



# Basic Conditions Statement

Tollerton Neighbourhood Plan

Tollerton Neighbourhood Plan Project Group

June 2023

## Urban Imprint Limited

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**Urban Imprint Limited**

Company number 8059162

Registered in England and Wales

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- 1.1. This Basic Conditions Statement has been prepared in support of the Tollerton Neighbourhood Plan and demonstrates how the Plan meets the statutory requirements set out within the Town and Country Planning Act 1990 (as amended by the Localism Act 2011) and the Neighbourhood Planning Regulations 2012.
- 1.2. The regulations require that a Neighbourhood Plan deals with planning matters (i.e. the use and development of land), is submitted by a qualifying body, covers a stated Plan Period and identifies a designated Neighbourhood Area.
- 1.3. The core basic conditions for Neighbourhood Plans, as required by Paragraph 4B to the Town and Country Planning Act 1990 (as amended), are as follows:
  - Having regard to national policies and advice contained in guidance in the National Planning Policy Guidance
  - The making of the neighbourhood plan contributes to the achievement of sustainable development
  - The making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority
  - The making of the neighbourhood plan for the area does not breach, and is otherwise compatible with EU obligations
  - Prescribed conditions are met in relation to the plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan

Basic Conditions	Statement	Reference/Evidence
The plan relates to the use and development of land and does not include excluded development	The Neighbourhood Plan relates to planning matters (the use and development of land) and does not deal with mineral extraction and waste development, nationally significant infrastructure or any other matters set out in Section 61K of the Town and Country Planning Act 1990. Policies within the plan seek to control development of a variety of types including residential, leisure/tourism and employment uses. Where relevant, policies within the plan make reference to permitted development.	See submission draft plan
The Neighbourhood Plan is being submitted by a qualifying body	The Neighbourhood Plan is submitted by Tollerton Parish Council, the qualifying body as defined by the Localism Act 2011.	See submission draft plan
The Neighbourhood Plan covers a stated plan period	The Neighbourhood Plan will have a plan period up until 2030.	See submission draft plan
The Neighbourhood Plan covers a designated Neighbourhood Area	The Neighbourhood Area relates only to the Parish of Tollerton and does not include in whole or any other part other Neighbourhood Areas.	Appendix 1 - Designated Neighbourhood Plan Area
The Neighbourhood Plan is in conformity with the NPPF	<p>In order to ensure that the Neighbourhood Plan conforms with the NPPF 2021, an Assessment of Compliance has been undertaken. The table demonstrates how the final proposed policies all link back into the core aims of the NPPF thus fully supporting the overarching strategy established at the national level.</p> <p>As previously noted, this document does not consider minerals and waste planning and as such there can be no contribution made by any policies to this topic. Therefore, the plan is not considered to conflict with possible minerals and waste planning.</p>	Appendix 2 - Assessment of Compliance Table 1
The Neighbourhood Plan contributes to sustainable development, as set out by the NPPF	<p>The policies within Neighbourhood Plan promote sustainable development, as set out in the NPPF. Paragraph 7 of the NPPF sets out sustainable development as consisting of the following factors:</p> <ul style="list-style-type: none"> <li>• to contribute to building a strong, responsive and competitive economy</li> <li>• to support strong, vibrant and healthy communities and</li> <li>• to contribute to protecting and enhancing the natural, built and historic environment</li> </ul> <p>As demonstrated in Appendix 2 (Table 1) the Neighbourhood Plan is compliant with the NPPF 2021 which has an overarching aim of promoting</p>	Appendix 2 - Assessment of Compliance Table 1

	sustainable development in terms of economic, social and environmental issues	
The Neighbourhood Plan is in conformity with the Rushcliffe Local Plan	In order to ensure that the Neighbourhood Plan conforms to Rushcliffe Borough Council Adopted Local Plan, an Assessment of Compliance has been undertaken. The table demonstrates where the final proposed policies link back into the core aims of the Adopted Local Plan thus fully supporting the strategy established at the Borough level.	Appendix 2 - Assessment of Compliance Table 2
The Neighbourhood Plan is in conformity with the appropriate EU regulations	<p>Habitats Regulations:</p> <p>It is not envisaged that any of the development that would be consented by this framework will have an effect on any habitats covered by Natura 2000 and therefore the subject of Articles 6 &amp; 7 of the Habitats Directive. It is not envisaged that any of the proposals covered in this plan would affect any designated areas. This position is confirmed by the SEA Screening Opinion sought by the Borough Council based on the draft plan.</p> <p>Environmental Impact:</p> <p>The Neighbourhood Plan itself does not allocate specific sites for development. As such it is unlikely that there would be any effects that could be described as 'significant' when measured against Article 3.5. The document is the lowest level of plan adopted within the LPA area, and does not influence the preparation of other plans. It is designed to promote sustainable development - in line with guidance contained in the NPPF.</p> <p>It's not envisaged that over the plan period (to 2030) that the supported development in the Development Plan would individually or cumulative have a significant effect when measured against the thresholds within Article 3.5.</p> <p>Human rights: The plan has been positively prepared to ensure none of the policies infringe on any human rights from the Human Rights Act 1998.</p>	Appendix 3 - Screening Report

