



**Broxtowe  
Borough  
COUNCIL**

**Strategic Environmental Assessment  
(SEA) / Habitats Regulations  
Assessment (HRA) Screening Report  
prepared in relation to the Submission  
Policies of the Chetwynd: The Toton  
and Chilwell Neighbourhood Plan  
(June 2020)**

**Prepared by Broxtowe Borough Council  
February 2021**

## 1.0 Introduction

- 1.1 This Screening Report has been prepared by Broxtowe Borough Council (BBC) on behalf of the Chetwynd: The Toton and Chilwell Neighbourhood Forum in relation to the Chetwynd: The Toton and Chilwell Neighbourhood Plan (Submission Policies), a draft of which was provided to Broxtowe Borough Council in late June 2020.
- 1.2 As required by 'Basic Condition (f)' as set out in paragraph 8(2) of [Schedule 4B to the Town and Country Planning Act 1990](#) (as amended), as applied to neighbourhood plans by [section 38A of the Planning and Compulsory Purchase Act 2004](#) (as amended), the Chetwynd: The Toton and Chilwell Neighbourhood Plan has been subject to a Screening Report.
- 1.3 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.
- 1.4 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.
- 1.5 A key stage in the neighbourhood planning process is determining whether or not a Strategic Environmental Assessment (SEA) is required. Further guidance on applying European Directive 2001/42/EC '*on the assessment on the effects of certain plans and programmes on the environment*' is set out within a '[Practical Guide](#)', published by the former Office of the Deputy Prime Minister in 2006.

## 2.0 Screening Process

- 2.1 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 requires an SEA).
- 2.2 When determining whether a neighbourhood plan requires an SEA, the SEA Regulations require that the criteria set out in Schedule 1 of the SEA Regulations be considered.

2.3 These are the criteria *'for determining the likely significance of effects on the environment'*.

2.4 These criteria are split into two categories:

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

#### *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 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:
  - o special natural characteristics or cultural heritage
  - o exceeded environmental quality standards or limit values
  - o intensive land-use
- the effects on areas or landscapes which have a recognised national, community or international protection status.

2.5 The assessment of effects should be done in a proportionate way and it is acknowledged that at this stage there may 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 so 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.

- 2.6 The Chetwynd: The Toton and Chilwell Neighbourhood Plan is in ‘general conformity’ with many of 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 preparation. Many of the policies are similar to those proposed within the adopted [Broxtowe Part 2 Local Plan](#), which was subjected to a full process of [Sustainability Appraisal](#) (including SEA).
- 2.7 However, the Neighbourhood Plan does seek or require additional development, which has not been specifically subjected to the process of Sustainability Appraisal within either the Broxtowe Aligned Core Strategy or Part 2 Local Plan. Examples of such development include a new road (required by Neighbourhood Plan Policy INF02) and the re-use of a very large building (approximately 39,000 sq. m.), which is currently understood to partially be in use as ‘stores’ for the Ministry of Defence; the current use therefore involves very limited vehicular movements / environmental impact (this ‘re-use’ would be supported within the Neighbourhood Plan by Policy EMP02).
- 2.8 The Borough Council is concerned that insufficient information is currently available to assess the likely environmental impacts of some of these policies at this stage in the process.

### **3.0 Key Information on the Emerging Neighbourhood Plan**

#### *Vision:*

- 3.1 The Vision of the Chetwynd: The Toton and Chilwell Neighbourhood Neighbourhood Plan is:

*‘Protect and enhance the wellbeing of people who live and work in our Area. To innovate and adopt strategies that promote a sustainable, diverse place which is attractive for people to live and work.*

*Deliver a community focused Plan that sets new standards in Britain for a sustainable ‘sense of place’ and innovative commerce.*

*Provide the framework to encourage world class development of regional significance in response to the unique opportunities presented by East Midlands Hub Station, the Chetwynd ‘Garden Village’, and the Innovation Campus’.*

#### *Objectives:*

- 3.2 The Key Principles of the Chetwynd: The Toton and Chilwell Neighbourhood Plan are to:
- Improve wildlife habitats and nature conservation. Protect and enhance safe and quiet green spaces.
  - Enhance footpaths and cycling routes and ensure increased traffic does not worsen current road congestion.

- Build sustainable new homes which are energy efficient, affordable and designed to allow people to join the property market and to downsize.
- Create a sense of 'place', one that promotes diversity and encourages inclusion. Cherish the heritage of the Area by safeguarding key assets.

3.3 The Core Objectives relating to the proposed policies are:

Environment:

- Protect and improve existing green space to enhance the quality of life and wellbeing of the residents and enrich the biodiversity of the Area.
- Create new multifunctional blue / green infrastructure to establish good linkage between larger areas of green space.
- Protect, enhance and create wildlife habitats with particular emphasis on veteran and ancient trees.

Infrastructure / Getting Around:

- Improve traffic management in order to ease congestion and handle future growth from within the Area and from adjacent areas.
- New developments must provide safe pedestrian and cycle access to, from, and within the Area.
- Promote schemes to help reduce congestion on local roads and add flexibility to transport options.

Housing and Sustainability:

- Provide a range of affordable/low cost housing across all tenures.
- Appropriately sized homes needed across the range of all tenures but especially for first time buyers and 'last time' buyers/retirement living.
- Encourage innovative, energy efficient, sustainable and well-connected homes.

Urban Design:

- Build on the current suburban character to encourage new families to live and work in the Neighbourhood Area.
- New garden village areas to introduce smart design principles and leading-edge technologies.
- The Innovation Campus to be a mix of commercial and residential development and aim to have a 'small city' appearance.
- Small scale, infill developments within in the existing residential area to reflect existing architecture and design.

Leisure, Heritage and Community:

- Provide new neighbourhood retail centre(s) designed to become focal points for the community.

- Respect the heritage of the Barracks (and wider area) by creating a 'heritage trail'.
- Ensure there are adequate facilities such as schools/nurseries, medical facilities, sports facilities (including a potential off-road 'Park Run' option), green spaces and allotments.

#### Employment and Business:

- Design new mixed business zones that encourage people to work and live 'on site'.
- Encourage leading-edge companies that focus on smart building technologies into the area.
- Create neighbourhood-scale shopping area(s) in the Area - especially in the Barracks, ideally with small-scale traders, to generate a 'village' feel.

