



**Broxtowe
Borough
COUNCIL**

**Strategic Environmental Assessment
(SEA) / Habitats Regulations
Assessment (HRA) Screening Report
prepared in relation to the draft
Submission Policies of the Cossall
Neighbourhood Plan 2022-2037
(Revised in January 2023)**

Final Report

**Prepared by Broxtowe Borough Council
March 2023**

1.0 Introduction

- 1.1 This Screening Report has been prepared by Broxtowe Borough Council on behalf of Cossall Parish Council in relation to the Cossall Neighbourhood Plan (draft Submission Policies, as per January 2023).
- 1.2 The Pre-Submission Draft of the Cossall Neighbourhood Plan was published for the [Regulation 14](#) (of the Neighbourhood Planning (General) Regulations 2012 (as amended)) 'pre-submission consultation and publicity' between 20th September 2022 and 1st November 2022. The Pre-Submission draft of the Cossall Neighbourhood Plan can be viewed on the website of Cossall Parish Council at the following link: <https://www.cossallparishcouncil.co.uk/wp-content/uploads/2022/08/Draft-of-Cossall-Neighbourhood-Plan-Aug-2022.pdf>. The policies of the Cossall Neighbourhood Plan have since been further amended. This Screening Report is based on the wording of the policies as further amended in January 2023.
- 1.3 This Screening Report has been prepared to address the requirements of 'Basic Condition (f)' as set out in paragraph 8(2) of [Schedule 4B to the Town and Country Planning Act 1990](#) (as amended, including by the [Environmental Assessments and Miscellaneous Planning \(Amendment\) \(EU Exit\) Regulations 2018](#)), as applied to neighbourhood plans by [section 38A of the Planning and Compulsory Purchase Act 2004](#) (as amended).
- 1.4 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, retained 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.
- 1.5 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.
- 1.6 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, although this document was produced a considerable time ago.

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 undertaken 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 Cossall Neighbourhood Plan is considered to be in ‘general conformity’ with the strategic policies contained in the development plan for the area, which comprises the [Broxtowe Aligned Core Strategy \(ACS\)](#), which was subject to SEA ([Sustainability Appraisal](#)) during its preparation, and the adopted [Broxtowe Part 2 Local Plan](#), which was also subjected to a full process of [Sustainability Appraisal](#).

3.0 Key Information on the Emerging Neighbourhood Plan

Community Vision:

- 3.1 The Community Vision of the Cossall Neighbourhood Plan is as follows:

‘Cossall Parish will retain its unique geography and character within a green and spacious rural setting. The countryside, greenbelt, open spaces, and views from the Parish will be safeguarded, and all new development will be in keeping with the surrounding area and reflect community need.

A safe network of pedestrian and cycling paths will connect all areas of the Parish, and footpaths and bridleways will be maintained and enhanced to enable walkers, cyclists, and horse riders to enjoy the peaceful surroundings and wildlife that make Cossall Parish a special place to live, work and visit.

An improved infrastructure, including good public transport and traffic management, will support the growing population and improve road and pedestrian safety.

Community facilities will be protected and enhanced to meet the needs of all sections of the community. Employment opportunities that enable residents to work locally will be encouraged.

A strong sense of community spirit will ensure residents feel valued and cared for’.

Plan Area:

3.2 The Plan Area covers the whole of Cossall Parish. A plan of the Neighbourhood Area boundary can be viewed on Cossall Parish Council’s website at the following link: <https://www.cossallparishcouncil.co.uk/wp-content/uploads/2020/01/Map-with-parish-boundary--scaled.jpg>. Further documents in relation to the Neighbourhood Area Designation are set out on the Borough Council’s [website](#).

Community Objectives:

3.3 The Community Objectives (which are the primary area of focus for the Cossall Neighbourhood Plan) are as follows:

1. *To ensure housing development is limited in scale, reflecting the size of the settlement, the sensitivity of the landscape and the capacity of local infrastructure (e.g., roads).*
2. *To ensure new housing type and tenure meets local housing need.*
3. *To maintain the low density and historic character of the built environment so that new housing integrates into the Parish to preserve its rural character.*
4. *To protect and enhance the Parish landscape, its green spaces and surrounding open countryside and to recognise the value of long views and vistas into and out of the rural setting of the Parish.*
5. *To protect and enhance the rich biodiversity of the Parish particularly the mature trees, hedgerows, the canal corridor and areas designated for their nature conservation.*
6. *To ensure all development is designed to a high quality that respects the materials, style and layout of the historic rural Parish.*
7. *To reduce the impact of road traffic on residents and property by seeking design solutions to slow the traffic, increase pedestrian safety and reduce the volume of through traffic cutting through Cossall.*
8. *To contribute to an improving quality of life for its residents by seeking opportunities to maintain and enhance the social vitality of the Parish by supporting the existing facilities and expanding the range of local services within the Parish where possible.*
9. *To ensure that heritage assets are protected and, where possible, enhanced.*
10. *To protect, enhance and where possible extend the network of walking, cycling and bridleways that run throughout the Parish, including the highly valued canal and routes along the Erewash Valley.*
11. *To promote energy efficiency in new buildings and retro fitting. To ensure new development minimises the use of carbon in its construction and operation.*
12. *To encourage developers to consult with the community early in the planning application process on major applications (at pre-application stage) so that developers can produce schemes that enhance the Parish.*

