

**THE ENVIRONMENTAL ASSESSMENT OF PLANS AND
PROGRAMMES REGULATIONS 2004
REGULATION 9 SCREENING DETERMINATION:
Crich Neighbourhood Plan
March 2018**

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REGULATION 9 SCREENING DETERMINATION: Crich Neighbourhood Plan

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, based on the information included in the Screening Opinion prepared by AECOM in January 2018 on the Crich Neighbourhood Plan and following consultation with the Environment Agency, Historic England and Natural England (responses appended), that the Plan does not require a SEA.

It is also concluded that the plan will have no likely significant effects on European sites and therefore a Habitat Regulation Assessment is not required.

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 has been based on the Screening Opinion produced by AECOM and 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;

The nearest European site lies to the north west of the parish, some 4 miles distant (Gang Mine Special Area for Conservation). Slightly further to the North West is the Peak District Dales (SAC) some 5 miles away. Given the distance from the parish boundary, the nature of the designation and the

contents of the plan (no growth as such is determined) it is concluded that there are no likely significant effects on European sites.

To the south and south west of the Plan area, there is a large wooded area that is designated as a Site of Special Scientific Interest (SSSI). Though development upon this land would be very unlikely (given its national protection), there is potential for development on surrounding greenspace. The likelihood of effects would depend on the scale and location of growth (neither of which is established by the Neighbourhood Plan), though SSSI impact risk zones suggest that development on land to the south is likely to present the greater potential for adverse effects.

In addition to designated habitats, the Parish contains a number of local habitats that could be of value to species, including hedgerows, grassland and wooded areas. The Plan is unlikely to have a direct effect on such areas, as no development has been proposed. If anything, a positive effect upon biodiversity ought to be achieved, as a number of valued green spaces are proposed for allocation in the plan, which should have positive implications for associated biodiversity species/habitats.

Though no allocations have been made, the extension of the Crich settlement boundary to the south of the village would make development on Greenfield land potentially suitable for housing. This piece of land is within close proximity to the Crich Chase SSSI. The area falls within an SSSI impact zone that suggests that development above 50 dwellings could have potential effects that would need to be consulted upon with Natural England. The scale of the site could support more than 50 dwellings, and therefore potential effects could occur should development be approved here.

The significance of effects would be dependent upon scheme design, but it is presumed that at the relatively small scale of growth it ought to be possible to explore these issues at the application stage rather than through an SEA.

Other Plan Policies (such as NP 9 in particular) should help to ensure that the protection of ecological networks is taken into consideration in development proposals, and the approach is slightly stronger following changes made post Regulation 14 Consultation.

(b) population and housing;

The Plan does not plan to meet any particular level of need (which has not been identified at a local level), nor does it identify sites where this might be suitable. Therefore, effects upon population and housing are difficult to establish at this level.

The Plan sets out policies to protect areas of landscape, local amenity value and cultural heritage. Although this does not preclude development coming forward, it could act as a constraint to housing delivery. Despite this, housing could still be delivered through the emerging Local Plan.

Changes to the Plan are slightly more supportive of housing on brownfield sites, as well as providing a wider settlement boundary for potential development. Whilst this is more positive in respect of housing, effects are not predicted to be significant.

(c) human health;

There is one GP in the plan area. No development is proposed in the plan area, and so effects on service use and quality cannot be directly associated with the Plan. However, the plan policies will exert a degree of control over development, which could influence future levels of housing.

The Plan seeks to avoid the loss of greenfield land and landscape, as well as protecting settlement and landscape character. All these factors are positive contributors to health. The Plan does not set out to encourage large scale growth, and so it can be assumed that the Plan's direct effects on the capacity of health facilities are limited.

Overall the Plan is likely to have positive implications for health, with a focus on protecting and enhancing community facilities and environmental quality. Therefore, no adverse significant effects would be envisaged.

(f) soil;

A large proportion of land within the plan area is classified as Grade 4 agricultural land, and so development would not be anticipated to have significant effects on soil resources.

(g) water;

The Plan does not allocate land for development, nor does it include specific policies concerning water resources. Therefore, although development has the potential to affect water quality, this would not be attributable to the Plan (and ought to be managed through existing and emerging Local Plan policies given that there are no critical issues identified).