#### *Plan Area:*

3.4 The Plan Area covers the whole of the Chilwell West and Toton and Chilwell Meadows Wards of Broxtowe Borough. A plan of the Neighbourhood Area boundary is shown in Appendix 1. Further documents in relation to the Neighbourhood Area Designation are set out on the Borough Council's [website](#).

#### *Submission Draft Neighbourhood Plan Policies:*

#### Environment:

- ENV01 - Toton Fields LNR, Hobgoblin Wood, Memorial Garden, Ghost House Lane, Manor Farm Recreation Ground, Inham Nook Recreation Ground and Chetwynd Barracks Playing Fields are candidates to be designated as Local Green Spaces to assure their long-term protection. In addition, other green spaces may be designated during the Plan period.
- ENV02 - Any development in the Area which increases or is likely to increase the use of existing green space, including Toton Fields LNR, or existing/potential rights of way (including footpaths on the ridge line east of the River Erewash) should pay an appropriate contribution to enhance these green spaces. This will facilitate their increased use and improve the network of green spaces enabling their multifunctional use.
- ENV03 - Establishment of new blue/green infrastructure in the Strategic Location for Growth (SLG) should be in line with the Aligned Core Strategy policy and should incorporate two new linear features which will contribute green space as both corridors and accessible natural green space. These green spaces need be of significant width/area to accommodate their multifunctional use.
- ENV04 - Prior to any development of Chetwynd Barracks, four new GCs and three new green spaces (as detailed below) should be incorporated within the relevant masterplan.

- ENV05 - Clear arrangements for the long-term maintenance and management of new green space assets to be agreed with the Council prior to development being undertaken. Any development within Chetwynd Barracks shall either pay a contribution or undertake works to create, maintain and manage the Memorial Garden which will become the focal point for the wider community.
- ENV06 - Development should not involve the removal of mature trees including TPOs, veteran and ancient trees. Development should seek to minimise the loss of other trees. Habitat lost to development must be replaced by equivalent species plus the necessary biodiversity gain.
- ENV07 - Any development within the Area should be supported by a green landscaping plan including infill and green boundaries which should, where possible, include the planting of native species and the creation and improvement of wildlife habitats in line with at least a 10% biodiversity gain (using the DEFRA metric).
- ENV08 - Any development should ensure that it has a positive impact on connectivity between ecological assets such as LNRs, SSSIs, LWSs, and green spaces beyond the Neighbourhood Area boundary.

#### Infrastructure / Getting Around:

- INF01 - An Infrastructure masterplan, detailing proposals to manage increased traffic from both within the Area as well as known new developments near to the Area will need to be produced before development starts.
- INF02 - In line with INF01 a new north-south primary access road is required to both relieve issues with Stapleford Lane and also act as the local infrastructure for the development within Chetwynd Barracks and SLG. This should link to the new road infrastructure being developed for the new East Midlands Hub Station.
- INF03 - Provision of new, dedicated cycle routes (offroad and separated on-road) through the Area will be required. Separated lanes should be included within new green corridors (see ENV03 and ENV04).
- INF04 - Cycle lanes should be direct and separated where possible from motor vehicles when on road on key routes through the Area especially those leading to the East Midlands Hub Station.
- INF05 - Proposals to reduce levels of traffic congestion and pollution as well as improve safety at the key locations are expected due to the traffic growth arising from the development of Chetwynd Barracks and the SLG.
- INF06 - East Midlands Hub Station parking should not be allowed on residential streets, especially to the west of Stapleford Lane.

- INF07 - All development of the SLG and Chetwynd Barracks should preserve, enhance and encourage re-routing of bus services through the Area.
- INF08 - New developments should provide adequate levels of parking to minimise on-street parking.
- INF09 - Development proposals that make use of or apply appropriate technological solutions to reduce travel demand (car sharing, car clubs) and demand-responsive public transport, will be supported.

#### Housing and Sustainability:

- HAS01 - In new developments of more than ten homes, at least 30% of properties should be 'Affordable'. This target should include a mix of 'Affordable to Rent' and 'Affordable to Buy'. Developments should not significantly change the Area's existing proportions of social rented, market rented and owner-occupied dwellings.
- HAS02 - In developments of 50 homes or more, the number of new dwellings should be such that the number of all dwellings of all sizes (new and existing) meets the future needs of residents in the Area. Developers should ensure that there is adequate provision of smaller homes (with fewer bedrooms) and bungalows to provide a dynamic housing market and encourage both first-time buyers and last-time buyers.
- HAS03 - The architecture and design of new development should be such that buildings are constructed to meet the highest possible energy efficiency standards - BREEAM Home Quality Mark 3 star or better.
- HAS04 - Large developments (such as Chetwynd Barracks and the SLG) should provide high-speed connectivity (such as fibre-optic) to every home. Proposals for developments in these areas should include communal Wi-Fi in public spaces in line with the requirements of the NPPF.
- HAS05 - Large new developments (specifically Chetwynd Barracks and the SLG) shall, based on viability assessments, include domestic and community scale facilities for low carbon energy capture, storage and distribution in line with the NPPF. Storage and distribution shall be designed so that other new developments are able to be connected to those facilities.
- HAS06 - Building Regulations Part G (2010) include an optional mains water consumption target of 110 litres per person per day. Unless not feasible or viable to do so, buildings should be designed to meet that target, or the most stringent target set in any superseding regulations. Water Efficient Fittings



should be included in all refurbishments and any new developments to achieve a lower overall water consumption.

- HAS07 - Developers should demonstrate how they intend to minimise on-site construction times by the use of Modern Methods of Construction (MMC) building techniques, such as Modular Homes. Innovative use of MMC such as modular housing will be strongly supported.

#### Urban Design:

- URB01 - New residential developments should, wherever possible, have access to private external space. If not possible, access to nearby communal space should be available. The design of new developments should minimise overlooking.
- URB02 - New developments should have regard for the need to design out crime.
- URB03 - In new developments over 10 units, street layout and design should meet the needs of all users, including providing safe space for children, pedestrians and cyclists.
- URB04 - For large developments developers should demonstrate how their design: a) provides well designed spaces, in accordance with the proposals of Building for Life [IV: *ibid*], and b) innovates and breaks free of traditional orthodoxy.
- URB05 - Proposals for the Toton Innovation Campus (the 'Campus') can include a mix of buildings which integrate business, residential and retail opportunities both as separate buildings and as combined buildings with commercial offices and apartments integrated in a single structure.
- URB06 - Developers should demonstrate how infill proposals within current residential areas maintain or enhance the amenity of the existing area, its open space, large rear gardens, smaller front gardens, mature trees, and other planting and landscaping.