Key Principle: Pre-Application Community Engagement

3.4 There is a 'Key Principle' of the Neighbourhood Plan in relation to 'Pre-Application Community Engagement'. This sets out that:

1. *Applicants are encouraged to actively engage with the Parish Council and the community as part of the design process at the pre-application stage.*
2. *Applicants are encouraged to provide a short document with the planning application to explain:*
 - a) *how the developer has consulted with the community; and*
 - b) *how issues of concern raised by local people and the Parish Council have been addressed; and*
 - c) *how the layout, boundary treatment and design of the proposal responds and reinforces local character (as detailed in the Cossall Design Guide or equivalent); and*
 - d) *(where the proposals are for housing development), how this meets local housing need.*

2023 Submission Draft Cossall Neighbourhood Plan Policies:

3.5 The policy wordings of the Submission Draft Cossall Neighbourhood Plan are as follows:

Policy 1 Sustainable Development

1. *Unless promoted through a Site Allocation in the Part 2 Local Plan, proposals for new development within Cossall Parish will be limited to that considered appropriate in the Green Belt in accordance with National and Borough policy*.*
2. *Proposals should demonstrate how they accord with the Over Arching Design Principles and Design Codes in the Cossall Design Guidance and Codes 2022 and should address the following matters:*
 - a) *be compatible with the character, appearance and amenity of that part of Cossall Parish in which it is located;*
 - b) *safeguard the integrity, function and character of the Significant Green Gaps (Map 3), Key Views (Map 4), local nature reserves or any other area designated for its nature conservation or priority habitat (identified on Map 2) and Landscape Character Areas NC01 and NC02;*
 - c) *protect and enhance the biodiversity of the site in accordance with biodiversity net gain requirements as set out in national legislation;*
 - d) *safeguard any natural or built features on the site that have heritage or nature conservation value and incorporate into the scheme where practicable;*
 - e) *incorporate measures which would promote walking and cycling into the design and layout of the proposed development;*
 - f) *include Sustainable Drainage Systems that improve biodiversity as well as mitigating surface water flood risk (where applicable) in accordance with the drainage hierarchy in Planning Practice Guidance para 80**; and*

g) where applicable, proposals should increase access to public transport (to reduce car usage).

3. Proposals should be directed to area of low flood risk (flood zone 1) unless appropriate mitigation measures can be demonstrated.

[Part 2 Local Plan Policy 8 which defines that some rural diversification will be supported, that additions to buildings can only be up to 30% and that Cossall is included in the NPPF reference to towns.*

*** In Severn Trent Water's Regulation 14 consultation response, they sought to emphasise the importance of drainage hierarchy (Planning Practice Guidance, paragraph 80 (see <https://www.gov.uk/guidance/flood-risk-and-coastal-change#para55>) and highlight the need to discharge surface water to the natural watercourse system instead of sewers].*

Policy 2 Protecting Landscape Character

1. As appropriate to their scale, nature and location, development across the Plan area should protect the positive attributes (built and natural) of the open countryside and landscape setting, as defined in the Cossall Design Guidance and Codes 2022 (especially Design Code WTH). This means development should:

a) be designed to retain trees, particularly those of landscape and biodiversity importance with a view to increasing tree cover;

b) protect any hedgerows classified as important in accordance with the Hedgerow Regulation 1997;

c) where applicable, retain grass verges, hedgerows and trees and include new planting to improve biodiversity and reinforce rural character and with spacing to allow long views from publicly accessible locations;

d) landscaping schemes should include native species in a ratio of 2 to 1 to reinforce landscape character but also to building resilience to new diseases.

2. Development proposals should respect the Key Views (Map 4) and Significant Green Gaps (Map 3) by careful attention to layout, massing and height. Development proposals which would have an unacceptable impact on the identified views and any of the significant green gaps will not be supported.