(h) air;

Given the rural nature of the Plan area, air quality is not a critical issue. Furthermore, the plan does not allocate land for redevelopment nor set a specific level of growth to be achieved. Therefore, substantial changes to air quality are not likely to occur within the Plan area or elsewhere (as a result of the Plan).

(i) climatic factors;

Much of the land within the plan area is classified as being within Flood Zone 1 (low risk). Development would therefore be expected to be acceptable in terms of flood risk.

(j) material assets;

There are a number of buildings and facilities in the Plan area which have been identified through community consultation as being locally important. Certain buildings / facilities have been established in the Policy for their protection (unless circumstances dictate that this is not reasonable).

This policy approach ought to have positive (but not significant) effects on the 'material assets' of the Plan area.

(k) cultural heritage, including architectural and archaeological heritage;

Development presents the potential for effects upon heritage assets and their settings in the Plan area. However, no development as such is proposed, and the approach to managing effects upon cultural heritage is positive. Therefore, adverse effects would be unlikely to arise as a result of the Plan. The policies could have positive effects on heritage, but these are not likely to be significant, as they do not preclude development from occurring.

The extension south of Crich to the settlement boundary involves land that is adjacent to a Grade II listed building. Whilst the Plan does not allocate this land for development, a speculative proposal could come forward here.

This could have possible effects on the setting of this asset, but mitigation measures ought to be possible given that the building in question is relatively well screened and there is still open space to the south and west of the building.

Taking consideration of policies that seek to protect heritage and landscape, and the fact that the Plan does not allocate land at this stage, it is considered that significant effects could be avoided through the development management process.

(l) sustainable transport

The Plan is unlikely to have a significant effect on patterns of travel, as the rural nature of the settlements is a strong characteristic. The Plan also promotes car parking where appropriate, which acknowledges that substantial modal shift is unlikely to occur.

(m) landscape

As no development is proposed as part of the Plan, direct effects are unlikely to occur. However, given the protective nature of the policies concerning landscape character, the Plan is expected to have positive, rather than adverse effects.

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: 05 March 2018

Coates, Rachael

From: Drewry, Joe A <joe.drewry@environment-agency.gov.uk>
Sent: 30 January 2018 16:04
To: Coates, Rachael
Subject: RE: Crich Neighbourhood Plan SEA Screening Opinion

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Rachel,

Thanks for the email. Given there is still no housing allocations proposed within the Neighbourhood plan and the updated screening is solely to do with a small parcel of extra land in Crich to be included in the settlement boundary that is not in a flood zone, I have no further comments to add.

Thanks,

Joe Drewry
Sustainable Places



Historic England

EAST MIDLANDS OFFICE

Ms Rachael Coates
Amber Valley Borough Council
Town Hall
Ripley
Derbyshire
DE5 3SZ

Direct Dial: 01604 735460

Our ref: PL00065360

16 February 2018

Dear Ms Coates

RE: CRICH NEIGHBOURHOOD PLAN - SCREENING OPINION REQUEST

Thank you for your consultation and the request for a Screening Opinion in respect of the Crich 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.



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Historic England

EAST MIDLANDS OFFICE

Yours sincerely,

Rosamund Worrall
Historic Environment Planning Adviser
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Historic England is subject to the Freedom of Information Act, 2000 (FOIA) and Environmental Information Regulations 2004 (EIR). All information held by the organisation will be accessible in response to an information request, unless one of the exemptions in the FOIA or EIR applies.

Date: 20 February 2018
Our ref: 237650



Rachael Coates
Planning Policy Officer
Amber Valley Borough Council

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BY EMAIL ONLY

T 0300 060 3900

Dear Rachel

Planning consultation: Crich Neighbourhood Plan - SEA Screening Request - AMENDMENTS.

Thank you for your consultation on the above dated 30/01/2018

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.

Strategic Environmental Assessment Screening

We welcome the production of this SEA Screening report. Natural England notes and concurs with the screening outcome i.e. that no SEA is required.

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 [National Planning Practice Guidance](#).

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 only please contact Felicity Bingham on 02082 256387. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Yours sincerely

Felicity Bingham
Sustainable Development Advisor
East Midlands Team
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