#### Leisure, Heritage and Community:

- LHC01 - Proposals to develop one/more neighbourhood-scale, pedestrian-friendly retail centres (one preferably next to the Memorial Garden in the Barracks) will be encouraged.
- LHC02 - Development of the Barracks must respect its heritage and seek to conserve / re-purpose its significant assets where feasible.
- LHC03 - Proposals to create a heritage trail celebrating the history of the Barracks (which link to heritage assets in the wider area) will be strongly supported.

- LHC04 George Spencer Academy is expected to manage the large increase in pupils arising from the additional homes being built in the Area. The Academy will need to develop plans to expand capacity as the configuration of the current site is unlikely to meet demand.
- LHC05 - Provision of a primary school and new medical facilities (both needed to meet forecast demand) will be strongly supported.
- LHC06 - A new Leisure Centre should be built in the Area to cope with demand for leisure services arising from increased residential population as well as the significant numbers expected to be working at the Innovation Campus.
- LHC07 - Proposals to retain and upgrade the sports pavilion and playing fields to the south-east of the Barracks will be supported.
- LHC08 - The provision of allotments/communal gardens within easy walking distances of new homes will be supported.

#### Employment and Business:

- EMP01 - The new 'Innovation Campus' should maximise employment potential. Proposals for B1 class buildings that provide significant numbers of jobs will be supported.
  - EMP02 - Development of commercial property on Chetwynd Barracks should seek to reuse existing buildings where feasible. Proposals to locate the centre of employment zone around Building 157 will be strongly supported along with proposals to maximise the re-use of some / all of the building.
  - EMP03 - The design and development of the commercial zones should be:
    - visually attractive and compatible with the surrounding area and include screening where necessary;
    - of a scale, design and finish appropriate to its setting, particularly where it can be viewed from high ground;
    - landscaped in a manner that retains existing trees/hedgerows and blends with nearby green spaces using new planting as appropriate.
  - EMP04 - The development of a 'Centre of Excellence' for smart building technologies in the Area is strongly encouraged. Such a development provides a focus to attract leading-edge organisations to the Innovation Campus.
  - EMP05 - Create a plaza-style neighbourhood shopping centre in Chetwynd Barracks. Proposals to create such an area next to the Memorial Gardens will be strongly supported.
- 3.5 The full text of each of these policies is set out within the draft of the Neighbourhood Plan as viewed at the following [link](#).

## **4.0 SEA Screening Assessment**

4.1 Broxtowe Borough Council, as the responsible authority, considers that the Chetwynd: The Toton and Chilwell Neighbourhood Plan is within the scope of the SEA Regulations since it is a plan that:

- is subject to preparation or adoption by an authority at national, regional or local level (Regulation 2)
- is prepared for town and country planning or land use and it is a plan that sets the framework for future development consent of projects generally (Regulation 5, para. 4)

4.2 A determination under Regulation 9 is therefore required as to whether the Chetwynd: The Toton and Chilwell Neighbourhood Plan is likely to have significant effects on the environment.

4.3 The screening requirements set out in Regulation 9 and Schedule 1 of the SEA Regulations include two sets of characteristics for determining the likely significance of effects on the environment:

- the characteristics of the plan itself, and,
- the characteristics of the effects and of the area likely to be affected by the plan

4.4 This screening assessment is structured in the following table according to the criteria specified in Schedule 1 of the Regulations:

Criteria (Schedule 1 SEA Regulations0	Are significant environmental effects likely? Yes/ No  Justification and evidence	
<b>1.The characteristics of plans, having regard, in particular, to:</b>		
(a) the degree to which the plan sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources	<b>Yes</b>	<p>The Neighbourhood Plan does not allocate sites explicitly, but it does set development criteria for two of the sites allocated within the adopted <a href="#">Broxtowe Part 2 Local Plan</a> (Policies 3.1 and 3.2). These allocations have the possibility for very significant environmental effects, but many elements of these allocations, but not all, have been the subject of a separate <a href="#">Sustainability Appraisal</a> (including SEA) through the Part 2 Local Plan process. The Part 2 Local Plan was adopted in October 2019.</p> <p>However, the Neighbourhood Plan does seek additional development, in particular at and to the north of the Chetwynd Barracks site, which has not been subjected to the process of Sustainability Appraisal through the Broxtowe Aligned Core Strategy or Broxtowe Part 2 Local Plan, including a new road (proposed within Policy INF02), presumably linking the A52 with the Chewynd Barracks site. The land for this road has not been allocated, either within the Broxtowe Aligned Core Strategy or Part 2 Local Plan, and this has not been subjected to a process of Sustainability Appraisal / SEA.</p> <p>The commercial / industrial, non-MOD re- use of Building 157, due to its extremely large size at approximately 39,000 Sq. M, as proposed within Policy EMP02, is also of concern, due to the likely viable uses. There are some further policies which are also of concern, as detailed within the table below paragraph 4.7.</p>
(b) the degree to which the plan influences other plans and programmes including those in a hierarchy	<b>Yes</b>	<p>The Neighbourhood Plan is prepared by the local community to influence development at the Neighbourhood Forum level. However, due to the requirements of some of the policies, which propose a greater amount of development than has been proposed within the Broxtowe Aligned Core Strategy or Broxtowe Part 2 Local Plan, the Neighbourhood Plan will potentially</p>

Criteria (Schedule 1 SEA Regulations0	Are significant environmental effects likely? Yes/ No <b>Justification and evidence</b>	
		influence strategic plans higher up in the spatial planning hierarchy, including the Broxtowe Aligned Core Strategy and Broxtowe Part 2 Local Plan.
<b>(c) the relevance of the plan for the integration of environmental considerations in particular with a view to promoting sustainable development</b>	<b>No</b>	The Neighbourhood Plan is a spatial/land-use plan that seeks to promote the objectives of sustainable development. It is not specifically relevant as a plan for integrating environmental considerations. Any development proposed must also be in accordance with the environmental protection policies in the adopted Broxtowe Aligned Core Strategy, adopted Broxtowe Part 2 Local Plan and the NPPF.
<b>(d) environmental problems relevant to the plan</b>	<b>No</b>	There are no existing specific environmental problems relevant to this Plan that have not been identified and assessed through the higher-level Aligned Core Strategy and the adopted Broxtowe Part 2 Local Plan and their accompanying processes of SA/SEA.
<b>(e) the relevance of the plan for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection).</b>	<b>No</b>	The Neighbourhood Plan is not relevant as a plan for implementing community legislation on the environment.
<b>2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:</b>		