## **Appendices**

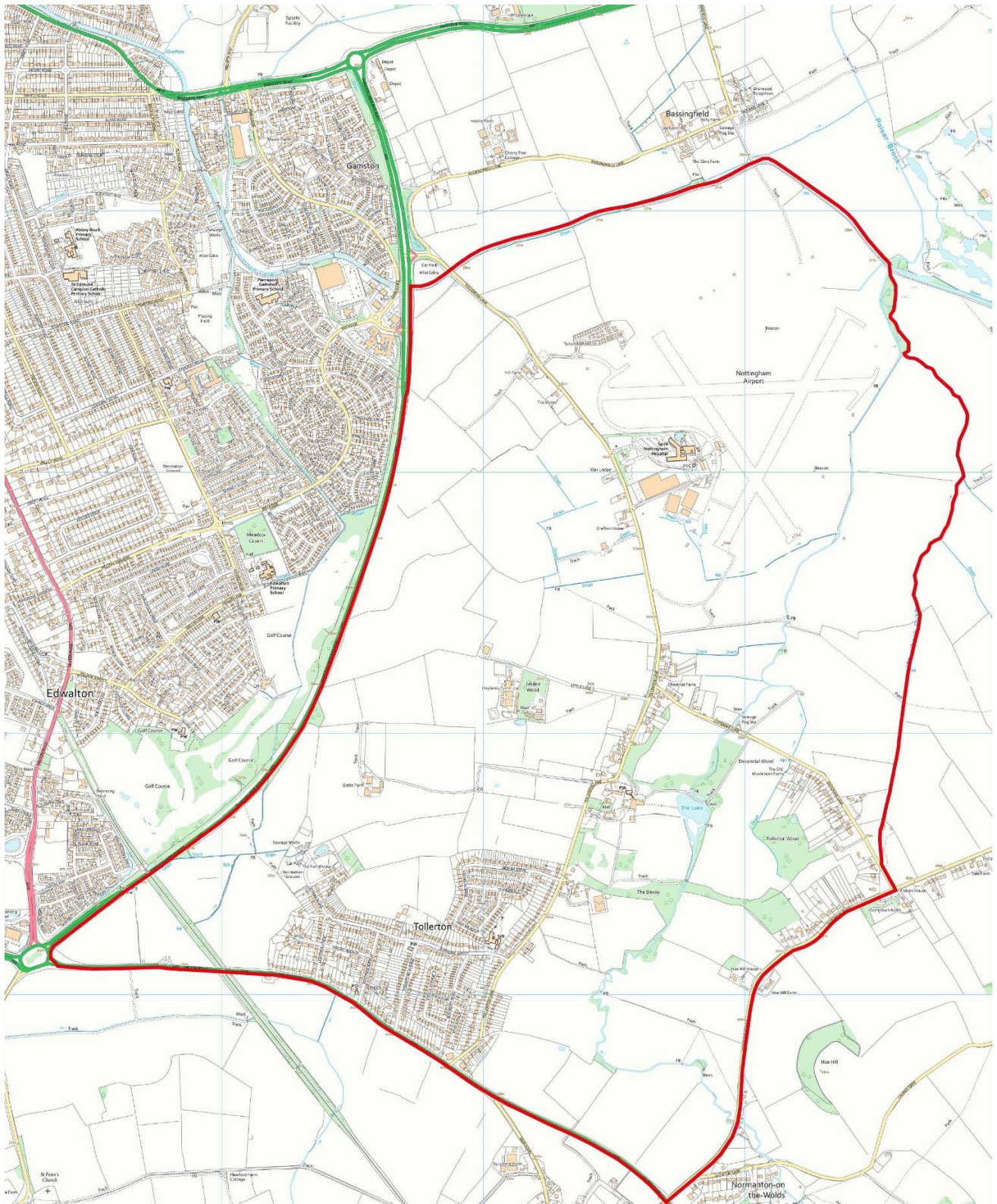
Appendix 1 – Neighbourhood Plan Designated Area

Appendix 2 – Assessment of Compliance – table 1 and 2

Appendix 3 – SEA Scoping and Screening Report

## Appendix 1 – Neighbourhood Plan Designated Area







## Appendix 2 – Assessment of Compliance – table 1 and 2

Appendix X - Assessment of Compliance Table

Table 1 - Assessment of Compliance Table - NPPF

National Planning Policy Framework (2021)

	✓Complies	~Not applicable	xA conflict may occur														
	1 - Introduction	2 - Achieving sustainable development	3 - Plan-making	4 - Decision-making	5 - Delivering a sufficient supply of homes	6 - Building a strong, competitive economy	7 - Ensuring the vitality of town centres	8 - Promoting healthy and safe communities	9 - Promoting sustainable transport	10 - Supporting high quality communications	11 - Making effective use of land	12 - Achieving well-designed places	13 - Protecting Green Belt land	14 -Meeting the challenge of climate change, flooding and coastal change	15 - Conserving and enhancing the natural environment	16 - Conserving and enhancing the historic environment	17 - Facilitating the sustainable use of minerals
Policies																	
A - Strategic Policy																	
Policy 1 - Climate Change	~	✓	✓	~	~	✓	~	✓	✓	~	~	✓	✓	✓	~	~	~
B - Rural Economy																	
Policy 2- The Village Centre	~	✓	✓	~	~	✓	✓	✓	✓	~	✓	✓	✓	~	~	~	~
Policy 3- Supporting Existing Businesses	~	✓	✓	~	✓	✓	✓	✓	~	✓	✓	✓	✓	~	~	~	~
Policy 4- Facilitating New Businesses	~	✓	✓	~	~	✓	✓	✓	✓	~	✓	✓	✓	~	~	~	~
C - Community Facilities																	
Policy 5- Existing Facilities	~	✓	✓	~	~	✓	✓	✓	~	~	✓	✓	✓	~	~	~	~
Policy 6- New Community and Retail Facilities	~	✓	✓	~	~	✓	✓	✓	~	~	✓	✓	✓	~	~	~	~
Policy 7- The Green Buffer at Gamston Fields	~	✓	✓	~	~	~	~	✓	~	~	✓	~	✓	✓	✓	~	~
D - Character and Heritage																	
Policy 8- Local Character	~	✓	✓	✓	~	~	~	✓	~	~	✓	✓	✓	~	~	~	~
Policy 9- Heritage Assets	~	✓	✓	~	~	~	~	~	~	~	~	✓	✓	~	✓	✓	~
E - Landscape and Biodiversity																	
Policy 10- Landscape Character	~	✓	~	~	~	~	~	✓	~	~	✓	✓	✓	~	~	~	~
Policy 11- Local Green Spaces	~	✓	✓	~	~	~	~	✓	~	~	✓	✓	✓	~	✓	~	~
Policy 12- Biodiversity Enhancement	~	✓	✓	~	~	x	x	✓	~	~	✓	✓	✓	✓	✓	~	~
F- Connectivity and Transport																	
Policy 13- Sustainable Modes	~	✓	✓	~	~	~	~	✓	✓	~	✓	✓	✓	✓	~	~	~
Policy 14- Junction Improvements	~	✓	~	~	~	~	~	✓	✓	~	~	✓	✓	~	~	~	~
G- Local Housing and Design																	
Policy 15- Tollerton Housing Strategy	~	✓	✓	~	✓	~	✓	✓	✓	✓	✓	✓	✓	✓	~	~	~
Polciy 16- Design in New Development	~	✓	✓	~	✓	~	✓	✓	✓	~	✓	✓	✓	~	~	~	~
H- Monitoring and Review																	

