

**THE ENVIRONMENTAL ASSESSMENT OF PLANS AND
PROGRAMMES REGULATIONS 2004
REGULATION 9 SCREENING DETERMINATION:**

Ripley Neighbourhood Plan Modification Proposal

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REGULATION 9 SCREENING DETERMINATION: Ripley Neighbourhood Plan as proposed to be modified

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 Ripley Neighbourhood Plan as proposed to be modified, and following consultation with the Environment Agency, Historic England and Natural England (responses appended), that the Plan requires a SEA.

Reasons for the Decision

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

There are five European designated sites located within 20km of Ripley Parish and several Sites of Special Scientific Interest (SSSIs) located in and around the Parish.

The entirety of the built-up area of Ripley Town, including the proposed housing allocations under Policy H1 of the Plan, are located within SSSI Impact Risk Zones that do not require residential development proposals to be consulted on with Natural England. Therefore, it can be assumed that the proposed development in the Plan and future development with Ripley Town Centre would not result in adverse impacts to the surrounding SSSIs.

There are two Local Nature Reserves (LNRs) within the Parish. The sites allocated under Policy H1 'Former Butterley Works' and 'Police HQ' are located less than 50m from two LNRs. In addition, there are four stands of ancient woodland located in the north west of the Parish.

Housing allocation 'Police HQ' proposed for the development of 165 dwellings is located adjacent to 'Carr Wood' LNR, and housing allocation 'Former Butterley Works' proposed for 70 dwellings is located adjacent to 'Hammersmith Meadows' LNR. Policy E1 of the Neighbourhood Plan states that "development proposals on all sites should not result in a loss of biodiversity value and where possible it should be enhanced" however it is important that future development proposals should avoid adverse impacts on designated biodiversity assets and surrounding biodiversity designations.

An adverse impact on the biodiversity assets as a result of the Neighbourhood Plan cannot be ruled out.

(b) population and human health

Overall, future development proposals located in Ripley Parish would be anticipated to locate new residents in areas with good access to essential facilities and amenities, including health services, jobs and local shops and a significant impact on local population and health is not expected.

(c) soil, water and air

Development proposed under Policy H1 includes sites 'Police HQ' and 'Nottingham Road' to be located on Grade 4 agricultural land classification and the sites 'Cemetery Lane' and 'Former Butterley Iron Works' are within the urban area. Therefore, the proposed development under this policy would not result in a loss of 'Best and Most Versatile' (BMV) land within the Parish. As the majority of the Parish is situated on Grade 4 agricultural land and urban land, it would be unlikely that future development within the Parish would result in an adverse impact on agriculturally important local soil resources.

All four proposed development sites coincide with areas identified as being low, medium or high risk of surface water flooding.

Due to the implementation of the policies set out in the Neighbourhood Plan and particularly with the incorporation of a separate policy on flooding, it is unlikely that the Ripley Neighbourhood Plan, as proposed to be modified, would result in significant adverse impacts on soil, air and water resources in the Parish.

(d) climatic factors

Policy E5 of the Neighbourhood Plan seeks to ensure development proposals are environmentally sustainable, incorporating electric vehicle charging points into future development. Policy E7 of the NP aims to support development proposals for renewable energy generation. These policies would be expected to contribute towards reducing

greenhouse gas emissions within the Parish. Overall, it is considered that the Neighbourhood Plan would be unlikely to result in a significant impact on climate change.

(e) material assets

Policy EMP1 would be likely to have a positive impact on the local economy through provision of retail and office development and Policy EMP2 aims to re-develop 'Former Butterley Brick' site for mixed-use development. Policy H2 aims to ensure development proposals locate new residents in areas within good access to local services. In addition, Policy OS2 makes provision for New Open Green Spaces.

Due to the policies outlined above, it is considered unlikely that the Plan would have significant adverse impacts on material assets within the Parish.

(f) cultural heritage, including architectural and archaeological heritage

There are 62 Listed Buildings in the Parish. 'Butterley Hall' is grade II listed and located 100m north of the 'Police HQ' site proposed under Policy H1. Two grade II listed buildings are located 120m north of the 'Former Butterley Works' site proposed under Policy H1.