Criteria (Schedule 1 SEA Regulations0	Are significant environmental effects likely? Yes/ No <b>Justification and evidence</b>	
(a) the probability, duration, frequency and reversibility of the effects	<b>Yes / Unclear</b>	<p>The housing element of the major sites within the area has been tested through extensive SA/SEA at the Borough Council Local Plan level &amp; strong mitigation measures proposed through Aligned Core Strategy and adopted Part 2 Local Plan policies; any potential negative effects in relation to the development referred to within the Neighbourhood Plan <u>and</u> referred to or allocated within the Broxtowe Part 2 Local Plan will be mitigated such that there will be no significant residual negative environmental effects.</p> <p>However, the Neighbourhood Plan does seek additional development, including at and to the north of the Chetwynd Barracks site, which has not been subjected to the process of Sustainability Appraisal within the Broxtowe Aligned Core Strategy or Part 2 Local Plan, including a major new road, linking the Chetwynd Barracks site.</p> <p>It is not clear at this stage whether any mitigation measures have been considered to address potential issues in relation to the loss of greenfield / Green Belt land or potential pollution (air and noise) due to the construction or use of the proposed new road.</p>
(b) the cumulative nature of the effects	<b>Yes</b>	<p>There may be some cumulative effects as a result of some of the policies in the Neighbourhood Plan in relation to development, including at and to the north of the Chetwynd Barracks site in particular, as the development and use of a new road or comprehensive re-use of Building 157 has not previously been assessed as a part of the Broxtowe Part 2 Local Plan process.</p>
(c) the transboundary nature of the effects	<b>No</b>	<p>There will be no trans-boundary effects as a result of the proposals.</p>
(d) the risks to human health or the environment (for example, due to accidents)	<b>Unclear</b>	<p>Insignificant information is available in relation to the proposed new road or re-use of Building 157 to accurately consider this issue.</p>

Criteria (Schedule 1 SEA Regulations0	Are significant environmental effects likely? Yes/ No <b>Justification and evidence</b>	
(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	<b>Unclear</b>	<p>The geographical size and numbers of dwellings allocated by the Borough Council's Part 2 Local Plan housing allocation that the Chetwynd: The Toton and Chilwell Neighbourhood Plan seeks to influence are likely to have considerable environmental effects, although the housing element of the allocation has been investigated through an extensive process of SA (as explained above in 1(a)) for the higher level adopted Broxtowe Part 2 Local Plan.</p> <p>However, as the route of the proposed new road and any potential mitigation measures are unclear, it is difficult to assess this at the current time.</p>
(f) the value and vulnerability of the area likely to be affected due to— (i) special natural characteristics or cultural heritage; (ii) exceeded environmental quality standards or limit values; or intensive land-use;	<b>No</b>	<p>No significant environmental effects are considered likely. No existing <a href="#">Air Quality Management Areas</a> cover any parts of the Neighbourhood Plan Area at the current time.</p>
(g) the effects on areas or landscapes which have a recognised national, Community or international protection status.	<b>No</b>	<p>No parts of the Neighbourhood Plan Area are within or adjacent to any internationally or nationally designated areas. There is no AONB nearby.</p> <p>There is only a very small part of a Conservation Area within the Neighbourhood Plan Area (covering just a few houses).</p>

4.5 The following table provides a summary of likely impact of the Plan on the following SEA Issues:

- Biodiversity
- Population
- Human health
- Fauna
- Flora

- Soil
- Water
- Air
- Climatic factors
- Material assets
- Cultural heritage, including architectural and archaeological heritage
- Landscape

4.6 The key for the following table is:

	<b>Positive Impact</b>
	<b>Neutral / Insignificant or No Impact</b>
	<b>Potentially-Negative Impact / Unknown Impact</b>
	<b>Negative Impact</b>

SEA Issue	Likely Impact on the Issue	Comments
<b>Biodiversity</b>	<b>Potentially-negative impact / Unknown impact.</b>	Further protection is likely as a result of many of the Neighbourhood Plan's environmental policies. However, the development of a new road may have a negative impact upon this issue. As very little information is currently available in relation to the route or type of road at this stage it is difficult to assess the impact upon this issue.
<b>Population</b>	<b>None*</b>	No significant impact upon this issue.
<b>Human Health</b>	<b>Potentially-negative impact / Unknown impact.</b>	Policies within the Neighbourhood Plan protect and promote land for sport and recreational use. However, the development of a new road may have a negative impact upon this issue. As very little information is available in relation to the route or type of road at this stage, it is difficult to assess the impact upon this issue.
<b>Fauna</b>	<b>Further protection</b>	Further protection likely as a result of the Neighbourhood Plan's environmental policies.
<b>Flora</b>	<b>Further protection</b>	Further protection likely as a result of the Neighbourhood Plan's environmental policies.



SEA Issue	Likely Impact on the Issue	Comments
Soil	None*	No significant likely impact upon this issue. Some additional protection as a result of the Neighbourhood Plan's environmental policies.
Water	Further protection	No significant impact likely upon this issue
Air	Potentially-negative impact. Unknown mitigation measures.	<p>There are no Air Quality Management Areas within any part of the Neighbourhood Plan Area. However, it is considered that the construction and use of a new road may have a significant impact upon air pollution. Information in relation to mitigation measures is at this stage unknown.</p> <p>The re-use of Building 157 might have an impact upon the Air 'SEA Issue', but insignificant information is available.</p>
Climate Change Factors	Potentially-negative impact. Unknown mitigation measures.	<p>Support for sustainable transport measures may reduce dependence upon the private car, leading to reductions in pollution / use of fossil fuels.</p> <p>However, it is considered that the construction and use of a new road may have a significant impact in terms of increasing pollution. Information in relation to mitigation measures is at this stage unknown.</p> <p>The re-use of Building 157 might have an impact upon this SEA Issue, but insufficient information is available. For example, use of the building for major distribution uses could lead to an increase in pollution and road congestion as a result of HGV movements, or industrial use to other types of pollution.</p>
Material assets	None*	No significant effects considered likely.