Table 2 - Assessment of Compliance Table - Rushcliffe Local Plan

Rushcliffe Core Strategy Strategic Policies (2014)

	✓Complies	~Not applicable	xA conflict may occur			
	Policy 1 - Presumption in Favour of Sustainable Development	Policy 2 - Climate Change	Policy 3 - Spatial Strategy	Policy 4 - Nottingham-Derby Green Belt	Policy 5 - Employment Provision and Economic Development	Policy 6 - Role of Town and Local Centres
Policies						
A - Strategic Policy						
Policy 1 - Climate Change	✓	✓	✓	~	✓	✓
B - Rural Economy						
Policy 2- The Village Centre	✓	~	~	~	✓	✓
Policy 3- Supporting Existing Businesses	✓	~	~	~	✓	✓
Policy 4- Facilitating New Businesses	✓	~	~	~	✓	✓
C - Community Facilities						
Policy 5- Existing Facilities	✓	~	~	~	✓	✓
Policy 6- New Community and Retail Facilities	✓	~	~	~	✓	✓
Policy 7- The Green Buffer at Gamston Fields	✓	✓	~	✓	~	~
D - Character and Heritage						
Policy 8- Local Character	~	~	~	~	~	~
Policy 9- Heritage Assets	~	~	~	~	~	~
E - Landscape and Biodiversity						
Policy 10- Landscape Character	✓	~	~	✓	~	~
Policy 11- Local Green Spaces	✓	✓	~	~	~	~
Policy 12- Biodiversity Enhancement	✓	✓	✓	~	~	~
F- Connectivity and Transport						
Policy 13- Sustainable Modes	✓	✓	✓	~	~	~
Policy 14- Junction Improvements	✓	~	✓	~	~	~
G- Local Housing and Design						
Policy 15- Tollerton Housing Strategy	✓	✓	✓	~	~	~
Policy 16- Design in New Development	✓	✓	✓	~	~	~
H- Monitoring and Review						
Policy 13- Sustainable Modes	✓	✓	~	~	~	~

## Appendix 3 – SEA Scoping and Screening Report

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# **Draft Tollerton Neighbourhood Plan 2016 - 2030**

## **Strategic Environmental Assessment and Appropriate Assessment Screening Opinion Report**

Provided by Rushcliffe Borough Council on behalf of  
Tollerton Parish Council

May 2023

## **Contents**

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- 2 Legislation
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  - 2.2 Habitats Regulation Assessment (HRA)
- 3 Tollerton Neighbourhood Plan
- 4 Tollerton Neighbourhood Plan SEA screening assessment
- 5 Tollerton Neighbourhood Plan HRA appropriate assessment screening

Appendix A Consultation and Responses from Statutory Consultees

## 1. Introduction

- 1.1. The Localism Act (2011) introduced new powers to enable local communities to guide and shape development through the production of Neighbourhood Plans, with further accompanying detail on how to do this set out in *The Neighbourhood Planning (General) Regulations 2012*.
- 1.2. This screening report has assessed the contents of the Tollerton Neighbourhood Plan Regulation 15 Submission Draft to identify potential environmental impacts that would require a Strategic Environmental Assessment in accordance with the European Directive and associated Environmental Assessment of Plans and Programmes Regulations 2004. If significant modifications are made during the examination process the plan will be screened again to identify environmental impacts.
- 1.3. It also determines whether or not the contents of the Tollerton Neighbourhood Plan Regulation 15 Submission Draft would require a Habitats Regulations Appropriate Assessment in accordance with European Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora, i.e. the 'Habitats Directive' and the associated Conservation of Habitats and Species Regulations 2010 (otherwise known as the 'Habitats Regulations').
- 1.4. European Directives have been transposed into national law through UK legislative statutory instruments (further details of which will be provided in section 2 below) to determine whether they would have significant environmental effects (SEA) or have an impact on any internationally designated wildlife sites (HRA). This has resulted in the Tollerton Neighbourhood Plan needing to be screened in relation to whether it needs to be supported by a Strategic Environmental Assessment and / or a Habitats Regulations Assessment (HRA), i.e. an 'appropriate assessment'.
- 1.5. It should be noted that the adopted Rushcliffe Local Plan Part 1: Core Strategy (December 2014) (with which the Neighbourhood Plan must be in accordance) has been subject to a full Strategic Environmental Assessment and Sustainability Appraisal in accordance with the legislation, as well as an appropriate assessment scoping report in relation to the Habitats Regulations (which concluded that a full Appropriate Assessment of it would not be required). These will be taken into account in providing this screening opinion.
- 1.6. In addition, the Local Plan Part 2: Land and Planning Policies was adopted in October 2019. This document is also supported by a Sustainability Appraisal which includes the Strategic Environmental Assessment, and Habitats Regulations Assessment. These will also be taken into account.
- 1.7. This screening report details whether the Tollerton Neighbourhood Plan Regulation 15 Submission Draft is likely to require an SEA or HRA. Notwithstanding the fact that the Neighbourhood Plan as submitted is supported by a sustainability appraisal, it is concluded that a Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment are not required to accompany the Tollerton Neighbourhood Plan. Details of the reasoning behind these conclusions are provided within sections 4 and 5 of this report.

