mitigation that would be necessary remain unclear, as do the costs of such measures, and therefore the deliverability of the site remains uncertain. These factors combine, alongside the potential damage to Spa Ponds and to the Maun Scrub and Grassland LWS, to mean that site 187 should also be discounted and removed from the HELAA.

Similarly, when it comes to site 188 (Land forming part of Warren Farm), Appendix B of the HELAA correctly identifies how “A number of ancient trees are located adjacent to the eastern boundary” and how these would “therefore require protection”, and how “Consideration will need to be given to cumulative impacts of the site if site 56 is also brought forward for development”.

As per Woodland Trust Ancient Tree Inventory Spa Ponds contains not just ancient trees, but also veteran trees and notable trees (see images overleaf)



The value of ancient and veteran trees, as well as future veteran trees, is acknowledged in the Draft LNRS (see above).

It is important that none of these trees are harmed by development, including in relation to the creation of shade and other changes that could reduce water available to the trees.

Mention is also made in the Appendix B of the HELAA entry for site 188 of the required "[off-site] infrastructure and various mitigations, including possible improvements to off-site junctions and upgrades to New Mill Lane, to reflect this scale of development…before delivery of first completions".

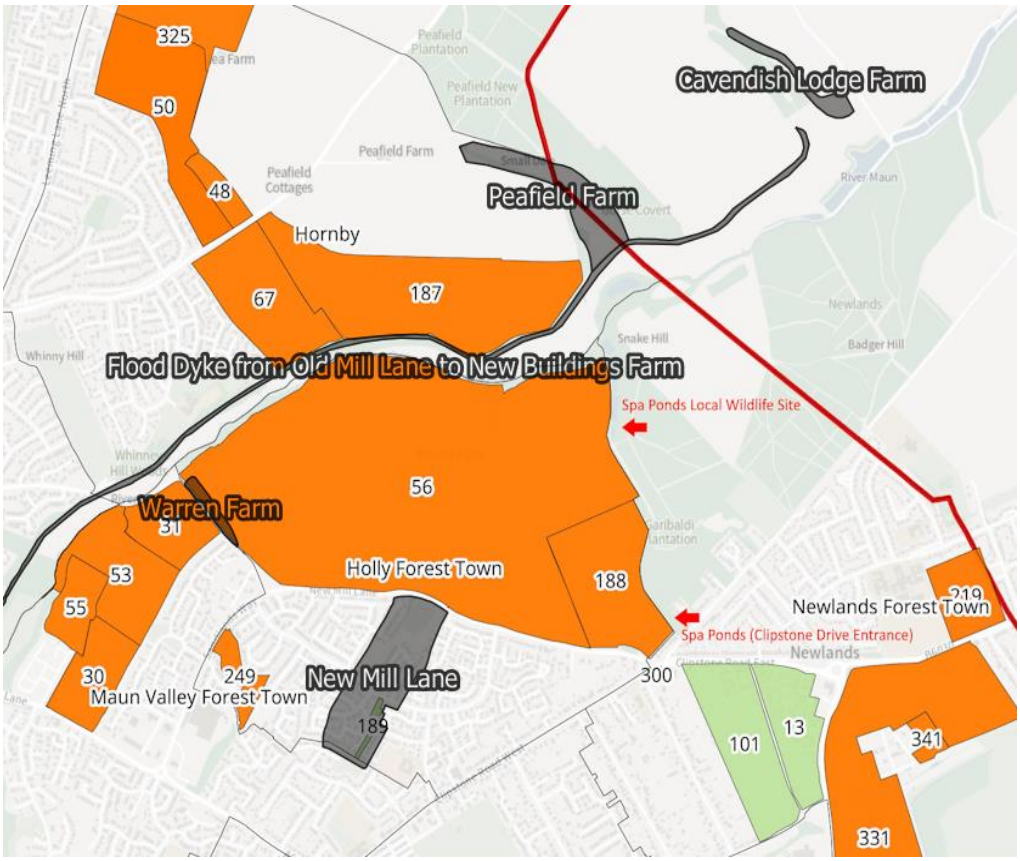
Once again, the cost of such improvements and upgrades do not appear to have been assessed, and there is every possibility that the work necessary to mitigate the harm that would be caused through the development of Site 188, on its own or in conjunction with site 56, would render this site unachievable / undeliverable.

For these reasons, in combination with the harms associated with damage to Spa Ponds, site 188 should also be discounted and removed from the HELAA.

As is acknowledged in the HELAA Methodology paper, an additional expense capable of rendering an otherwise potentially achievable site undeliverable relates to 'contamination remediation costs'.

In light of the previous use as a landfill site both within site 56 (on the western side) and to the east and northeast of site 187, there remains unassessed potential contamination remediation costs associated with development at either of these sites.

Previous landfill site usage is shown in grey in the map below, adapted from Environment Agency mapping datasets.