SEA Issue	Likely Impact on the Issue	Comments
<b>Cultural Heritage including Architectural and Archaeological Heritage</b>	<b>Additional protection</b>	Additional protection will be likely to be provided through additional policies in relation to non-designated heritage assets.
<b>Landscape</b>	<b>Potentially-negative impact</b>	Further protection likely as a result of the Neighbourhood Plan's environmental policies.  However, it is considered that the construction and use of a new road may have a significant impact in terms of damage to the local landscape. As the route of any new road is at this stage unknown, it is difficult to assess the likely impact. Information in relation to mitigation measures is at this stage also unknown.

*\*The development sites referred to and allocated within the Borough Council's adopted Part 2 Local Plan will result in some impacts, although these have been assessed and mitigated against within the [Part 2 Local Plan Sustainability Appraisal](#) (including SEA).*

4.7 The below schedule shows the likely environmental impacts (positive, negative or neutral) of each policy within the Neighbourhood Plan. The key for the following schedule is:

	<b>Very Positive Likely Impact</b>
	<b>Positive Likely Impact</b>
	<b>Neutral / Insignificant or No Impact</b>
	<b>Negative Likely Impact</b>
	<b>Very Negative Likely Impact</b>

NEIGHBOURHOOD PLAN POLICY	ASSESSMENT OF LIKELY ENVIRONMENTAL IMPACT	COMMENTS
ENV01	Very Positive Likely Impact	The Policy will provide for significant additional environment protection for a number of sites within the Neighbourhood Area, through Local Green Space designations. There are likely to be enhancements in terms of the Wildlife and Biodiversity SEA Issues.
ENV02	Very Positive Likely Impact	If viable, the Policy should result in environmental protection and enhancement by providing funding to protect rights of way and other footpath and cycle ways, as well as areas of greenspace and will thus also positively impact upon the SEA Human Health Issue.
ENV03	Very Positive Likely Impact	The Policy will provide for two new GI corridors or areas of greenspace, thus positively contributing to a number of SEA issues including Biodiversity and Landscape. It will also be likely to have a positive impact in relation to Human Health.
ENV04	Positive Likely Impact	This Policy requires new GI corridors and green spaces to be included within the 'masterplan' for the development. The Policy would have a positive impact if the requirements set out within any masterplan are reflected within the development. As the Policy only requires that these elements should feature in a masterplan, the potential positive impact is considered to be lower, at the current time.
ENV05	Very Positive Likely Impact	The Policy would be likely to make a very positive contribution to a number of SEA issues including Landscape, Wildlife and Cultural Heritage (Memorial Gardens). It would also be likely to have a positive impact in relation to Human Health.

NEIGHBOURHOOD PLAN POLICY	ASSESSMENT OF LIKELY ENVIRONMENTAL IMPACT	COMMENTS
ENV06	Very Positive Likely Impact	If viable and deliverable, the Policy should have a positive impact upon a number of SEA issues, by helping to protect 'mature' and other trees and ensuring losses are replanted.
ENV07	Very Positive Likely Impact	If viable and deliverable, the Policy should have a positive impact upon a number of SEA issues, including Biodiversity, Flora and Fauna.
ENV08	Unclear Impact	Improving the connectivity between different biodiversity assets might have a positive impact in terms of recognising and protecting assets. However, it might also result in an increase of visitors to these assets, which might place them under increased pressure. As the Policy also relates to areas of outside of the Neighbourhood Area, and so is outside of the control of the Neighbourhood Plan, the deliverability of the Policy – and therefore the likely impact – is also unclear.
INF01	Positive Likely Impact	Assuming the Policy is deliverable, as it refers to development sites outside of the control of the Neighbourhood Plan, and possibly within other local authority areas, the Policy will be likely to have a positive impact upon the Air Quality and Human Health SEA issues.
INF02	Very Negative Likely Impact	One of the Key Development Requirements of the Broxtowe Part 2 Local Plan within Part 4(d) of Policy 3.1 is to 'ensure that the ability to provide a north/south road to link to the Tram Park and Ride site is positively facilitated by development'. However, Neighbourhood Plan Policy INF02 goes further by stating that 'a new north-south primary access road is required'.

NEIGHBOURHOOD PLAN POLICY	ASSESSMENT OF LIKELY ENVIRONMENTAL IMPACT	COMMENTS
		The construction of a new road would be likely to have a very negative impact upon the SEA issues of Landscape, Human Health and possibly issues relevant to the environment, including Air [quality] and Biodiversity. The Borough Council has recommended that this Policy should be re-worded as an aspiration.
INF03	<b>Positive Likely Impact</b>	If deliverable, the Policy would be likely to make a positive impact upon SEA issues overall, including making benefits to Human Health and Climate Change Factors. There might however be a minor negative impact upon the environment of creating off-highway new cycle lanes.
INF04	<b>Positive Likely Impact</b>	If deliverable, the Policy would be likely to make a positive impact upon SEA issues overall, including making benefits to Human Health. There might however be a minor negative impact upon the environment of creating off-highway new cycle lanes.
INF05	<b>Very Positive Likely Impact</b>	If deliverable, the Policy would be likely to make a very positive contribution to a number of SEA issues including Wildlife, Flora, Fauna and Human Health.
INF06	<b>Neutral Likely Impact</b>	Restricting car parking within residential streets is unlikely to necessarily result in a positive or negative likely impact.
INF07	<b>Positive Likely Impact</b>	If deliverable, the Policy would be likely to have a positive impact upon a number of SEA issues, including Air Quality and Climate Change Factors.

