

**THE ENVIRONMENTAL ASSESSMENT OF PLANS AND
PROGRAMMES REGULATIONS 2004
REGULATION 9 SCREENING DETERMINATION:
Dethick, Lea and Holloway Neighbourhood Plan**

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Regulation 9 of The Environmental Assessment of Plans and Programmes Regulations 2004 requires that the responsible authority determines whether or not a plan is 'likely to have significant environmental effects' and if a Strategic Environmental Assessment is required (SEA).

Amber Valley Borough Council being the responsible authority has determined, after consideration of the draft Dethick, Lea and Holloway Neighbourhood Plan and following consultation with the Environment Agency, Historic England and Natural England (responses appended), that the Plan does not require a SEA.

Reasons for the Decision

Annex I of the SEA Directive identifies a number of potential aspects of the environment which may require consideration in relation to significant effects. These issues may include (but are not limited to): "biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage including architectural and archaeological heritage, landscape and the interrelationship between the above factors". The following discussion considers any relevant issues in relation to each of these aspects of the Neighbourhood Plan environment and how they might be affected as a result of the proposed policies of the Neighbourhood Plan.

(a) biodiversity, flora and fauna

Policies NPP1 and NPP3 of the Neighbourhood Plan seek to ensure that future development will conserve and enhance the biodiversity value of the Parish, will not result in the loss of designated habitat, mitigating planting should include native species and all future development should aim to result in biodiversity net gain.

The adopted Amber Valley Borough Local Plan Policy EN12 resists future development that would result in the loss of, or adverse impact on, a SSSI. Policy EN13 resists development that would adversely impact species designated under the Wildlife and Countryside Act 1981, the Protection of Badgers Act 1992 or species that are listed as Nationally Rare. Policy EN14 states that development which could potentially affect nature conservation will be permitted, where the benefits of the development outweigh the importance of nature conservation.

As the Neighbourhood Plan does not propose any development, it is anticipated the Neighbourhood Plan will not result in harm to biodiversity, flora and fauna in the Neighbourhood Area. A significant adverse impact is not considered to be likely.

(b) Population and human health

In the 2011 Census, there was a recorded population of 1,025 within the Parish. At this time, 36% of the local population were aged 61 or over. Neighbourhood Plan Policy NPP5 aims to ensure future development can provide a housing mix that meets the local need, as well as ensuring these homes will be accessible and adaptable for personal requirements and as such, provide for the elderly population.

The nearest NHS hospital with an A&E department is Chesterfield Royal Hospital, which is located approximately 15km to the north east of the Parish. The nearest leisure centres to the Parish are also located in Matlock, approximately 4.5km away. Crich Medical Practice Holloway Surgery is located on Mill Lane in the Parish to the south. There are several small shops located within the Parish, including Mayfield Stores and Robin Maycock Butchers. Overall, residents of Dethick, Lea and Holloway have limited access to essential healthcare and community services.

Due to the rural location of Dethick, Lea and Holloway, residents have good access to a diverse range of natural habitats and open space. Neighbourhood Plan Policy NPP7 proposed the designation of new Local Green Spaces, as well as the protection of existing spaces. The Neighbourhood Plan indicates that future development that may have an adverse impact on these spaces will be resisted.

Amenities located within the Parish include hotel and holiday lets, Lea Rhododendron Gardens and Café, Jug and Glass Public House and Restaurant, combined village stores (Post Office and café) in Holloway and John Smedley's Factory and Factory Shop. The two major employers in the Parish are John Smedley Ltd (400 employees) at Lea Mill and Derbyshire County Council Education Authority (60 employees) at Lea Green.

Policies NPP1 and NPP8 seek to enhance, enlarge, or relocate community facilities where appropriate and notes that proposals for improved sports and play facilities will be encouraged. Policy NPP9 aims to encourage sustainable growth of businesses in the Parish through the conversion of existing buildings or the development of new buildings. Policy NPP10 supports the conversion of redundant farm buildings to residential use and Policy NPP11 supports home-based businesses and extensions to enable home working and the provision of faster broadband services.

Neighbourhood Plan Policy NPP12 supports the change of use or conversion of buildings in the countryside, providing they would result in an enhancement of tourist facilities in the local area. Policy NPP12 requires that development be appropriate to its scale and location and not be detrimental to the local character.

There is a high reliance on personal car use within the Parish and issues in relation to parking are common. Aspirational Neighbourhood Plan Policy AP1 seeks to help address issues associated with on-street parking where pedestrian and road safety is at risk. However, it is unlikely that the policies proposed in the Neighbourhood Plan would help combat the heavy reliance on cars and restricted access to sustainable transport options within the Parish.

Since the Neighbourhood Plan does not propose new development, a significant impact on local population and health can be objectively ruled out at this stage.