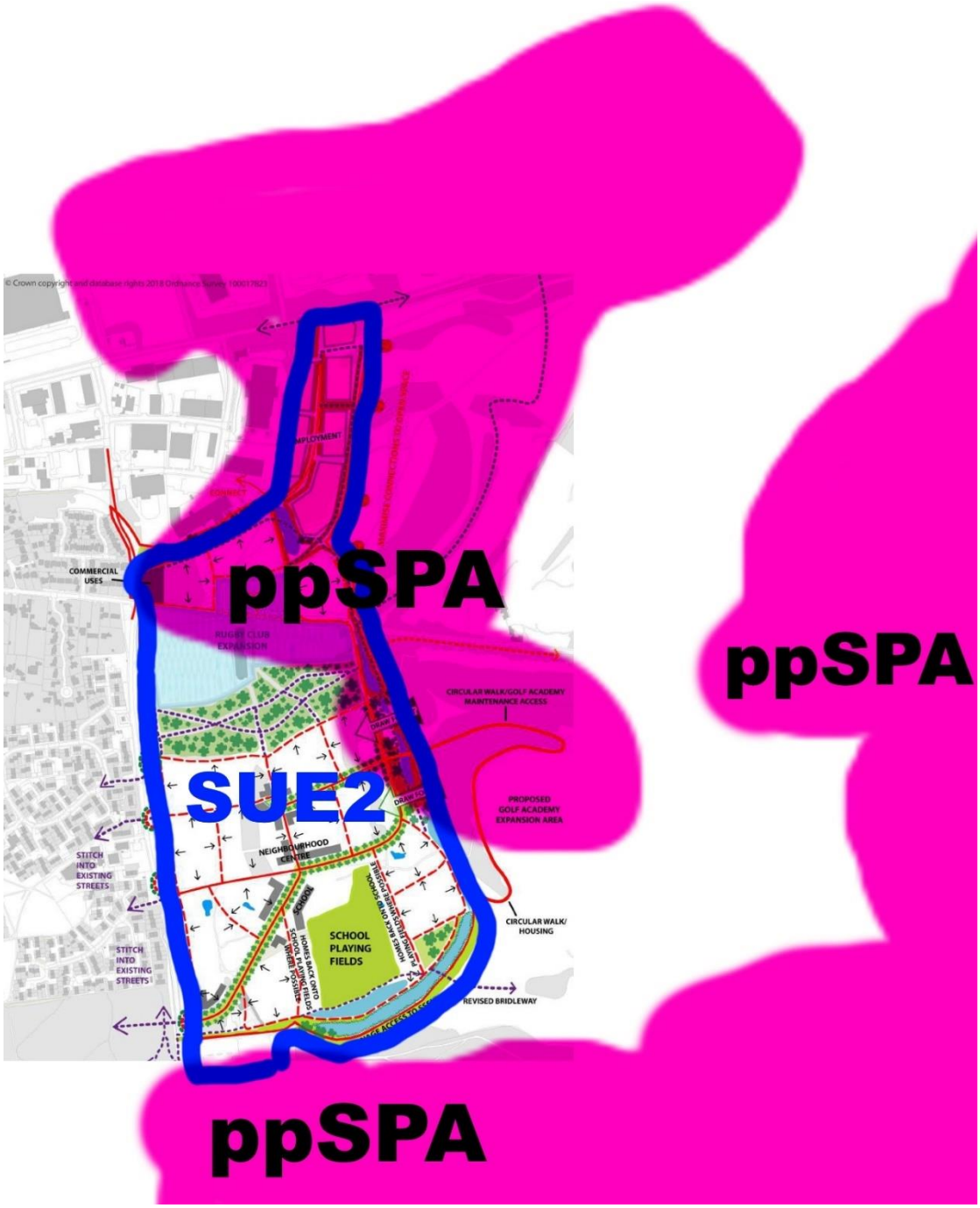


Question 9: Comprehensive development

Please comment here to let us know if you agree with our approach to this policy.

As can be seen from the indicative map below, the SUE2 development site at Land Off Jubilee Way [SUE2] is located near Natural England's ppSPA:

Prospective Potential Special Protection Area (ppSPA) overlaid on top of the Mansfield District Local Plan Publication Draft SUE2 masterplan



According to Natural England's 2014 advice note, which remains extant, they:

> "…recommend a precautionary approach should be adopted by LPAs [Local Planning Authorities] which ensures that reasonable and proportionate steps have been taken in order to avoid or minimise, as far as possible, any potential adverse effects from development on the breeding populations of nightjar and woodlark in the Sherwood Forest area".

Given the sensitivity of the SUE2 site with respect to woodlark and nightjar, we would advise against any expansion in the number of houses to be built at SUE2, and would urge Mansfield District Council to ensure the utmost caution is taken in any future revised masterplan to guarantee that adverse ecological impacts are minimised and that appropriate mitigation and compensation are in place.

Question 42: [SUE2] - Land off Jubilee Way

Please comment here to let us know if you agree with our approach to this policy.

See response to Question 9.

Given the sensitivity of the SUE2 site with respect to woodlark and nightjar, we would advise against any expansion in the number of houses to be built at SUE2, and would urge Mansfield District Council to ensure the utmost caution is taken in any future revised masterplan to guarantee that adverse ecological impacts are minimised and that appropriate mitigation and compensation are in place.

Question 45: [Policy IN2] Green infrastructure

Please comment here to let us know if you agree with our approach to this policy.

FTNCG welcomes the reference to blue / green infrastructure which has been added to Paragraph 9.13.

FTNCG also welcomes the definition of the term 'adjoining' to the Glossary.

Question 56: [Policy NE2] Biodiversity and geodiversity

Please comment here to let us know if you agree with our approach to this policy.

FTNCG welcomes the addition of the following text within Paragraph 10.17:

> "As part of the Bassetlaw Local Plan and Newark & Sherwood Local Plan, a recreation zone of influence of 8.9km radius was calculated for the Birklands & Bilhaugh SAC/Sherwood Forest NNR study area. A recreation zone of influence of 24.7km radius was calculated for the Clumber Park SSSI (which includes the Mansfield district). For Mansfield, this may be a material consideration when determining relevant planning applications and as such, an evaluative judgement will be required as to the effect on the SAC / SSSI. Applicants should provide justification as to why a particular development proposal would have no impact".