

Nuthall Neighbourhood Plan Strategic Environmental Assessment (SEA) Screening Report

Introduction

As required by the basic condition f as set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004 Nuthall Neighbourhood Plan has been subject to a screening opinion. The screening opinion has been prepared by Broxtowe Borough Council (BBC) on behalf of the Parish Council in relation to the submission version of the Nuthall Neighbourhood Plan (which was seen prior to the submission by BBC and detailed in this report).

To be 'made', a neighbourhood plan must meet certain Basic Conditions. Basic Condition f states that the Neighbourhood Plan "*does not breach, and is otherwise compatible with, EU obligations*".

One of these obligations is Directive 2001/42/EC 'on the assessment of the effects of certain plans and programmes on the environment'. This is often referred to as the strategic environmental assessment (or SEA) Directive. The SEA Directive "seeks to provide a high level of protection of the environment by integrating environmental considerations into the process of preparing plans and programmes." The SEA Directive is transposed into UK law through the Environmental Assessment of Plans and Programmes Regulations (the 'SEA Regulations') and it is these regulations that the plan will need to be compatible with. A key stage in the neighbourhood planning process is determining whether or not SEA is required.

Screening process

There are three steps to the screening process, these are:

1. Prepare a screening report
2. Request a screening opinion from the consultation bodies in light of this report
3. In light of their responses, determine whether the plan is likely to have significant effects on the environment (and therefore require SEA).

When determining whether a neighbourhood plan requires SEA, the SEA Regulations require that the criteria set out in Schedule 1 of the SEA Regulations be considered. These are the criteria "for determining the likely significance of effects on the environment". These criteria are split into two categories:

- those relating to the characteristics of the plan; and
- those to the characteristics of the effects and area likely to be affected.

These are set out below:

Plan characteristics

- the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources

The Nuthall Neighbourhood Plan must be in general conformity with the strategic policies contained in the development plan for the area, the Broxtowe Aligned Core Strategy (ACS), which was subject to SEA (Sustainability Appraisal) during its making.

- the degree to which the plan or programme influences other plans and programmes including those in a hierarchy
- the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development
- environmental problems relevant to the plan or programme
- the relevance of the plan or programme for the implementation of [European] Community legislation on the environment (for example, plans and programmes linked to waste management or water protection).

Effects and area characteristics

- the probability, duration, frequency and reversibility of the effects
- the cumulative nature of the effects
- the transboundary nature of the effects
- the risks to human health or the environment (for example, due to accidents)
- the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)
- the value and vulnerability of the area likely to be affected due to—
 - special natural characteristics or cultural heritage
 - exceeded environmental quality standards or limit values
 - intensive land-use
- the effects on areas or landscapes which have a recognised national, Community or international protection status.

Note that the assessment of effects should be done in a proportionate way and it is acknowledged that at this stage there will be gaps in data. That should only be a problem if the gaps or uncertainties are such that it is not possible to reasonably assess the likely significant effects of a plan.

Enough information needs to be included that the consultation bodies can take a view on the likely significant effects of implementing the plan. The SEA Regulations set out a range of issues that could be addressed in the environmental report if SEA is required.

Screening report

Key information on the emerging neighbourhood plan:

Vision

Deliver the long term aims of a vibrant, desirable and sustainable neighbourhood, whilst maintaining the semi-rural nature of the Parish on the outskirts of Nottingham, surrounded

as it is in large measure, by greenbelt land. A key issue is the need to protect Nuthall's rich history and heritage.

Objectives

1. Maintain and where possible enhance the balanced, inclusive community structure in Nuthall in the provision of local jobs and other facilities. Take advantage of the opportunities from the proximity to Kimberley (for retail, secondary schooling and indoor fitness) and speedy access to Nottingham, for all needs, which is a useful feature of local life in the provision of services not located in the Parish itself.
2. Housing and Transport Infrastructure development must take account of the existing burdens of the construction of the M1 motorway in the 1960's and the route proposed for the HS2 rail system alongside the motorway with their detrimental impacts on health (noise and pollution), traffic congestion (time loss and frustration) and any further loss of greenbelt.