NEIGHBOURHOOD PLAN POLICY	ASSESSMENT OF LIKELY ENVIRONMENTAL IMPACT	COMMENTS
INF08	Neutral Likely Impact	Requiring adequate off-highway car parking is unlikely to necessarily result in a positive or negative likely impact.
INF09	Very Positive Likely Impact	The Policy is likely to have a very positive impact upon a number of SEA issues including Climate Change Factors.
HAS01	Positive Likely Impact	The Policy may have a positive impact upon SEA issues including Human Health through helping to provide affordable accommodation.
HAS02	Positive Likely Impact	The Policy may have a positive impact upon SEA issues including Human Health through helping to provide accommodation for different needs.
HAS03	Very Positive Likely Impact	The Policy is likely to have a very positive impact upon a number of SEA issues including Climate Change Factors.
HAS04	Positive Likely Impact	This Policy, requiring the provision of high speed broadband technology (such as fibre optic) to new development, may result in a slight positive impact to the SEA Climate Change Factors issue.
HAS05	Very Positive Likely Impact	If viable, the Policy is likely to have a very positive impact upon a number of SEA issues including Climate Change Factors.
HAS06	Positive Likely Impact	If viable, the Policy is likely to have a positive impact upon SEA issues.
HAS07	Unclear Impact	The impact of 'Modern Methods of Construction (MMC)', and specifically 'modular' construction upon SEA issues is, at this stage, unclear.
URB01	Very Positive Likely Impact	The Policy would be likely to result in a very positive impact upon SEA issues including Biodiversity and Human Health.

NEIGHBOURHOOD PLAN POLICY	ASSESSMENT OF LIKELY ENVIRONMENTAL IMPACT	COMMENTS
URB02	Positive Likely Impact	The Policy would be likely to result in a positive impact upon SEA issues including Human Health.
URB03	Very Positive Likely Impact	The Policy is likely to have a very positive impact upon a number of SEA issues including Climate Change Factors.
URB04	Positive Likely Impact	The Policy would be likely to result in a positive impact upon SEA issues including Human Health.
URB05	Unclear Impact	As currently worded, it is unclear as to whether the Policy would be likely to result in positive or negative impacts upon SEA issues. The Policy might result in a positive impact upon the SEA issue of Climate Change Factors by promoting working from home, but it may also result in negatives, as a result of damage to the SEA issue of Landscape.
URB06	Unclear Impact	As currently worded, the impact of the Policy upon SEA issues is unclear. It could overall be positive in terms of landscape, but could in certain cases be negative in relation to Biodiversity and other SEA issues.

NEIGHBOURHOOD PLAN POLICY	ASSESSMENT OF LIKELY ENVIRONMENTAL IMPACT	COMMENTS
LHC01	<b>Unclear Impact / Possibly Negative Impacts</b>	<p>Part 6(b) of Policy 3.1 of the Broxtowe Part 2 Local Plan, which was subjected to a full process of SA, required the provision of ‘a small retail/service centre to meet local need along the main through Route’. This Neighbourhood Plan Policy arguably goes further by encouraging the provision of potentially more than one retail centre, including one adjacent to the Memorial Gardens. Part 7 (a) of Part 2 Local Plan Policy 3.1 requires the provision of ‘public access to the Listed Memorial to workers of National Filling Factory No.6’, as well as the provision of ‘public space to the south of the memorial’ and a requirement to ‘retain/ enhance the existing memorial garden’.</p> <p>There could potentially be negative impacts of the proposed Policy upon SEA issues including ‘Cultural Heritage’, as a result of encouraging a new retail centre to be located within what could be considered to be the ‘setting’ of a listed memorial. There could be further negative impacts by encouraging the development of more than one retail centre within the development site. These proposals have not been subjected to the process of SA.</p>
LHC02	<b>Positive Likely Impact</b>	The Policy requires that the heritage of the Barracks should be protected (and so this part of the Policy would be likely to result in a positive impact upon the SEA issue of Cultural Heritage).
LHC03	<b>Very Positive Likely Impact</b>	The creation of a ‘heritage trail’ would be likely to make a very positive impact upon the SEA ‘Cultural Heritage’ issue.



NEIGHBOURHOOD PLAN POLICY	ASSESSMENT OF LIKELY ENVIRONMENTAL IMPACT	COMMENTS
LHC04	<b>Unclear Impact / Possible Negative Impacts</b>	<p>Whilst it could be argued that the operational requirements of the George Spencer Academy are outside of the scope of the Neighbourhood Plan and control of the Neighbourhood Forum, the potential impact of the Policy is at this stage largely unknown. Depending upon the preferred option, it could have a considerable impact upon a number of SEA issues.</p>
LHC05	<b>No Likely Additional Impact</b>	<p>The provision of a new primary school and medical facilities is included as a Key Development Requirement within part 6(a) of Policy 3.1 of the adopted Part 2 Local Plan, which has been subjected to a process of SA. Therefore, this policy will not result in an additional impact upon SEA issues, as it will not result in additional development, over and above that which is already to be provided.</p>
LHC06	<b>Unclear Impact / Possible Negative Impacts</b>	<p>Part 2 Local Plan Policy 3.2 requires that a Strategic Masterplan be produced, which provides 'space for provision of a relocated Leisure hub with space for a Leisure Centre including indoor sports centre and 25m swimming pool and outdoor sports pitches'. However, Neighbourhood Plan Policy LHC06 goes further to state that a new leisure centre 'should be built'. Whilst such a development may make a positive contribution to the 'Human Health' SEA issue, it may also negatively impact upon a number of other SEA issues, including Landscape and Biodiversity. There may also be other impacts, particularly if other facilities within the local area were to be replaced.</p>

NEIGHBOURHOOD PLAN POLICY	ASSESSMENT OF LIKELY ENVIRONMENTAL IMPACT	COMMENTS
LHC07	Positive Likely Impact	The Policy would be likely to have a positive impact upon the 'Human Health' SEA issue, although there may potentially be some negative impacts as a result of the 'upgrading' of existing facilities. Overall it is concluded that the impact is likely to be positive.
LHC08	Very Positive Likely Impact	The provision of allotments / communal gardens is likely to make a very positive impact upon the Human Health SEA issue.
EMP01	No Likely Additional Impact	The provision of a 'minimum of 18,000 square metres for mixed employment (B Use Classes) to support realisation of an Innovation Campus and provide high skilled jobs to support economic growth in the immediate area and wider region' is included as a Key Development Requirement within Policy 3.2 of the adopted Part 2 Local Plan, which has been subjected to a process of SA. Therefore, overall, this policy will not be likely to result in an additional impact upon SEA issues, as it will not result in additional development, over and above that which is already to be provided by the Part 2 Local Plan.