(c) soil, water and air

The Parish is predominantly Grade 4 agricultural land with some Grade 3 land which is considered to be the Borough's best and most versatile agricultural land. Policies within the adopted Amber Valley Borough Local Plan seek to protect the best most versatile land from development unless it cannot be accommodated on a previously undeveloped site.

Some areas of the Parish lie within flood Zones 2 and 3 and there are areas of surface water flood risk in the Neighbourhood Plan area. Policy EN15 of the adopted Amber Valley Borough Local Plan however ensures development proposal will be considered in relation to these issues.

The adopted Amber Valley Borough Local Plan Policy EN16 resists development that would be likely to result in an increase in air, water, noise or light pollution. Policy EN17 resists development in close proximity to existing sources of pollution.

As no development is proposed within the Neighbourhood Plan, it is considered unlikely that any future developments will result in significant adverse impacts on soil, air or water resources of the Neighbourhood Area.

(d) climatic factors

Neighbourhood Plan Policy NPP13 supports the development of renewable and low carbon energy resources, and such proposals must be in accordance with the criteria set out in the policy.

Residents within Dethick, Lea and Holloway are heavily reliant on personal car use. Any future developments could potentially lead to increases in greenhouse gas emissions associated with a greater number of vehicles in the Parish. Although there are no developments proposed at present, Policy NPP13 could be enhanced to include provisions to improve local air quality.

The Neighbourhood Plan does not propose any development. This, together with the policy provisions, would be likely to result in a negligible impact on climate change.

(e) material assets

Policies NPP7, NPP8, NPP9, NPP10, NPP11 and NPP12 of the Neighbourhood Plan would be likely to have a positive impact on the local economy and access to services for local residents. Existing community facilities would be expected to be protected and measures to designate Local Green Spaces promoted.

Due to the policies outlined above and as the Neighbourhood Plan does not propose any sites for development, it is considered unlikely that the Neighbourhood Plan would have significant adverse impacts on material assets within the Neighbourhood Area.

(f) cultural heritage, including architectural and archaeological heritage

Neighbourhood Plan Policies NPP1 and NPP6 aim to protect historic buildings of local significance and their setting, as well as considering the impacts on non-designated heritage assets, and helping to restore assets identified on the 'Heritage at Risk' register. Neighbourhood Plan Policy NPP4 aims to ensure that future development will be of a high design quality and sympathetic to the local character. This policy also requires development to use local materials which reflect the surroundings, in particular, in the historic core of settlements.

Due to the policies outlined above and as the Neighbourhood Plan does not propose any sites for development, it is considered unlikely that the Neighbourhood Plan would result in a significant adverse impact on any cultural heritage assets within Dethick, Lea and Holloway Parish.

(g) landscape

Policy NPP2 of the Neighbourhood Plan aims to ensure that future development:

- Would not result in the coalescence of settlements within the Parish (in accordance with the areas of separation highlighted in the Neighbourhood Plan);
- Would not result in intrusion of significant views within the Parish (in accordance with the significant views highlighted within the Neighbourhood Plan); and
- Presents a 'soft boundary' to the open countryside, to minimise the impact of development on the overall landscape character.

Neighbourhood Plan Policies NPP1 and NPP4 aim to ensure that future development will be of a high design quality, sympathetic to the local character and retain views into the surrounding countryside. Policy NPP3 also aims to ensure that future development would not result in light pollution that would have an adverse impact on dark skies.

Transport and accessibility

Whilst not an Annex 1(f) SEA Directive topic in itself, transport and accessibility interact with a number of the topics such as population and human health, material assets and climatic factors.

The Neighbourhood Plan includes an aspiration to help reduce traffic speed, improve overall pedestrian safety and address on-street parking issues where pedestrian and road safety is at risk. Several policies within the adopted Amber Valley Borough Local Plan would be likely to help improve transport and accessibility in and around of the Parish, including Policies TP1 and TP2.

There are limited services within Dethick, Lea and Holloway Parish, with limited sustainable transport options resulting in a heavy reliance on personal car usage. Accessibility in and around the Parish is somewhat limited. Since the current Neighbourhood Plan does not propose any development, a significant impact on local transport is not expected at this stage.

HRA Screening Exercise

The table below provides a screening summary of the policies presented in the Neighbourhood Plan. All policies are considered unlikely to have a significant effect on any European site, either alone or in combination with other plans or projects and have therefore been screened out of the HRA process and therefore no further assessment is required.