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- 1.8. This SEA screening opinion was sent to the three statutory consultees (Historic England, Natural England, and Environment Agency) to seek their views on its contents. None of the three consultees required an SEA to be carried out. The requests for comment from Rushcliffe Borough Council and the responses from the three consultees are contained within Appendix A.



## **2. Legislation**

### **Strategic Environmental Assessment**

- 2.1. The basis for requiring Strategic Environmental Assessment is European Directive 2001/42/EC and was transposed into English Law by the Environmental Assessment of Plans and Programmes Regulations 2004.
- 2.2. Critically, with regard to neighbourhood planning, regulation 15 of The Neighbourhood Planning (General) Regulations (2012) (as amended) requires submitted Neighbourhood Plans are accompanied by either an environmental report in accordance with the Environmental Assessment of Plans and Programmes Regulations (2004) (and the SEA Directive), or where it has been determined under these regulations that the plan proposal is unlikely to have a significant environmental effects, a statement of reasons for the determination. This statement is referred to as a “screening” assessment.
- 2.3. Detailed guidance of these Regulations can be found in the Government publication, ‘A Practical Guide to the Strategic Environmental Assessment Directive’ (ODPM 2005). Further information on SEA (and SEA in relation to Neighbourhood Plans) is contained within the Government’s National Planning Practice Guidance.
- 2.4. The objective of the SEA Directive (2001/42/EC) is set out in Article 1 therein, which states:

‘The objective of this Directive is to provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes with a view to promoting sustainable development, by ensuring that, in accordance with this Directive, an environmental assessment is carried out of certain plans and programmes which are likely to have significant effects on the environment.’
- 2.5. To establish if a Neighbourhood Plan needs to be accompanied by a full SEA, a “screening” assessment is required against a series of criteria set out in the SEA Directive. These are illustrated in Figure 1 below.

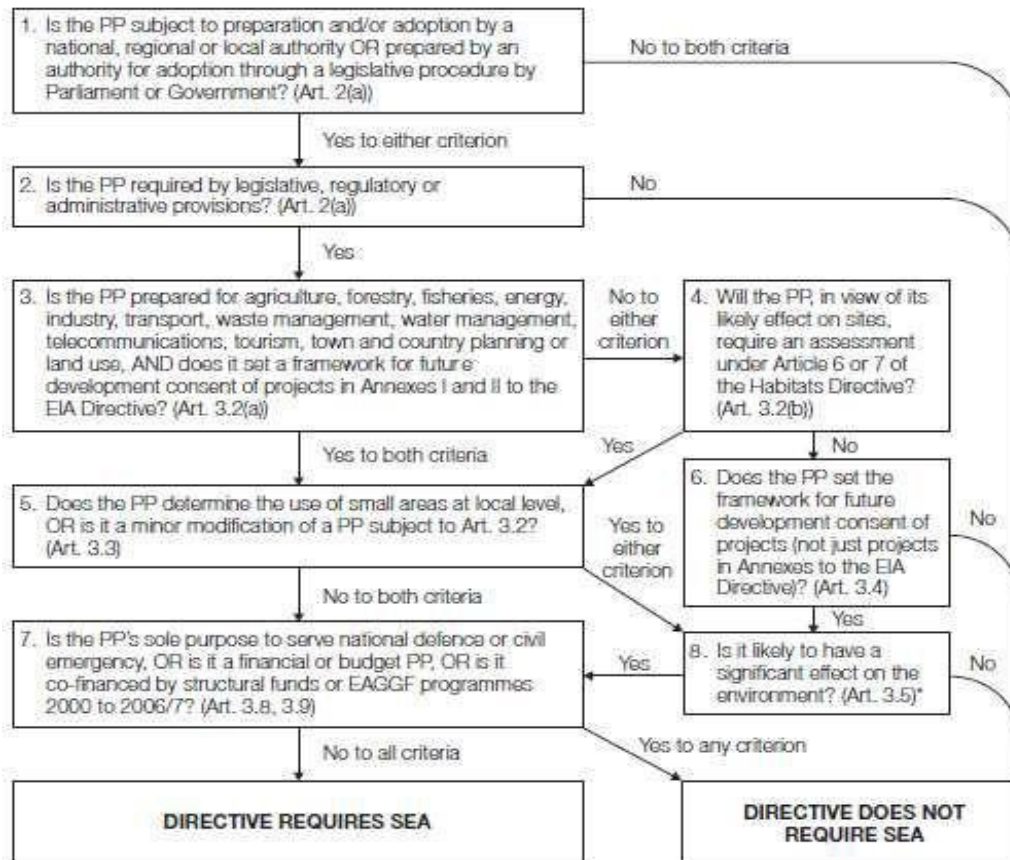


Figure 1: Criteria against which the requirement for SEA to be screened

2.6. Assessing the significance of the environmental effects (as set out within stage 8 of Figure 1 above) that a Neighbourhood Plan will have depends on the policies within it. The criteria for assessing significance are referred to in Article 3.5 and set out within Annex II of the SEA Directive, as shown below:

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Criteria for determining the likely significance of effects referred to in Article 3(5)

1. The characteristics of plans and programmes, having regard, in particular, to
  - 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 Community legislation on the environment (e.g. plans and programmes linked to waste-management or water protection).
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to
  - 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 (e.g. due to accidents),
  - the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),
  - the value and vulnerability of the area likely to be affected due to:
    - special natural characteristics or cultural heritage,
    - exceeded environmental quality standards or limit values,
    - intensive land-use,
  - the effects on areas or landscapes which have a recognised national, Community or international protection status.