3. With the exception of the development of the former ski slope and the site allocation in the Part 2 Local Plan Policy 4.1 development proposals should:

a) reinforce the linear form of the settlement ensuring the historic relationship between the streets and plots within the village is protected;

b) provide a layout that maintains a sense of openness with shallow plots and gaps between buildings to provide views across the valley;

c) be of a scale that reflects the rural nature of the Parish.*

** With the exception of the development of the former ski slope and the site allocation 4.1.*

4. Where applicable, landscaping schemes should include a soft boundary to the open countryside (native species rich hedges, low fences and native trees) to minimise the impact of development on the landscape character.

Policy 3a Protecting and Enhancing Blue and Green Infrastructure

1. In accordance with Design Code NVM in the Cossall Design Guidance and Codes 2022 and as appropriate to their scale, nature and location, development should:

- a) seek opportunities to improve the existing towpaths, footpaths and bridleways as identified in Map 5d, and to enhance access to them,
- b) provide permeable and connected routes for walking and cycling and seeking opportunities to increase this provision where possible.

2. In accordance with Design Code GI of the Cossall Design Guidance and Codes 2022 development should:

- a) aim to create new habitats and wildlife corridors where possible (e.g., by aligning back and front gardens, new areas of woodland, stone walls/hedgerows, grassland or wetland habitats),
- b) design gardens and boundary treatments to allow the movement of wildlife and provide habitat for local species,
- c) demonstrate how new development will create positive green linkages and how it will contribute to the assets.

3. Development should where possible create and enhance blue-green corridors to protect watercourses and their associated habitats from harm.

Policy 3b Protecting and Enhancing Biodiversity

1. Proposals should provide a net biodiversity gain. Enhancement measures may include:

- a) strengthening hedgerows and field boundaries to provide more robust habitat 'corridors';
- b) planting wild flower meadows and strips;
- c) encouraging native tree and shrub planting on suitable sites, especially species that provide good berry or nectar sources;
- d) encouraging the creation of sustainable urban drainage schemes (SuDS), (e.g. rain gardens, pond and wetland creation) in new schemes and 'retrofitting' where appropriate;
- e) the installation of habitat features (i.e. nest boxes) to benefit all bats and bird species of conservation concern, such as swifts, swallow, house martin and house sparrow;
- f) protecting dry ditches - as these features are essential to the sustainable management of surface water;
- g) a reduction in light pollution so as to preserve dark landscapes;
- h) improvements to the Nottingham Canal that increase biodiversity;
- i) linking the grassland habitats as identified in the Green Infrastructure Strategy, and
- j) a design that incorporates gaps and holes in boundaries to allow wildlife through. Areas identified in Table 4 and Map 2 are particularly significant in this regard.

2. Development should aim to avoid impacts to protected species and species of principal importance (Section 41 of the Natural Environment and Rural Communities Act 2006). Where impacts are unavoidable, and as a last resort, a robust mitigation and compensation strategy will be required, in line with current wildlife legislation. Mitigation planting and boundary treatment should include

native species recommended for the NC01 Erewash River Corridor and NC02 Babbington Rolling Farmlands Landscape Character Type indicated in Appendix 7 of the Part 2 Local Plan. Mitigation or compensatory measures should be targeted to benefit local conservation priorities identified in an up to date assessment and be in accordance with Local Nature Recovery Strategies (or equivalent), and implemented in partnership with an appropriate nature conservation body.

3. Where applicable, development should incorporate Sustainable Drainage Systems (SuDS) where practicable and related to the circumstances of the site concerned. SuDS proposals should be managed in line with the Government's Water Strategy. *see <https://www.gov.uk/government/publications/future-water-the-government-s-water-strategy-for-england>*

4. Development proposals must demonstrate that they will not result in adverse impacts on the quality of waterbodies, groundwater and surface water and contribute positively to the environment and ecology.

Policy 4 Designation of Local Green Spaces

1. The Plan designates the sites shown on Map 6 as Local Green Spaces.

2. Development proposals on a Local Green Space should be consistent with those for Green Belts.

Policy 5 Protecting or Enhancing Heritage Assets

1. The buildings shown on Map 8 and listed in Appendix F are identified as locally valued heritage assets and are nominated as non-designated heritage assets to be included on BBC's Local List.

2. The effect of a proposal on the significance of a non-designated heritage asset, including their setting, will be taken into consideration when determining planning applications. Applications that are considered to cause substantial harm (as defined in the NPPF para 199-202) to a non-designated heritage asset will require a clear and convincing justification.

3. Gardens and open fields form part of the special interest of the Conservation Area. This is especially significant in the area covered by the Article 4 Direction. Development that would be likely to adversely impact the significance of the Conservation Area or Listed Buildings or their setting should be wholly exceptional and must be considered in the context of paragraphs 199-202 of the National Planning Policy Framework.