Policy	Justification	Assessment and reasoning
NPP 1: Sustainable Development	This policy sets out provisions in relation to sustainable development. The policy does not trigger any development or other changes that could affect a European site, either alone or in combination.	Screened out: Policies listing general criteria for testing the acceptability / sustainability of proposals.
NPP 2: Protecting the Landscape Character	This is a general policy for landscape design. The policy does not trigger any development or other changes that could affect a	Screened out: Policies listing general criteria for testing the acceptability / sustainability of proposals and general plan-wide environmental

	European site, either alone or in combination.	protection / site safeguarding / threshold policies
NPP 3: Maintaining and Enhancing the Parish's Biodiversity	This policy aims to enhance the biodiversity value of the Parish. The policy does not trigger any development or other changes that could affect a European site, either alone or in combination.	Screened out: Policies listing general criteria for testing the acceptability / sustainability of proposals and general plan-wide environmental protection / site safeguarding / threshold policies
NPP 4: Design Principles	This policy sets out processes and design principles. The policy does not trigger any development or other changes that could affect a European site, either alone or in combination.	Screened out: Policies listing general criteria for testing the acceptability / sustainability of proposals.
NPP 5: A Mix of Housing Types	This policy sets out provision of homes to meet the identified local need. The policy does not trigger any development or other changes that could affect a European site, either alone or in combination.	Screened out: Policies or proposals that cannot lead to development or other change.
NPP 6: Protecting Heritage Assets	This policy sets out provisions in relation to heritage assets. The policy does not trigger any development or other changes that could affect a European site, either alone or in combination.	Screened out: Policies listing general criteria for testing the acceptability / sustainability of proposals and general plan-wide environmental protection / site safeguarding / threshold policies
NPP 7: Designation of Local Green Spaces	This policy sets out provisions in relation to local green space. The policy does not trigger any development or other changes that could affect a European site, either alone or in combination.	Screened out: Policies or proposals that cannot lead to development or other change.

<p>NPP 8: Enhancing Community Facilities</p>	<p>This policy sets out provisions in relation to community facilities. This policy could have no conceivable effect on a European site, because there is no casual connection or link between them and the qualifying features of any European site, either alone or in combination.</p>	<p>Screened out: Policies or proposals that could not have any conceivable or adverse effect on a site.</p>
<p>NPP 9: Supporting Local Businesses</p>	<p>This policy sets out provisions in relation to local business. This policy could have no conceivable effect on a European site, because there is no casual connection or link between them and the qualifying features of any European site, either alone or in combination.</p>	<p>Screened out: Policies or proposals that could not have any conceivable or adverse effect on a site.</p>
<p>NPP 10: Conversion of Redundant Farm Buildings</p>	<p>This policy sets out provisions in relation to the conversion of farm buildings. This policy could have no conceivable effect on a European site, because there is no casual connection or link between them and the qualifying features of any European site, either alone or in combination.</p>	<p>Screened out: Policies or proposals that could not have any conceivable or adverse effect on a site.</p>
<p>NPP 11: Working from Home</p>	<p>This policy sets out provisions in relation to homeworking. This policy could have no conceivable effect on a European site, because there is no casual connection or link between them and the qualifying features of any European site, either alone or in combination.</p>	<p>Screened out: Policies or proposals that could not have any conceivable or adverse effect on a site.</p>

<p>NPP 12: Supporting Local Tourism</p>	<p>This policy sets out provisions in relation to local tourism. This policy could have no conceivable effect on a European site, because there is no casual connection or link between them and the qualifying features of any European site, either alone or in combination.</p>	<p>Screened out: Policies or proposals that could not have any conceivable or adverse effect on a site.</p>
<p>NPP 13: Renewable Energy and Low Carbon Technologies</p>	<p>This policy sets out provisions in relation to low carbon development. The policy does not trigger any development or other changes that could affect a European site, either alone or in combination.</p>	<p>Screened out: Policies listing general criteria for testing the acceptability / sustainability of proposals.</p>

Conclusion

After having given consideration to the anticipated scope of the Dethick, Lea and Holloway Neighbourhood Plan, and the relevant environmental issues locally, it is concluded that the potential for significant effects to arise as a result of the Plan is unlikely. Consequently, it is considered that a formal SEA is not required.

It is also concluded that the Dethick, Lea and Holloway Neighbourhood Plan would not be likely to have significant effects on European sites either alone or in-combination with any other plan or project and therefore Appropriate Assessment (Stage 2 of the Habitat Regulation Assessment process) is not required.

Please note this determination is based upon the draft Dethick, Lea and Holloway Neighbourhood Plan. The Council reserves the right pending future iterations of the Neighbourhood Plan to undertake further screening determinations.

Further Information

A copy of this determination has been sent to the Consultation Bodies and made available on the Council's website at www.ambervalley.gov.uk

It will also be available on request during normal office hours at:

Amber Valley Borough Council
Town Hall
Market Place
Ripley
Derbyshire
DE5 3BT

If you require any further information, then please contact the Local Plans Team by e-mail: ldf@ambervalley.gov.uk or by calling 01773 841583.

Date: 01 August 2019