Figure 2: Criteria for assessing significance

### **Habitats Regulations Assessment**

- 2.7. A Habitat Regulations Assessment (HRA) is required for a plan or project to assess the potential implications for European wildlife sites, i.e. 'European sites' or 'Natura 2000 sites'. It explores whether the implementation of a plan or project would harm the habitats or species for which the European sites are designated. The European sites are:
  - Special Protection Areas (SPAs) – designated by the Birds Directive (79/409/EEC as amended and 2009/147/EC), and:
  - Special Areas of Conservation – designated by the Habitats Directive (92/43/EEC).
- 2.8. In addition to SPAs and SACs, Ramsar sites are designated under the Ramsar convention. The Ramsar convention's mission is to conserve and sustainably utilise wetland habitats. Although Ramsar sites are not covered by the Habitats Regulations, as a matter of Government Policy, they should be treated in the same way as European wildlife sites (i.e. SPAs and SACs). European wildlife sites and Ramsar sites are collectively known as internationally designated wildlife sites.

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- 2.9. The basis for requiring a Habitats Regulations Assessment stems from the European Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora. This has been transposed into UK legislation by the Conservation of Habitats and Species Regulations 2010 (which has subsequently been amended by Schedule 2 of The Neighbourhood Planning (General) Regulations 2012).

### **3. Tollerton Neighbourhood Plan**

- 3.1. Tollerton Parish Council published the Draft Neighbourhood Plan for consultation under Regulation 14 on the 4 May 2022. This followed the designation of the whole of the parish of Tollerton as a Neighbourhood Area for the purposes of preparing a neighbourhood plan.
- 3.2. The Neighbourhood Plan comprises an overarching vision and eight objectives, and individual planning policies that should be applied where pertinent, to developments within Neighbourhood Plan area.
- 3.3. The table below lists the policies within the submitted Neighbourhood Plan:
  - Policy 1. Climate Change
  - Policy 2. The Village Centre
  - Policy 3. Supporting Existing Business
  - Policy 4. Facilitating New Business
  - Policy 5. Existing Facilities
  - Policy 6. New Community and Retail Facilities
  - Policy 7. The Green Buffer at Gamston Fields
  - Policy 8. Local Character
  - Policy 9. Heritage Assets
  - Policy 10. Landscape Character
  - Policy 11. Local Green Spaces
  - Policy 12. Biodiversity Enhancement
  - Policy 13. Sustainable Modes
  - Policy 14. Junction Improvements
  - Policy 15. Tollerton Housing Strategy
  - Policy 16. Design in New Development

#### 4. Tollerton Neighbourhood Plan SEA screening assessment

- 4.1. The policies set out in the Tollerton Neighbourhood Plan Regulation 14 Consultation Draft (those listed in Section 3) have been used to undertake this screening exercise against the criteria in Figures 1 and 2 in Section 2 above. If the policies are amended significantly during plan preparation, the Neighbourhood Plan would be subject to a further screening exercise to explore whether any significant effects would occur.
- 4.2. An SEA was completed as part of the adopted Rushcliffe District Council Local Plan Part 1 (Core Strategy) (December 2014) and submitted Local Plan Part 2 (Land and Planning Policies) and this has been taken into account in this screening assessment.
- 4.3. Table 1 (below) outlines the results of the assessment against the criteria in Figures 1 and 2 in Section 2.

Table 1: SEA Criteria for determining whether an Environmental Report is required.

Stage	Yes/No	Reason
1. Is the Neighbourhood Plan subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2(a))	Yes	The preparation of and adoption of the Tollerton Neighbourhood Plan is allowed under The Town and Country Planning Act 1990 as amended by the Localism Act 2011. The Tollerton Neighbourhood Plan will be prepared by Tollerton Parish Council (as the 'relevant body') and will be 'made' by Rushcliffe Borough Council as the local authority. The preparation of neighbourhood plans is subject to the following regulations: The Neighbourhood Planning (General) Regulations 2012 and The Neighbourhood Planning (referendums) Regulations 2012.
2. Is the Neighbourhood Plan required by legislative, regulatory or administrative provisions? (Art. 2(a))	Yes	Whilst the Tollerton Neighbourhood Plan is not a requirement and is optional under the provisions of The Town and Country Planning Act 1990 as amended by the Localism Act 2011, it will if 'made', form part of the Development Plan for the Borough. It is therefore important that the screening process considers whether it is likely to have significant environmental effects and hence whether SEA is required under the Directive.

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Stage	Yes/No	Reason
3. Is the Neighbourhood Plan prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art. 3.2(a))	No	Whilst the Tollerton Neighbourhood Plan covers a range of land use issues and allocations, it does not set the framework for future development consent of projects in Annexes I and II to the EIA Directive (see Appendix 2 for list). Instead, the Tollerton Neighbourhood Plan is a non-strategic scale document, focused solely upon the Parish of Hickling.
4. Will the Neighbourhood Plan, in view of its likely effect on sites, require an assessment under Article 6 or 7 of the Habitats Directive? (Art. 3.2(b))	No	<p>The Tollerton Neighbourhood Plan is unlikely to have a substantial effect on protected sites.</p> <p>A Habitats Regulation Assessment screening for both the Local Plan Part 1: Core Strategy and Local Plan Part 2: Land and Planning Policies Document, both concluded that the plan would not have a significant effect on any habitats.</p>
5. Does the Neighbourhood Plan determine the use of small areas at local level, OR is it a minor modification of a PP subject to Art. 3.2? (Art. 3.3)	N/A	N/A
6. Does the PP set the framework for future development consent of projects (not just projects in Annexes to the EIA Directive)? (Art. 3.4)	Yes	The Tollerton Neighbourhood Plan is to be used for determining future planning applications



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Stage	Yes/No	Reason
7. Is the Neighbourhood Plan's sole purpose to serve national defence or civil emergency, OR is it a financial or budget PP, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Art. 3.8, 3.9)	No	The Tollerton Neighbourhood Plan does not accord with any of the criteria.
8. Is it likely to have a significant effect on the environment? (Art. 3.5)*	No	The Tollerton Neighbourhood Plan will not have a significant effect on the environment.