NEIGHBOURHOOD PLAN POLICY	ASSESSMENT OF LIKELY ENVIRONMENTAL IMPACT	COMMENTS
EMP02	Unknown Impact / Likely Negative Impact	<p>Part 6(c) of Broxtowe Part 2 Local Plan Policy 3.1 includes the provision of 'small scale employment development' as a 'Key Development Requirement' for the Chetwynd Barracks site. However, Neighbourhood Plan Policy EMP02 is not entirely consistent with this, as it states that: 'Development of commercial property on Chetwynd Barracks should seek to reuse existing buildings where feasible. Proposals to locate the centre of employment zone around Building 157 will be strongly supported along with proposals to maximise the re-use of some / all of the building'. Building 157 is extremely large at approximately 39,000 sq. m., and is currently understood to partially be in use as 'stores' for the Ministry of Defence; the current use therefore involves very limited vehicular movements / environmental impact. It is therefore possible that the Neighbourhood Plan Policy could allow for significantly more commercial development than was intended by the Part 2 Local Plan, which could result in a negative impact upon some SEA issues. This should be balanced against the potential positive impacts on SEA issues of adapting and re-using existing building stock and thus reducing waste and resources.</p>
EMP03	Very Positive Likely Impact	<p>The Policy would be likely to make a very positive contribution to a number of SEA issues including Wildlife, Flora, Fauna and Human Health.</p>
EMP04	Unknown Likely Impact	<p>The potential likely impact of this Neighbourhood Plan Policy is at this stage unknown.</p>

NEIGHBOURHOOD PLAN POLICY	ASSESSMENT OF LIKELY ENVIRONMENTAL IMPACT	COMMENTS
EMP05	<b>Unclear Impact / Possibly Negative Impacts</b>	Please refer to the comments in relation to Neighbourhood Plan Policy LHC01, as the same issues also apply to this Neighbourhood Plan Policy.

4.8 As can be seen from the above schedule, the Borough Council considers that one of the policies within the Neighbourhood Plan (Policy INF01) is likely to have a very negative impact upon a number of SEA issues and a further five policies are likely to either have a negative or unknown impact. A further seven policies will have an unknown impact upon SEA issues.

## 5.0 SEA Screening Decision

5.1 Regulation 9 of the SEA Regulations requires that the responsible authority shall determine whether or not a plan is likely to have significant environmental effects.

5.2 The responsible authority shall:

- (a) take into account the criteria specified in Schedule 1 to these Regulations, and:
- (b) consult the consultation bodies.

5.3 Where the responsible authority determines that the plan is unlikely to have significant environmental effects (and, accordingly, does not require an environmental assessment), it shall prepare a statement of its reasons for the determination.

5.4 Broxtowe Borough Council considers that the Submission Draft Chetwynd: The Toton and Chilwell Neighbourhood Plan (June 2020), on balance and based upon the information which is currently available, may result in significant environmental effects and therefore require a Strategic Environmental Assessment (SEA); the final decision will be subject to receiving a screening opinion from the consultation bodies based upon this report. The concerns of the Borough Council are summarised within the following paragraphs.

- 5.5 The Neighbourhood Plan requires additional development which was not subjected to the process of Sustainability Appraisal / SEA as a part of the Broxtowe Part 2 Local Plan process, such as the provision of a new primary access road, as proposed within Neighbourhood Plan Policy INF02. The Broxtowe Part 2 Local Plan Sustainability Appraisal for the Chetwynd Barracks site did consider the inclusion of 'new pedestrian and cycle links to the surrounding area', including a 'North - South route to link [the] NET Park and Ride', and noted that highway infrastructure should 'be considered in combination with the Toton Strategic Location for Growth/HS2', but no assessment of a 'new primary access road to relieve issues with Stapleford Lane' (as per the wording of the draft Neighbourhood Plan policy) was considered by this process. It is also relevant to note that the boundary for the Chetwynd Barracks site, used for the Part 2 Local Plan Sustainability Appraisal, does not include land to the north which would presumably be required for a new highway link.
- 5.6 The Borough Council is also concerned as to whether enough information is yet available to undertake an assessment of the likely environmental effects of such a proposal; clearly the route of such a highway would have an effect upon the likely environmental impacts of such a scheme.
- 5.7 The Borough Council has similar concerns in relation to a number of the other policies of the Neighbourhood Plan, such as, for example, proposals to maximise the 're-use of some / all of Building 157' (Policy EMP02). Due to the very large size of this building, it could be argued that one of the only more realistic uses for such a building would be a major national or regional distribution centre or large industrial use; clearly such uses would potentially have a severely detrimental impact upon the local environment as a result of HGV movements, local congestion, air quality, or other types of pollution or disturbance.
- 5.8 The Borough Council is of the view that insufficient information is currently available in relation to potential mitigation measures which might be required in relation to some policies.
- 5.9 The Borough Council has repeatedly advised and recommended that the Neighbourhood Forum make relatively minor changes to the wording of some of the policies within its Neighbourhood Plan, to make some of these more 'aspirational' until more information is available; it is the Borough Council's view that had some of these changes been made, the need for a full SEA could be avoided.

## 6.0 Habitats Regulations Assessment (HRA) Screening

- 6.1 The Borough Council has also ‘screened’ to determine whether the Neighbourhood Plan requires a Habitats Regulations Assessment (HRA) in accordance with Article 6(3) and (4) of the [EU Habitats Directive](#) and taking into consideration the requirements of the [Conservation of Habitats and Species Regulations 2017](#) in order to fulfil the requirements of the Basic Conditions of the [Neighbourhood Planning \(General\) Regulations 2012](#), as amended, including most recently by the [Conservation of Habitats and Species and Planning \(Various Amendments\) \(England and Wales\) Regulations 2018](#).
- 6.2 The Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations (2018) came into force on 28 December 2018. The effect of these regulations is that the basic condition for the purpose of neighbourhood planning: ‘*The making of the neighbourhood plan is not likely to have a significant effect on a European site or a European offshore marine site, either alone or in combination with other plans or projects*’ has been replaced by the basic condition: ‘*The making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017*’.
- 6.3 Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017 sets out at regulation 106 that it should be determined whether an assessment is required for the purpose of Neighbourhood Plans. The assessment of implications is set out in regulation 105(1-6) of the regulations, the Borough Council’s responses to which are set out below.