'Butterley Works blast furnaces, canal tunnel and underground wharf' is a Scheduled Monument and located adjacent to the 'Former Butterley Works' site proposed under Policy H1. The proposed development under Policy H1 could potentially result in adverse impacts upon these heritage assets.

Policy E3 of the NP aims to ensure that development proposals "sustain, restore, enhance and better reveal heritage assets". It is uncertain if this policy would help to protect historic assets in the Parish, including the Former Butterley Iron Works due to the close proximity of the proposed development proposed under Policy H1 to the heritage assets and an adverse impact on the historic environment cannot be ruled out.

(g) landscape

The Neighbourhood Plan Area includes designated Green Belt land that would help to prevent coalescence of settlements and encroachment of development into the countryside. The Parish includes areas that have been identified as being highly sensitive to development and in particular development of the Police HQ site and the Former Butterley Iron Works sites could have a significant harmful impact on the landscape

Policy E4 of the Neighbourhood Plan states that "proposals should aim to reinforce, and where appropriate enhance, landscape character". Neighbourhood Plan Policy E5 seeks to ensure that future development proposals "use materials and detailing of an appropriate

quality to the site's context and surroundings" and "ensure distinctive, attractive developments which respond to local character and promote a strong sense of place". However, these policies would not be expected to mitigate the adverse impacts associated with the proposed development within areas of high landscape sensitivity.

There are Local Wildlife Sites which could also be affected by development in addition to Scheduled Monuments and overall, a significant impact on the landscape as a result of the Neighbourhood Plan cannot be ruled out.

(h) transport and accessibility

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

There is good access to educational facilities.

The number of people who travel less than 2km for work is higher than average in Ripley Parish. Although there are good bus links with hourly services, there are no dedicated cycle routes and good bus links with hourly services. However, Policy TR2 seeks to improve footpath and cycle path links and Policy TR4 seeks to integrate new developments with existing networks to provide residents with good access to sustainable transport links.

There is a railway station at Ambergate, located in the west of the Parish which provides an hourly service from Nottingham to Matlock via Derby. However, the Neighbourhood Plan states that access to this railway station needs to be improved.

Due to existing congestion issues within the Parish, and the proposed development of 384 dwellings under Policy H1, the Neighbourhood Plan could potentially have a significant adverse impact on transport and accessibility.

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
H1: Proposed Sites for Housing Development	This policy will make provision for development within the Parish, but it is considered that this development is not likely to have a significant effect on the European designated sites.	Policies or proposals the (actual or theoretical) effects of which cannot undermine the conservation objectives (either alone or in combination with other aspects of this or other plans or projects).
H2: Other Sites for New Housing Development	This policy sets out design criteria for potential future development. The policy does not trigger any development or other changes that could affect a European site, either alone or in combination.	Policies listing general criteria for testing the acceptability / sustainability of proposals.
H3: Housing for Older or Disabled People	This policy sets out provision of future housing for older or disabled people 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.	Policies or proposals that cannot lead to development or other change.
H4: Affordable Housing	This policy sets out provision of affordable housing 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.	Policies or proposals that cannot lead to development or other change.

H5: Housing Mix	This policy sets out provision of future housing mix 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.	Policies or proposals that cannot lead to development or other change.
OS1: New Local Green Spaces	This policy sets out provisions in relation to open space and recreation facilities. The policy does not trigger any development or other changes that could affect a European site, either alone or in combination.	Policies or proposals that cannot lead to development or other change.
OS2: Protection of Recreation Facilities	This policy sets out provisions in relation to recreation facilities. The policy does not trigger any development or other changes that could affect a European site, either alone or in combination.	Policies or proposals that cannot lead to development or other change.
OS3: Allotments and Community Gardens	This policy sets out design principles for the protection of allotments and community gardens from future development. The policy does not trigger any development or other changes that could affect a European site, either alone or in combination.	Policies listing general criteria for testing the acceptability / sustainability of proposals.
E1: Ecology	This policy aims to protect 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.	Policies listing general criteria for testing the acceptability / sustainability of proposals. General plan-wide environmental protection / site safeguarding / threshold policies
E2: Recognising, Protecting and Revealing our	This policy sets out design principles. The policy does not trigger any development	Policies listing general criteria for testing the