### Significant Effects on the Environment

4.4. As indicated in Table 1, whether a full SEA is required will depend on whether the Neighbourhood Plan would significantly affect the environment. Table 2 below highlights the environmental issues/assets and possible significant effects on them.

Table 2: Assessment of likely significant effects

Environmental/ Sustainability Themes	Assets	Possible Effects
Biodiversity	<p>There are no SSSIs, Local Nature Reserves (LNR) or Local Wildlife Sites (LWS) within the Parish. The Grantham Canal LWS runs along the northern boundary of the Parish</p> <p>The Rushcliffe Biodiversity Mapping Report (July 2015) identifies extensive areas of woodland and grassland within the Parish. The report identifies the opportunity to improve</p>	<p>The Neighbourhood Plan does not propose any development, either within allocations or explicitly within a policy.</p> <p>The Neighbourhood Plan includes an Environment Objective, which aims to protect existing areas of green space, including the green buffer to the north of the village, and ensure future development contributes to the creation</p>

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Environmental/ Sustainability Themes	Assets	Possible Effects
	<p>woodland in the short term around the A52/Lings Bar roundabout by improving its connectivity, and identifies the opportunity to improve grassland in the short term along Lings Bar by connecting existing areas, and in the long term at Tollerton Airport through improved grassland management that increases species diversity.</p> <p>Natural England's MAGIC Map identifies priority woodland habitats at Tollerton Wood.</p>	<p>of a strong network of green biodiverse spaces and corridors.</p> <p>Policy 7: The Green Buffer at Gamston Fields supports the provision tree planting and biodiversity enhancement within this buffer.</p> <p>Policy 11: Local Green Spaces identifies a number of local green spaces for protection.</p> <p>Policy 22: Biodiversity requires new developments provide a minimum of 10% biodiversity net gain.</p> <p>As the plan does not identify any specific proposals and contains safeguards (building on environmental policies within the Local Plan), it would not significantly affect any biodiversity assets.</p> <p>The above policies are likely to benefit biodiversity.</p>
Historic Environment	<p>There are a number of listed buildings within the historic core of Tollerton. There are a number of listed pillboxes located around Tollerton Airport.</p> <p>Tollerton Hall is a Grade II Listed Building and its</p>	<p>The Neighbourhood Plan does not propose any development, either within allocations or explicitly within a policy.</p> <p>Policy 9: Heritage Assets requires applications to take into account the impact of development on the heritage assets in the village, seeking to protect and enhance them.</p>

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Environmental/ Sustainability Themes	Assets	Possible Effects
	<p>grounds are locally identified as a Historic Park and Garden.</p> <p>There is no conservation area that covers part of the parish of Tollerton.</p> <p>The Nottinghamshire Historic Environment Record identifies a number of non-designated heritage assets across the parish, including archaeological features.</p>	<p>As the plan does not identify any specific proposals and contains safeguards (building on heritage policies within the Local Plan), it would not significantly affect any historic assets.</p> <p>The above policies are likely to benefit heritage assets.</p>
Landscape	<p>There are no designated landscapes within Rushcliffe.</p> <p>The Greater Nottingham Landscape Character Assessment identifies land to the north and east of Tollerton as being within the Tollerton Village Farmland Character Area (SN04). The Landscape condition is moderate within SN04.</p>	<p>The Neighbourhood Plan does not propose any development, either within allocations or explicitly within a policy.</p> <p>Policy 10: Landscape Character seeks to retain and enhances key features that contribute to the landscape character of the Parish.</p> <p>Map 4 identifies specific features that are considered to be particularly important to the landscape setting of Tollerton.</p> <p>As the plan does not promote any specific developments and contains policies that are likely to benefit the character of the area, it will not significantly harm the landscape.</p>

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Environmental/ Sustainability Themes	Assets	Possible Effects
Human Health	<p>Located within the Parish is the Spire healthcare private GP practice.</p> <p>The village is surrounded by countryside that offers informal recreational opportunities.</p> <p>To the north west of the village is a park which includes a children's play area, a skatepark, football pitch and tennis court.</p>	<p>The Neighbourhood Plan does not propose any development, either within allocations or explicitly within a policy that would affect health related assets.</p> <p>Policy 2: The Village Centre supports various uses within its Centre of Neighbourhood Importance, including community and social uses.</p> <p>Policy 5: Existing Facilities and Policy 6: New community and Retail Facilities supports the provision of new community facilities where they do not negatively affect existing facilities.</p> <p>Policy 7: The Green Buffer at Gamston Fields looks allocates land to the north of Tollerton to be used a green buffer, which will act as a wider facility for the Parish.</p> <p>Policy 13: Sustainable Modes requires all development to reduce the reliance on the private car and encourage more sustainable and active types of transport.</p> <p>The plan does not promote any specific developments and contains policies (see above) that are likely to benefit the health of residents.</p>
Natural Resources	Land which surrounds Tollerton is Grade 3 and Grade 2 agricultural land.	The Neighbourhood Plan does not propose any development, either within allocations or explicitly within a policy. Consequently, the neighbourhood plan