### **(1) Where a land use plan—**

- (a) is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and**
- (b) is not directly connected with or necessary to the management of the site, the plan-making authority for that plan must, before the plan is given effect, make an appropriate assessment of the implications for the site in view of that site’s conservation objectives.**

- 6.4 There are no Special Protection Areas (SPAs), Special Areas of Conservation (SACs) or Ramsar sites within the Chetwynd: The Toton and Chilwell Neighbourhood Plan boundary.
- 6.5 A Habitats Regulations Assessment accompanied the Broxtowe Borough Aligned Core Strategy, for the period until 2028.

- 6.6 An updated Habitats Regulations Assessment was undertaken and published in November 2018, in relation to the Submission Version of the Broxtowe Part 2 Local Plan. This was produced following the European Court of Justice ruling on the 'People Over Wind' case, which provided a new interpretation of when and how mitigation measures should be considered.
- 6.7 The Habitats Regulations Assessment that accompanied the Broxtowe Borough Part 2 Local Plan for the period until 2028, concluded that the development proposed in the Part 2 Local Plan will not lead to likely significant effects either alone or in-combination with other plans or programmes.
- 6.8 The HRA took a precautionary approach and assessed the prospective Special Protection Area (SPA) of Sherwood Forest (which does not represent a formal European site (defined by Regulation 8 of the Habitats Regulations)) as though fully classified. The SPA extends across a wide expanse of land to the north of the Borough (located within the Gedling Borough and Ashfield District Council administrative areas).
- 6.9 This HRA (for the Part 2 Local Plan) assessed the impact of the allocations for 7,249 new homes (across the entire Borough) over the plan period and whilst this has increased to 7,512 overall (including a 300 dwelling windfall allowance) following the Main Modifications, the broad locations and distribution for new housing remain unaltered from those in the Aligned Core Strategy. There has been an increase in the urban south of the Borough (Main Built up Area of Nottingham) and a decrease of dwellings proposed for the Key Settlements in the north of the Borough.
- 6.10 This HRA update concluded that the conclusions in the HRA remain valid and are further strengthened through the Main Modifications to the Part 2 Local Plan, including from the fact that numbers for the three (Part 2 Local Plan) allocations within 5km of the only vulnerable site, Sherwood Forest prospective SPA, have actually fallen. Toton and Chilwell are located outside of this area.

***(2) The plan-making authority must for the purposes of the assessment consult the appropriate nature conservation body and have regard to any representations made by that body within such reasonable time as the authority specifies.***

- 6.11 This SEA / HRA Screening Report will be sent to the consultation bodies (including Natural England) for a period of five weeks. This Report will be updated to reflect any representations received by any of the consultation bodies.
- 6.12 The final SEA / HRA Screening Report will form part of the formal 'Regulation 16' Consultation to be undertaken for the Chetwynd: The Toton and Chilwell Neighbourhood Plan. Comments received will be considered by Broxtowe Borough Council and then forwarded to the independent examiner for their consideration.

***(3) The plan-making authority must also, if it considers it appropriate, take the opinion of the general public, and if it does so, it must take such steps for that purpose as it considers appropriate.***

6.13 In the interest of transparency, the final SEA / HRA Screening Report will form part of the formal 'Regulation 16' Consultation to be undertaken by the Borough Council for the Neighbourhood Plan. Comments received will be considered by Broxtowe Borough Council and then forwarded to the independent examiner for their consideration. This consultation is open to the general public and will be publicised as such.

***(4) In the light of the conclusions of the assessment, and subject to regulation 107, the plan-making authority must give effect to the land use plan only after having ascertained that it will not adversely affect the integrity of the European site or the European offshore marine site (as the case may be).***

6.14 In relation to regulation 107, this does not apply as Broxtowe Borough Council is satisfied, (*subject to any representations which may be received by Natural England to either the SEA / HRA screening or Regulation 16 consultations*), that the Chetwynd: The Toton and Chilwell Neighbourhood Plan will have no likely significant effect on sites applicable to HRA. The final SEA / HRA Screening Report will be a consideration for the Independent Examiner, whose role it is to recommend whether or not the Neighbourhood Plan has met the legal requirements and should proceed to referendum. It is the role of Broxtowe Borough Council to decide whether or not the Neighbourhood Plan should proceed to referendum, and only following approval at referendum is a Neighbourhood Plan able to be 'made' by the Borough Council. Broxtowe Borough Council will therefore ascertain the potential impact upon European sites prior to the plan taking effect.

***(5) A plan-making authority must provide such information as the appropriate authority may reasonably require for the purposes of the discharge by the appropriate authority of its obligations under this Chapter.***

6.15 This SEA / HRA Screening Report will be sent to the consultation bodies (including Natural England) for a period of five weeks. This Report will be updated to reflect any representations received by any of the consultation bodies. The final SEA / HRA Screening Report will form part of the formal 'Regulation 16' Consultation to be undertaken for the Neighbourhood Plan. Comments received will be considered by Broxtowe Borough Council and then forwarded to the independent examiner for their consideration.



***(6) This regulation does not apply in relation to a site which is—  
(a) a European site by reason of regulation 8(1)(c), or  
(b) a European offshore marine site by reason of regulation 18(c) of the Offshore Marine Conservation Regulations (site protected in accordance with Article 5(4) of the Habitats Directive).***

6.16 This SEA / HRA Screening Report will be sent to the consultation bodies (including Natural England) for a period of five weeks, to ensure that all relevant information has been collected. This Report will be updated to reflect any representations received by any of the consultation bodies, and will then be subject to the formal Regulation 16 Consultation.

### *Conclusions*

6.17 In consideration of the small geographical area of the Chetwynd: The Toton and Chilwell Neighbourhood Plan, and its significant distance from the one (unconfirmed) European site well outside the Neighbourhood Plan boundary, the HRA screening concludes that the Chetwynd: The Toton and Chilwell Neighbourhood Plan is not likely to have significant effects on EU designated sites, either alone or in combination with other plans and projects.

6.18 It has, provisionally, been concluded that the making of this neighbourhood development plan will not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.

**Broxtowe Borough Council  
February 2021**

# APPENDIX 1

## PLAN SHOWING THE CHETWYND: THE TOTON AND CHILWELL NEIGHBOURHOOD FORUM AREA (THE NEIGHBOURHOOD PLAN AREA)