Heritage	or other changes that could affect a European site, either alone or in combination.	acceptability / sustainability of proposals.
E3: Heritage Action Areas	This policy sets out design principles. The policy does not trigger any development or other changes that could affect a European site, either alone or in combination.	Policies listing general criteria for testing the acceptability / sustainability of proposals.
E4: Reinforcing and Enhancing Landscape Character	This policy aims to enhance the landscape 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.	Policies listing general criteria for testing the acceptability / sustainability of proposals. General plan-wide environmental protection / site safeguarding / threshold policies
E5: Good Design	This policy sets out design principles. The policy does not trigger any development or other changes that could affect a European site, either alone or in combination.	Policies listing general criteria for testing the acceptability / sustainability of proposals.
E6: Public Art	This policy sets out design principles. The policy does not trigger any development or other changes that could affect a European site, either alone or in combination.	Policies listing general criteria for testing the acceptability / sustainability of proposals.
E7: Renewable Energy Developments	This policy sets out design principles. The policy does not trigger any development or other changes that could affect a European site, either alone or in combination.	Policies listing general criteria for testing the acceptability / sustainability of proposals.
E8: Pollution	This policy sets out provisions to reduce the potential impact of development proposals on the soil, air and water resources. This policy would have no conceivable effect on a European site, because there is no causal	Policies listing general criteria for testing the acceptability / sustainability of proposals. General plan-wide environmental protection / site safeguarding / threshold policies

	connection or link between them and the qualifying features of any European site, either alone or in combination.	
EMP1: Economic and Employment Development	This policy sets out criteria for potential future employment development within Ripley. The policy does not trigger any development or other changes that could affect a European site, either alone or in combination.	Policies listing general criteria for testing the acceptability / sustainability of proposals.
EMP2: Employment/business development at the former Butterley Brick site.	This policy sets out criteria for potential future employment development within Ripley. The policy does not trigger any development or other changes that could affect a European site, either alone or in combination.	Policies listing general criteria for testing the acceptability / sustainability of proposals.
EMP3: Ripley Town Centre	This policy sets out criteria for potential future employment development within Ripley Town Centre. The policy does not trigger any development or other changes that could affect a European site, either alone or in combination.	Policies listing general criteria for testing the acceptability / sustainability of proposals.
EMP4: Mixed Use Development at the Former Butterley Ironworks Site	This policy sets out criteria for potential future employment development within Ripley. The policy does not trigger any development or other changes that could affect a European site, either alone or in combination.	Policies listing general criteria for testing the acceptability / sustainability of proposals.
TR1: Improving the Highway Network	This policy sets out design principles. The policy does not trigger any development or other changes that could	Policies listing general criteria for testing the acceptability / sustainability of proposals.

	affect a European site, either alone or in combination.	
TR2: Improving Footpath and Cycle Path Links	This policy sets out design principles. The policy does not trigger any development or other changes that could affect a European site, either alone or in combination.	Policies listing general criteria for testing the acceptability / sustainability of proposals.
TR3: Improving Public Access to Watercourses	This policy sets out design principles. The policy does not trigger any development or other changes that could affect a European site, either alone or in combination.	Policies listing general criteria for testing the acceptability / sustainability of proposals.
TR4: Integrating New Development	This policy sets out design principles. The policy does not trigger any development or other changes that could affect a European site, either alone or in combination.	Policies listing general criteria for testing the acceptability / sustainability of proposals.

Conclusion

After having given consideration to the anticipated scope of the Ripley Neighbourhood Plan, as proposed to be modified and the relevant environmental issues locally, it is concluded significant effects on the environment could potentially occur as a result of the Neighbourhood Plan, as proposed to be modified and consequently, it is considered that formal Strategic Environmental Assessment is required.

HRA screening outcome

The potential likely significant effects of the proposed Ripley Neighbourhood Plan as proposed to be modified have been explored to determining whether more detailed Appropriate Assessment (Stage 2 of the HRA process) is required.

It is concluded that the Ripley Neighbourhood Plan as proposed to be modified is not likely to have significant effects on any European site, either alone or in-combination with any other plan or project, and therefore, no further assessment is required.

Please note this determination is based upon the draft Ripley Neighbourhood Plan as proposed to be modified. 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
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DE5 3BT

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

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