4. Development affecting heritage assets on the Heritage At Risk register or those that can be shown to comply with the At-Risk Matrix will be permitted where the proposals remove the risk to the heritage assets provided that the proposal:*

a) recognises the significance of the heritage asset as a central part of the proposal; and

b) has special regard to the desirability of preserving the asset or its setting or any features of special architectural or historic interest.

* See Selection criteria for heritage at risk is at <https://historicengland.org.uk/advice/heritage-at-risk/search-register/selection-criteria/>

5. In accordance with the Design Code HA in the Cossall Design Guidance and Codes 2022, development affecting heritage assets should be respectful of the scale and massing of the historic built form, the uniformity of the roofline and the fenestration proportions.

Policy 6 Ensuring High Quality Design

1. Proposals should demonstrate a high design quality that will contribute to the character of the Parish. In order to achieve this, development should demonstrate how it accords with the Design Codes in the Cossall Design Guidance and Codes 2022.

2. Particular attention should be given to:

- a) the use and treatment of formal building lines which are common within medium density development, especially in the area in the north of Cossall Parish, with development that is designed to provide access routes that connect to the surrounding area;
- b) the use of treatment of informal buildings lines which are common in the historic core and Cossall Marsh with gardens provided front and rear;
- c) maintaining a uniform roof line in the areas where a higher density more urban setting is appropriate;
- d) providing a varied roofline in the historic core and other areas heavily influenced by the topography (where the land slopes down to the south, west and east of Cossall village) and the view to the open countryside;
- e) ensuring the layout maximises opportunities to integrate new development with the existing settlement pattern; and
- f) the use of materials that are sympathetic to the existing built fabric and reflect the colour palette of the surrounding focus areas as defined in the Cossall Design Guidance and Codes 2022 section 3.

3. Developments adjoining public open spaces should arrange main building facades and entrances to face the open space.

4. Well-designed buildings should be appropriate to their location and context. This may include innovative and contemporary design solutions provided they positively enhance the character and local distinctiveness.

5. High quality design should be demonstrated by providing a report showing how the scheme is in accordance with the Design Codes applicable for that location and type of development as set out in the Cossall Design Guidance and Codes 2022, (excluding householder extensions).

6. Innovative approaches to the construction of low carbon homes which demonstrate sustainable use of resources and high energy efficiency levels will be supported where they are appropriate to their location and context. This will include a consideration of the siting and location to maximise passive solar gain and a water efficient design (110 litres per person per day unless it can be demonstrated that this is not feasible).

7. The retrofit of heritage properties/assets will be permitted to reduce energy demand and to generate renewable energy where appropriate, providing it safeguards heritage assets.

Policy 7 A Mix of Housing Types

1. *Proposals for new housing development should deliver housing sizes and types that directly reflect housing needs based on evidence provided by BBC.*
2. *Where it is viable to do so, proposals will be expected to be accessible and adaptable to standards included in Part 4 (2) Accessible and Adaptable buildings of the Building Regulations 2015 and 2016 or any updates of this element of the Regulations. In practical terms this means that:*
 - a) *reasonable provision must be made for people to gain access to and use the dwellings and their facilities;*
 - b) *provision must be sufficient to meet the needs of occupants with differing needs, including older and/or disabled people;*
 - c) *dwellings are able to be adapted to meet the changing needs of occupants over time; and*
 - d) *M4(2) dwellings should mainly accommodate 1-3 bed dwellings, subject to local need.*

Policy 8 Maintaining Local Employment

1. *Development proposals that enable the sustainable growth of businesses both through the conversion of existing buildings and well-designed new buildings will be supported where they are located in accordance with Borough policies in relation to the Green Belt Policy 8 and Policy 9 Retention of Good Quality Existing Employment Sites.*
2. *In accordance with National and Borough policies and so long as the scale, design and form, is in keeping with the built environment and landscape character, new sites for business development will be supported:*
 - a) *on brownfield sites; or*
 - b) *where small scale concerns already exist in a suitable location.*
3. *Cossall Industrial Estate is a protected employment site. The expansion, conversion or redevelopment of land and premises for employment purposes in accordance with Policy 9 of the Local Plan Part 2 is supported.*
4. *Robinettes Lane is a protected employment site in the Green Belt. The expansion, conversion or redevelopment of land and premises for employment purposes in accordance with Policy 9 of the Part 2 Local Plan will need to reflect its location in the Green Belt and the constraints of the site in terms of very limited access and the impact on neighbouring properties.*
5. *Proposals for new dwellings which incorporate flexible layouts which will facilitate homeworking will be supported where the use is compatible with a residential area.*