Neighbourhood area

The whole of Nuthall Parish

Draft policies

Policy 1: New Housing

New housing including changes of use within the existing built up area of Nuthall as defined on the Policies Map will be supported where the following criteria are met

- i) The necessary infrastructure is provided which will assist in reducing the need to travel particularly by private car.
- ii) There are no environmental issues or other land use designations which indicate that housing development should not take place.
- iii) The development will ensure adequate standards of amenity for new occupiers of the housing and will not result in any unacceptable adverse impact on neighbouring occupiers.
- iv) The development should contribute in a positive way to the character and appearance of the area.
- v) For development of 5 or more homes, a minimum of 20% of the houses should be designed to cater for the needs of elderly or residents with limited mobility.
- vi) The loss of houses that are suitable for elderly residents or those with limited mobility will be resisted.

Policy 2: Nuthall Village Centre

The area immediately adjacent to St Patrick's Church (as show on map 8 and the Policies Map) is designated as Nuthall Village Centre. Within the village centre new retail and business development will be supported where the following criteria are met

- i. The development is a scale and nature that is proportionate to the role and function of the village centre, and individual units should not exceed 250 square metres.
- ii. It does not result in any unacceptable impact on the amenity of adjacent and nearby occupiers.
- iii. Appropriate provision is made for vehicle parking and highway safety.
- iv. Where physical alterations are proposed, these will contribute in a positive way to the character and appearance of the Conservation Area.

Policy 3: Live Work Units

Applications to enable small scale businesses to be operated from home or 'Live Work units' will be supported where there are no unacceptable adverse impact on the local environment, the amenities of neighbours or traffic conditions.

Policy 4: New Open Spaces

Subject to not conflicting with other relevant planning policies, planning applications will be supported which meet the following criteria.

- i) Improve the quality and extent of recreation and play areas within the Parish.
- ii) Provision of allotments.
- iii) Provision of new open spaces, recreational areas, routes appropriate for cyclists and walkers including dog walkers, in particular routes which link areas of population with the Parish.
- iv) The creation of new woodland areas and the enhancement of existing ones.

Policy 5: Design and the Historic Environment

- i. Design of all new development should enhance and positively contribute to the character of the area in which it is located (as described below and show on map 10).
- ii. Any development affecting designated or non-designated heritage assets should preserve and ideally enhance the heritage asset in line with its significance.

Local Aspirations

Subject to not conflicting with other relevant policies, planning applications and other investment decisions will be supported which contribute to the following priorities.

- i. The easing of congestion around J26 of the M1 motorway
- ii. The provision of shared use sports facilities for residents and schools
- iii. The provision of a new GP surgery, dentist and post office
- iv. The provision of a Country Park

Assessment

Consideration of likely significant effects, using the criteria from Schedule 1 of the SEA Regulations for each of the SEA issues:

Biodiversity

Population

There is a need for housing to cater for the needs of the elderly. This could be bungalows or 'extra care' type residential accommodation. This would cater for the high numbers of elderly people within the parish who wish to remain there and also would free up housing for the younger generation who will be looking for housing over the plan period within the parish- the average age is 39.3 which is lower than the average age for Broxtowe as a whole. Policy 1 would have a positive effect of medium sensitivity.

Nuthall has a relatively low population density and therefore the promotion of neighbourhood scale homes development in Policy 1 is not significant.

The Policy 2: Nuthall Village Centre is of a neighbourhood scale albeit would have a positive, but insignificant, effect on a high sensitivity receptor.

Human health

People living near the motorway also suffer poorer air quality than those living in other parts of the borough. The M1 bisects the borough; with junction 26 within the borough at Nuthall Local Aspirations would have a positive effect.

The provision of new medical facilities under Local Aspirations would have a significant positive effect on a high sensitivity receptor.

Policy 4 would have a similarly positive effect on a high sensitivity receptor of open accessible greenspace.

Fauna

No known significant effects.

Flora

No known significant effects.

Soil

The majority of agricultural land is not the best and most versatile.

Water

Insignificant potential effects.

Air

No effect.

Climatic factors

Policy 1 will have a significant positive effect on a high sensitivity receptor of car use.

Material assets

Policy 2 would have a positive effect on a low sensitivity receptor of village shop provision.

Cultural heritage, including architectural and archaeological heritage

Policy 2 may affect a place of high sensitivity cultural heritage including the Grade II* Church of St Patrick, and the Nuthall Conservation Area which is safeguarded in the policy and in Policy 5.

Landscape

The Plan promotes neighbourhood scale development within the existing urban area (i.e. outside of landscape of sensitivity).

Conclusions

It is considered that the Nuthall Neighbourhood Plan does not require SEA as it does not generally allocate sites but only promotes development of a neighbourhood scale. Policy 2 does explicitly conserve the historic environment through reference to the character of the area in the policy. Other policies have positive effects on receptors, some being on high sensitivity receptors.