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Environmental/ Sustainability Themes	Assets	Possible Effects
		will not result in any loss of high grade agricultural land.
Water/Flood Risk	<p>The Polser Brook runs through the Parish from north to south. Land either side of the water course is identified within Flood Zone 2 (1 in 1,000 year) and Flood Zone 3 (1 in 100 year). This concerns river flooding and cover agricultural land, as well as some properties that lie outside of the main settlement of Tollerton.</p> <p>Areas at risk of surface water flooding are also located near to the unnamed watercourse, although some areas of the main settlement of Tollerton are at risk of surface water flooding.</p>	<p>The Neighbourhood Plan does not allocate sites within areas that are identified as being at risk of river or service water flooding.</p> <p>Whilst the Neighbourhood Plan does not contain any flood risk policies, these are included within the Development Plan for Rushcliffe.</p> <p>Policy 16: Design in New Development encourages the incorporation of sustainable drainage systems and green spaces into new development to help alleviate flooding.</p>
Air Quality	There are no Air Quality Management Areas (AQMAs) within the neighbourhood plan area, or in locations where development may indirectly affect them.	<p>Given the absence of proposed developments, there would be no significant effect on air quality.</p> <p>Policies that encourage sustainable modes of transport should mitigate some effects on air quality.</p>

### Conclusion

- 4.5. On the basis of the SEA screening exercise in Table 1 and Table 2 above, it is considered that significant effects are unlikely and therefore, the Neighbourhood Plan does not require a Strategic Environmental Assessment (SEA).
- 4.6. Overall the policies proposed would have neutral or even positive effect on the

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environment. This is reflected within the SA that accompanies the submitted plan, which does not identify any negative effects on the plan.

- 4.7. If, following consultation on the draft plan, modifications to the plan have implications for the environment, these should be screened again to ensure a full SEA is not required.

## **5. Tollerton Neighbourhood Plan HRA Screening**

- 5.1. This is the Habitats Regulations Assessment (HRA) of the Tollerton Neighbourhood Plan. It accompanies the submission plan and comprises the screening of likely significant effects of these emerging policies on designated and prospective European or internationally protected nature conservation sites.
- 5.2. As the Neighbourhood Plan is subordinate to the adopted Local Plan Part 1 (Core Strategy) and Local Plan Part 2 (Land and Planning Policies), provided the Neighbourhood Plan does not diverge from the policies within them, the conclusions of their respective HRAs provides a clear indication of the likelihood of significant effects upon an internationally designated site.

### **Local Plan Part 1: Core Strategy**

- 5.3. Rushcliffe Borough Council adopted the Core Strategy in December 2014. This Development Plan Document contains strategic land allocations and planning policies which determine the minimal level of development at Tollerton. The Core Strategy also contains general policies on sustainable development, climate change, green belt, housing mix and tenure, design, transport, green infrastructure and biodiversity.
- 5.4. In accordance with the European Habitats Directives and Conservation of Habitats and Species Regulations 2017, the Core Strategy underwent a Habitats Regulations Assessment which determined that the plan would not significantly affect any European protected nature conservation site.

### **Local Plan Part 2: Land and Planning Policies**

- 5.5. Local Plan Part 2 was adopted in October 2019, it was submitted for examination with a HRA Screening that concluded that the Plan would not result in likely significant effects alone or in combination. An addendum to the HRA assessed whether the Court of Justice of the European Union (12 April 2018) affected this conclusion. It was determined that it did not.
- 5.6. The conclusion that the Plan would be unlikely to have significant effects was supported by Natural England, was not challenged at examination. The inspector agreed with this conclusion.

### **Screening of Likely Significant Effects**

- 5.7. Given the conclusions of the Local Plan HRAs it is unlikely that subordinate development management policies which accord with the policies within the Local Plan would significantly affect an internationally protected nature conservation site and trigger the requirement for an appropriate assessment.
- 5.8. Critically Tollerton is approximately 40km from the nearest designated internationally protected site, which is the Rutland Water Special Protection Area. Whilst the Sherwood Forest potential SPA is closer, it is still beyond 20km of Tollerton.



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**Appendix 1: Consultation and Response from Statutory Consultee**

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**From:**  
**Sent:** 13 March 2023 09:11  
**To:** @naturalengland.org.uk  
**Subject:** Tollerton Neighbourhood Plan - SEA Screening  
**Attachments:** 20-025\_TNP\_170223.pdf; Tollerton SEA screening.docx

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Good Morning,

In accordance with Regulation 9 of the Environmental Assessment of Plans and Programmes Regulations, I am formally consulting you on the screening of Tollerton's Neighbourhood Plan and the likelihood of significant effects.

If you have any comments to make, please could I have them by **Monday 10<sup>th</sup> April**. If not, please could you respond that you have no comments on the SEA screening.

I have attached the plan and SEA Screening.

Kind regards,

**Planning Policy Officer**

---

**From:** SM-NE-Consultations (NE) <consultations@naturalengland.org.uk>  
**Sent:** 04 April 2023 09:24  
**To:**  
**Subject:** Tollerton Neighbourhood Plan - SEA Screening Consultation Response  
**Attachments:** 20-025\_TNP\_170223.pdf; Tollerton SEA screening.docx; 425474 Consultation Response.pdf

Dear ,

Please see the attached document/s for consultation response.

Yours sincerely,

Consultations Team  
Natural England  
Hornbeam House, Electra  
Way Crewe, Cheshire, CW1  
6GJ

Enquiries line: 0300 060 3900  
Email: [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk)  
[www.gov.uk/natural-england](http://www.gov.uk/natural-england)



Date: 04 April 2023  
Our ref: 425474



Rushcliffe Borough Council

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

T 0300 060 3900

**BY EMAIL ONLY**

Dear

**Tollerton Neighbourhood Plan – SEA Screening Consultation**

Thank you for your consultation on the above dated 13 March 2023 which was received by Natural England on 13 March 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.

**Screening Request: Strategic Environmental Assessment**

It is our advice, on the basis of the material supplied with the consultation, that, in so far as our strategic environmental interests (including but not limited to statutory designated sites, landscapes and protected species, geology and soils) are concerned, that there are unlikely to be significant environmental effects from the proposed plan.