Policy 9 Enhancing the provision of community facilities

1. *Proposals to improve existing community facilities and to provide a small shop or similar community service within the Parish will be supported where:*
 - a) *consultation in accordance with the Key Principle has been undertaken which demonstrates support for the proposal; and*
 - b) *the design and location of the scheme is in accordance with the other policies in this Plan.*

2. *Development proposals should demonstrate that they can be satisfactorily accommodated in their intended location (including any car parking).*
3. *The redevelopment of the community facilities shown on Map 9 for non-community uses will not be supported unless it can be demonstrated that the operation of the facility is no longer financially viable or necessary or that a replacement facility of equal size and quality is provided in an equally accessible location.*

Policy 10 Traffic Management

1. *Where appropriate to its scale, nature and location, development proposals are required to take into account the overarching design principles for streets in the Cossall Design Guidance and Codes 2022.*
2. *Access and egress for the major housing site off Newtons Lane must ensure the safety of pedestrians on Newtons Lane. Priority should be given to pedestrians and cyclists in the design of this access point.*

Policy 11 Car Parking on Church Lane

In the area of Church Lane marked on Map 10b number 4, any infill development must provide adequate off-street parking for residents and visitors reflecting the width and layout of Church Lane at these points and the lack of any safe or suitable on street provision.

4.0 SEA Screening Assessment

4.1 Broxtowe Borough Council, as the responsible authority, considers that the Cossall 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 Cossall 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 Regulations)	Are significant environmental effects likely? Yes/ No Justification and evidence	
1. The characteristics of plans, having regard, in particular, to:		
(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	No	The Neighbourhood Plan does not allocate sites. It supports and guides limited new development but significant environmental effects are very unlikely.
(b) the degree to which the plan influences other plans and programmes including those in a hierarchy	No	The Neighbourhood Plan is prepared by the local community to influence development at the Parish Council level. It is unlikely that the Neighbourhood Plan will significantly influence strategic plans higher up in the spatial planning hierarchy, including the Broxtowe Aligned Core Strategy and Broxtowe Part 2 Local Plan.
(c) the relevance of the plan for the integration of environmental considerations in particular with a view to promoting sustainable development	No	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.
(d) environmental problems relevant to the plan	No	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.
(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).	No	The Neighbourhood Plan is not relevant as a plan for implementing community legislation on the environment.
Criteria (Schedule 1 SEA Regulations)	Are significant environmental effects likely? Yes/ No	
	Justification and evidence	
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:		
(a) the probability, duration, frequency and reversibility of the effects	No	Only very limited development is supported by the policies of the Neighbourhood Plan. These proposals are generally consistent with the Aligned Core Strategy and Part 2 Local Plan, which were subjected to processes of SEA / SA. Significant environmental effects are therefore considered unlikely.
(b) the cumulative nature of the effects	No	Cumulative effects are unlikely due to the extent of the policies.
(c) the transboundary nature of the effects	No	There will be no trans-boundary effects as a result of the proposals.
(d) the risks to human health or the environment (for example, due to accidents)	No	Significant environmental effects are considered to be very unlikely. Risks to human health or the environment, for example due to accidents, are considered to be very unlikely.
(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	No	The Neighbourhood Plan applies only to the local area of Cossall Parish and so the magnitude and spatial extent of any effects is likely to be limited. The Parish has a population of just over 600. (605 – Census 2011; 623 based upon estimates in the Neighbourhood Plan, paragraph 41).
(f) the value and vulnerability of the area likely to be affected due to—	No	The Plan does not allocate sites for housing development. The area consists of a largely rural parish, with limited development on the edge of Awsworth village and also within the village of Cossall.

<p>(i) special natural characteristics or cultural heritage; (ii) exceeded environmental quality standards or limit values; or (iii) intensive land-use;</p>		<p>The majority of the Neighbourhood Area (the Parish) is designated as Green Belt and therefore protected from inappropriate development.</p> <p>There is a Conservation Area within the parish (Cossall Conservation Area), which was originally designated in 1972 (https://www.broxtowe.gov.uk/media/1934/cossall-con-area-1996-1997.pdf). There are six listed buildings, all of which are in Cossall village. There is one SSSI within the parish: Robbinetts SSSI.</p>
<p>(g) the effects on areas or landscapes which have a recognised national, Community or international protection status.</p>	No	<p>No parts of the Neighbourhood Plan Area are within or adjacent to any internationally designated areas. There is no AONB nearby.</p> <p>There is one SSSI within the parish: Robbinetts SSSI.</p> <p>There is a Conservation Area (Cossall Conservation Area). An Article 4 Direction is in place in relation to agricultural development within an area to the south of Cossall village. This recognises the ‘village’s special hilltop setting’ (https://www.broxtowe.gov.uk/media/1898/cossall-con-area-article-4-directions.pdf).</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:

	Positive Impact
	Neutral / Insignificant or No Impact
	Potentially- Negative Impact / Unknown Impact
	Negative Impact

SEA Issue	Likely Impact on the Issue	Comments
Biodiversity	Further protection	Further protection is very likely as a result of the Neighbourhood Plan's environmental policies. Policy 3b will be likely to provide considerable additional protection to this SEA issue.
Population	Insignificant impact	No significant impact upon this issue is considered likely. No new sites for housing are proposed.
Human Health	Further protection	Considerable additional protection is likely as a result of the Neighbourhood Plan's policies. Several policies (including Policies 1 and 10) seek to improve infrastructure for walking and cycling. Policy 7 supports a mix of housing, including ensuring that new homes are 'accessible and adaptable', to enable people to remain in their homes for longer.
Fauna	Further protection	Further protection is likely as a result of the Neighbourhood Plan's environmental policies, in particular Policy 3b.
Flora	Further protection	Further protection is likely as a result of the Neighbourhood Plan's environmental policies, in particular Policy 3b.
Soil	Insignificant impact	No significant likely impact upon this issue. Some additional protection is likely as a result of the Neighbourhood Plan's environmental policies, including Policies 3a and 3b.
Water	Further protection	Further protection is likely upon this SEA issue as a result of some of the Neighbourhood Plan's policies, including Policies 1 and 3a.

Air	Further protection	The plan has policies which seek to improve air quality by reducing pollution, including Policies 1 and 10.
Climate Change Factors	Further protection	A number of the Neighbourhood Plan's policies seek to provide further protection.
Material assets	Insignificant impact	No significant effects are considered likely.
Cultural Heritage including Architectural and Archaeological Heritage	Further protection	Additional protection will be likely to be provided through additional policies in relation to non-designated heritage assets, in particular through Policies 2, 5 and 6.
Landscape	Further protection	Further protection is likely as a result of the Neighbourhood Plan's environmental policies, in particular Policy 2.

[Some policies may have limited impacts depending upon the exact proposals, but the details of these will not be fully known until the planning application stage, if applicable, and are considered to be very unlikely to be significant].

4.7 The below schedule shows the likely environmental impacts (positive, negative, insignificant, neutral or unknown) of each policy within the Neighbourhood Plan.

4.8 The key for the following schedule is:

	Very Positive Likely Impact
	Positive Likely Impact
	Neutral / Insignificant or Unknown
	Negative Likely Impact
	Very Negative Likely Impact

NEIGHBOURHOOD PLAN POLICY	ASSESSMENT OF LIKELY ENVIRONMENTAL IMPACT	COMMENTS
Policy 1: Sustainable Development	Very Positive Likely Impact	The policy is considered to be likely to result in a very positive impact. The policy seeks to provide additional protection to both the natural and historic environment. It supports the development of public transport infrastructure to reduce reliance upon the private car, which would be likely to reduce air pollution. It is also supportive of

		improved accessibility for walking and cycling.
Policy 2: Protecting Landscape Character	Very Positive Likely Impact	The policy seeks to provide additional protection to the natural environment and landscape character and will be likely to result in a very positive likely impact upon the environment.
Policy 3a: Protecting and Enhancing Blue and Green Infrastructure	Very Positive Likely Impact	The policy seeks to provide additional protection for the natural environment (blue and green infrastructure) and will be likely to result in a very positive impact upon the environment.
Policy 3b: Protecting and Enhancing Biodiversity	Very Positive Likely Impact	The policy seeks to provide additional protection for biodiversity. The policy includes a detailed list of potential measures to enhance biodiversity.
Policy 4: Designation of Local Green Spaces	Very Positive Likely Impact	The policy seeks to provide additional protection to the natural environment by allocating areas of Local Green Space and will therefore be likely to result in a very positive likely impact upon the environment.
Policy 5: Protecting or Enhancing Heritage Assets	Very Positive Likely Impact	The policy seeks to provide additional protection to the historic environment. It seeks to protect and enhance non-designated heritage assets and accordingly it will be likely to result in a very positive impact upon the environment.
Policy 6: Ensuring High Quality Design	Positive Likely Impact	The policy seeks to ensure a high quality of design and so will be likely to result in a positive likely impact upon the environment (both natural and historic).
Policy 7: A Mix of Housing Types	Neutral / Insignificant Likely Impact	The policy seeks to ensure that a range of housing types are promoted and it is considered that it will be likely to have a neutral or insignificant impact upon the environment. By ensuring that homes are 'adaptable', occupants of new properties should be able to safely remain in their homes for longer, potentially reducing the need for additional development to

		provide for changes in circumstances.
Policy 8: Maintaining Local Employment	Insignificant Likely Impact	The policy is supportive of local employment and some limited development could be supported. However, it is considered that the policy is likely to result in an insignificant impact upon the environment.
Policy 9: Enhancing the provision of community facilities	Insignificant Likely Impact	The policy is supportive of the enhancement of community facilities and so some limited development could be supported. However, it is considered that the policy is likely to result in an insignificant impact upon the environment.
Policy 10: Traffic Management	Positive Likely Impact	The policy seeks to improve infrastructure for walking and cycling and make these methods of transport safer and more convenient, which should help to reduce the reliance upon the private car and therefore reduce air pollution. The policy will therefore be likely to have a positive impact upon the environment.
Policy 11: Car Parking on Church Lane	Neutral / Insignificant Likely Impact	The policy is likely to result in a neutral or insignificant impact as it would only propose that planning proposals include provision for car parking off the highway.

4.9 As can be seen from the above schedule, the Borough Council considers that six of the Cossall Neighbourhood Plan's policies would be likely to result in a very positive impact on the environment and a further two are likely to have a positive impact. The remaining policies are considered likely to either result in a neutral or insignificant impact.

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 January 2023 Submission Draft of the Cossall Neighbourhood Plan policies is unlikely to have significant environmental effects and thus does not require a Strategic Environmental Assessment (SEA).
- 5.5 Broxtowe Borough Council consulted Historic England, Natural England and the Environment Agency in relation to this Screening Report and sought a 'Screening Opinion' from these bodies. Their responses are included within Appendix 1 to this Report.
- 5.6 Natural England confirmed that it agreed with the conclusions of the Borough Council's Screening Report that an SEA was unlikely to be required for the Cossall Neighbourhood Plan. Historic England was also of the view that an SEA was unlikely to be required. The Environment Agency confirmed that it had no formal comments to make in relation to the Borough Council's Screening Report.
- 5.7 This decision, which has been confirmed following comments made by the consultation bodies, has been made for the following key reasons:
- The Cossall Neighbourhood Plan does not allocate any sites for development.
 - The policies of the Plan are generally consistent with the Borough Council's adopted Aligned Core Strategy and Part 2 Local Plan, which were subjected to processes of Sustainability Appraisal.
 - The policies of the Plan, when considered together and in conjunction with those of the Local Plan, are considered to be unlikely to lead to development which would be harmful to the environment.
 - The emphasis of policies within the Plan is towards the conservation, protection and enhancement of the environment and protection of the heritage of the Parish.

6.0 Habitats Regulations Assessment (HRA) Screening

- 6.1 The Borough Council has also 'screened' to determine whether the Neighbourhood Plan requires an appropriate assessment under the Habitats Regulations (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](#) and the [Conservation of Habitats and Species \(Amendment\) \(EU Exit\) Regulations 2019](#), in order to fulfil the requirements of the Basic Conditions of the [Neighbourhood Planning \(General\) Regulations 2012](#), as amended, including 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 Cossall 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 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. Cossall is 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 was sent to the consultation bodies (including Natural England). Natural England confirmed within its response (included in Appendix 1) that it agreed with the Borough Council's conclusions within its Screening Report that an 'appropriate assessment' under the Habitats Regulations would not be required.

6.12 The final SEA / HRA Screening Report will form part of the formal 'Regulation 16' Consultation to be undertaken for the Cossall Neighbourhood Plan. Comments received will be 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 to the Regulation 16 Consultation will be forwarded to the independent examiner for their consideration. This consultation will be 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 that the Cossall 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 was sent to the consultation bodies (including Natural England) for a period of five weeks. Natural England confirmed within its response (included in Appendix 1) that it agreed with the Borough Council's conclusions within its Screening Report that an 'appropriate assessment' under the Habitats Regulations would not be required. 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 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 was sent to the consultation bodies (including Natural England) for a period of five weeks, to ensure that all relevant information had been collected. Natural England confirmed within its response (included in Appendix 1) that it agreed with the Borough Council's conclusions within its Screening Report that an 'appropriate assessment' under the Habitats Regulations would not be required. This Report will be subject to the formal Regulation 16 Consultation.

Conclusions

6.17 In consideration of the small geographical area of the Cossall Neighbourhood Plan, and its significant distance from the one (unconfirmed) European site well outside the Neighbourhood Plan boundary, the HRA screening concludes that the Cossall Neighbourhood Plan is not likely to have significant effects on EU designated sites, either alone or in combination with other plans and projects. Natural England agreed within their Screening Opinion (included within

Appendix 1) that an 'appropriate assessment' under the Habitats Regulations was unlikely to be required.