**Neighbourhood Plan**

Guidance on the assessment of Neighbourhood Plans, in light of the Environmental Assessment of Plans and Programmes Regulations 2004 (as amended), is contained within the [National Planning Practice Guidance](#). The guidance highlights three triggers that may require the production of an SEA, for instance where:

- a neighbourhood plan allocates sites for development
- the neighbourhood area contains sensitive natural or heritage assets that may be affected by the proposals in the plan
- the neighbourhood plan may have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan.

We have checked our records and based on the information provided, we can confirm that in our view the proposals contained within the plan will not have significant effects on sensitive sites that Natural England has a statutory duty to protect.

We are not aware of significant populations of protected species which are likely to be affected by the policies / proposals within the plan. It remains the case, however, that the responsible authority should provide information supporting this screening decision, sufficient to assess whether protected species are likely to be affected.

Notwithstanding this advice, Natural England does not routinely maintain locally specific data on all potential environmental assets. As a result the responsible authority should raise environmental issues that we have not identified on local or national biodiversity action plan species and/or habitats, local wildlife sites or local landscape character, with its own ecological and/or landscape advisers, local record centre, recording society or wildlife body on the local landscape and biodiversity receptors that may be affected by this plan, before determining whether an SA/SEA is necessary.

Please note that Natural England reserves the right to provide further comments on the environmental assessment of the plan beyond this SEA/SA screening stage, should the responsible authority seek our views on the scoping or environmental report stages. This includes any third party appeal against any screening decision you may make.

For any new consultations, or to provide further information on this consultation please send your correspondences to [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

Yours sincerely

Consultations Team

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**From:**  
**Sent:** 13 March 2023 09:11  
**To:** @HistoricEngland.org.uk  
**Subject:** Tollerton Neighbourhood Plan - SEA Screening  
**Attachments:** Tollerton SEA screening.docx; 20-025\_TNP\_170223.pdf

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Good Morning,

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I have attached the plan and SEA Screening.

Kind regards,

Planning Policy Officer

---

**From:** @historicengland.org.uk 06 April 2023 13:26  
**Sent:**  
**To:** Historic England advice on case PL00792586  
**Subject:** \_HERef\_PL00792586\_L426611.doc  
**Attachments:**

Dear Ms Hancock,

I am writing in relation to the following:

SEA/SA/IIA: Strategic Environmental Assessment/ Sustainability Appraisal/ Integrated Impact Assessment Tollerton Neighbourhood Plan [Case Ref. PL00792586; HE File Ref. .; Your Reference. .]

Please see the attached file.

Yours Sincerely

Work with us to champion heritage and improve lives. Read our Future Strategy and get involved at [historicengland.org.uk/strategy](https://historicengland.org.uk/strategy).

This e-mail (and any attachments) is confidential and may contain personal views which are not the views of Historic England unless specifically stated. If you have received it in error, please delete it from your system and notify the sender immediately. Do not use, copy or disclose the information in any way nor act in reliance on it. Any information sent to Historic England may become publicly available. Please read our full privacy policy (<https://gbr01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.historicengland.org.uk%2Fterms%2Fprivacy-cookies%2F&data=05%7C01%7Ckhancock%40rushcliffe.gov.uk%7C1b5707142d6a402769ab08db369a4483%7C0fb26f95b29d4825a41a86c75ea1246a%7C0%7C0%7C638163808999642228%7CUnknown%7CTWFpbGZsb3d8eyJWljoIMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Ikl1haWwiLCJXVCi6Mn0%3D%7C1000%7C%7C%7C&sdata=vpLcUyMYKkQN1ItstZBcCy9NpmOmCejc3YlarxqsLaM%3D&reserved=0>) for more information.





Historic England

Rushcliffe Borough  
Council Fountain Court  
Gordon Road  
Nottingham  
Nottinghamshire  
NG2 5LN

Direct Dial: 0121 625 6870

Our ref: PL00792586

6 April 2023

Dear Ms

## TOLLERTON NEIGHBOURHOOD PLAN - SEA/HRA SCREENING REQUEST

Thank you for your consultation of 13 March 2023 and the request for a Screening Opinion in respect of the Tollerton 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 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.



THE FOUNDRY 82 GRANVILLE STREET BIRMINGHAM B1 2LH

Telephone 0121 625 6888  
[HistoricEngland.org.uk](https://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.*



Historic England

Yours sincerely,

Principal Adviser, Historic Places  
[HistoricEngland.org.uk](http://HistoricEngland.org.uk)



THE FOUNDRY 82 GRANVILLE STREET BIRMINGHAM B1 2LH

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*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.*

---

**From:**  
**Sent:** 13 March 2023 09:11  
**To:** 'planning.trentside@environment-agency.gov.uk'  
**Subject:** Tollerton Neighbourhood Plan - SEA Screening  
**Attachments:** 20-025\_TNP\_170223.pdf; Tollerton SEA screening.docx

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If you have any comments to make, please could I have them by **Monday 10<sup>th</sup> April**. If not, please could you respond that you have no comments on the SEA screening.

I have attached the plan and SEA Screening.

Kind regards,

**Planning Policy Officer**

---

**From:** @environment-agency.gov.uk> 14 March 2023 08:30  
**Sent:**  
**To:**  
**Subject:** RE: Tollerton Neighbourhood Plan - SEA Screening

Hi ,

It's nice to hear from you. I hope the new(ish) job is going well.

The EA have no formal comments to make in regard to the SEA Screening Opinion request as we do not make the final decision on whether a SEA.

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

Many thanks

Planning Specialist

Sustainable Places Team  
East Midlands Area

Environment Agency, Trentside Offices, Scarrington Road, West Bridgford, Nottingham NG2  
5FA

*I am dyslexic, expect creative thinking and creative spelling but if my email has any errors which make it unclear, please do give me a call*

---



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