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

Broxtowe Borough Council
2 March 2023

APPENDIX 1: SCREENING OPINIONS:

NATURAL ENGLAND (Received 17 February 2023)

Date: 17 February 2023
Our ref: 419187



Tom Genway
Senior Planning Policy Officer
Broxtowe Borough Council

Hombeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 3900

BY EMAIL ONLY

Dear Tom,

Planning consultation: Cossall Neighbourhood Plan – SEA and HRA Screening Assessment

Thank you for your consultation on the above dated 17 January 2023.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Where Neighbourhood Plans could have significant environmental effects, they may require a Strategic Environmental Assessment (SEA) under the Environment Assessment of Plans and Programmes Regulations 2004 (as amended). Further guidance on deciding whether the proposals are likely to have significant environmental effects and the requirements for consulting Natural England on SEA are set out in the [planning practice guidance](#).

Planning practice guidance also outlines that if an appropriate assessment is required for your neighbourhood plan this will also engage the need for a SEA. One of the basic conditions that will be tested by the independent examiner is whether the neighbourhood plan is compatible with European obligations, including those under the SEA Directive. Where a SEA is required it should be prepared in accordance with [regulation 12](#) of the SEA Regulations.

Natural England welcomes the Screening Report which assesses the requirement for Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA) for the Cossall Neighbourhood Plan.

I can confirm that Natural England agrees with this report's conclusion that it is not likely there will be significant environmental effects arising from the policies in the plan, which have not already been accounted for within the adopted local plan. Therefore, the **Cossall Neighbourhood Plan does not require a Strategic Environmental Assessment (SEA)** to be undertaken.

Natural England also agrees that the Plan would be unlikely to result in any significant effect to European Sites, either alone or in combination, and therefore **an appropriate assessment under the Habitats Regulations is not required**.

Aside from this, Natural England has no specific comments at this stage. We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us. For any queries relating to the specific advice in this letter please contact me on 02080268500. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

HISTORIC ENGLAND (received 20 January 2023)



Mr Tom Genway
6870

Direct Dial: 0121 625

Broxtowe Borough Council

Neighbourhoods and Prosperity
PL00792148

Our ref:

Council Offices Foster Avenue

Beeston

Nottinghamshire

NG9 1AB
2023

20 January

Dear Mr Genway

COSSALL NEIGHBOURHOOD PLAN - SEA SCREENING REQUEST

Thank you for your consultation of 17 January 2023 and the request for a Screening Opinion in respect of the Cossall Neighbourhood Plan.

For the purposes of consultations on SEA Screening Opinions, Historic England confines its advice to the question, "Is it likely to have a significant effect on the environment?" in respect of our area of concern, cultural heritage. Our comments are based on the information supplied with the screening request.

On the basis of the information supplied and in the context of the criteria set out in Schedule 1 of the Environmental Assessment Regulations [Annex II of 'SEA' Directive], Historic England is of the view that the preparation of a Strategic Environmental Assessment is not likely to be required.

The views of the other statutory consultation bodies should be taken into account before the overall decision on the need for a SEA is made. If a decision is made to undertake a SEA, please note that Historic England has published guidance on Sustainability



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Telephone 0121 625 6888
HistoricEngland.org.uk



Historic England is subject to both the Freedom of Information Act (2000) and Environmental Information Regulations (2004). Any Information held by the organisation can be requested for release under this legislation.



Appraisal / Strategic Environmental Assessment and the Historic Environment that is relevant to both local and neighbourhood planning and available at:

<https://historicengland.org.uk/images-books/publications/sustainability-appraisal-and-strategic-environmental-assessment-advice-note-8/>

Should it be concluded that, overall, a SEA will be required for the Plan, Historic England would be pleased to discuss the scope of the assessment in relation to the historic environment in due course.

I hope that this information is of use to you at this time. Should you have any queries, please do not hesitate to contact me.

Yours sincerely,

ENVIRONMENT AGENCY (received 6 February 2023)

Subject: RE: Cossall Neighbourhood Plan SEA / HRA Screening Opinion

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Tom,

The EA have no formal comments to make in regard to the SEA and HRA Screening Opinion request as we do not make the final decision on whether a SEA or HRA is required. Generally the EA will not comment on a HRA as this falls within the remit of Natural England.

Should the local authority determine that a Neighbourhood Plan does require SEA, we must be consulted on the scope to ensure our key environmental issues are addressed. We can also provide baseline information and data.

Many thanks
