Strategic Environmental Assessment Screening and Habitats Regulation Assessment Screening Report

Ashover Neighbourhood Plan 2015-2031

February 2017
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1.0 Introduction
1.1 A neighbourhood plan must meet a set of basic conditions. This includes demonstrating that the plan does not breach and is compatible with EU obligations.

1.2 The screening report seeks to determine whether the Ashover Neighbourhood Plan (the Plan) is likely to have significant environmental effects and will require a strategic environmental assessment (SEA). It also assesses the likelihood of the proposals within the Plan having an adverse impact upon internationally designated wildlife sites, as required by the European Habitats Directive.

1.3 This SEA scoping document is being undertaken on the Pre-Submission Draft version of the Ashover Neighbourhood Plan.

1.4 The screening report is structured as follows:

- Section 2 outlines the legislative background to SEA and HRA
- Section 3 provides an assessment of whether the Plan requires an SEA
- Section 4 provides an overview of the Plan
- Section 5 provides a screening assessment of the likely significant environmental effects of the Plan for SEA
- Section 6 provides a HRA screening assessment and considers ‘in combination effects’ for HRA

1.5 In accordance with the Environmental Assessment of Plans and Programmes Regulation 2004, the consultation bodies (Natural England, Historic England and the Environment Agency) will be consulted on this screening opinion.

2.0 Legislative Background

Strategic Environmental Assessment (SEA)

2.1 The need for environmental assessment of Neighbourhood Plans stems from the European Directive 2001/42/EC and was transposed into English law by the Environmental Assessment of Plans and Programmes Regulations (EAPP) 2004, or SEA Regulations.

2.2 The SEA Directive aims to ensure a high level of protection for the environment and to integrate environmental considerations into the preparation of plans. The screening procedure is based on criteria set out in Schedule 1 of the EAPP Regulations 2004. This report assesses the Neighbourhood Plan against the criteria, and on that basis, sets out whether an SEA is required. Figure 1 below sets out the basic framework for establishing whether an SEA will be required.

Figure 1: Application of criteria of the SEA Directive to Plans
Habitats Regulation Assessment (HRA)
2.3 Article 6 (3) of the EU Habitats Directive (Council Directive 92/43/EEC) and regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended) requires that an appropriate assessment of plans and programmes is carried out with regard to the conservation objectives of European Sites (Natura 2000 sites) and that other plans and projects identify any significant effect that is likely for any European Site.

2.4 In the context of neighbourhood planning, a Habitats Regulation Assessment (HRA) is required where a neighbourhood plan is deemed likely to result in significant negative effects occurring on protected European Sites.

3.0. **Generic Screening: Assessment**

**Strategic Environmental Assessment**

3.1 To establish if a plan needs to be accompanied by a full SEA, a “screening” assessment is undertaken against the criteria set out in the SEA Directive. Figure 1, shows this screening process and how a plan can be assessed against the SEA Directive criteria. Table 2 below outlines the assessment of the Neighbourhood Plan.

<table>
<thead>
<tr>
<th>Assessment Criteria</th>
<th>Y/N</th>
<th>Assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>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))</td>
<td>Y</td>
<td>The preparation and adoption of the Neighbourhood Plan is enabled under The Town and Country Planning Act 1990, as amended by the Localism Act 2011. The Neighbourhood Plan will be prepared by Ashover Parish Council (as the relevant body) and will be made by North East Derbyshire District Council as the local authority. The preparation of Neighbourhood Plans is subject to The Neighbourhood Planning (General) Regulations 2012 and The Neighbourhood Planning (Referendums) Regulations 2012.</td>
</tr>
<tr>
<td>Assessment Criteria</td>
<td>Y/N</td>
<td>Assessment</td>
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<tr>
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</tr>
<tr>
<td>2. Is the Neighbourhood Plan required by legislative, regulatory or administrative provisions? (Art. 2(a))</td>
<td>Y</td>
<td>Communities have a right to produce a Neighbourhood Plan, however, it is not required by legislative, regulatory or administrative bodies. However, if “made” the Plan will form part of the development plan for the District and must meet statutory requirements. Therefore, it is important that the Plan be screened under the SEA Directive.</td>
</tr>
<tr>
<td>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 (see Appendix 1) to the EIA Directive? (Art. 3.2(a))</td>
<td>N</td>
<td>The Neighbourhood Plan is prepared for town and country planning and land use. The Plan does not set the framework for future development consent of projects in Annexes I and II to the EIA Directive.</td>
</tr>
<tr>
<td>4. Will the Neighbourhood Plan, in view of its likely effect on sites, require an assessment for future development under Article 6 or 7 of the Habitats Directive? (Art 3.2(a))</td>
<td>N</td>
<td>The Plan does not allocate sites for housing or other forms of development, but instead provides further local criteria for proposals to meet, in accord with the saved Local Plan policies. It is unlikely therefore, that the Plan will have a significant adverse effect upon any European (Natura 2000) site. However, given the proximity of the Plan area to two European sites, a separate HRA screening assessment will ascertain whether an Appropriate Assessment is required under the Conservation of Habitats and Species Regulations 2010, which relate to Articles 6(3) and (4) of the Habitats Directive. See Section 6 for HRA screening.</td>
</tr>
</tbody>
</table>
### Question 8 in the table above refers to whether the Neighbourhood Plan would have a significant effect on the environment.

<table>
<thead>
<tr>
<th>Assessment Criteria</th>
<th>Y/N</th>
<th>Assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>5. Does the Neighbourhood Plan determine the use of small areas at local level, OR is it a minor modification of a Plan subject to Art. 3.2? (Art. 3.3)</td>
<td>Y</td>
<td>The Plan includes criteria for housing and development at a local level. Once ‘made’ the Plan would form part of the statutory development plan and be used when making decisions on planning applications of small areas at the local level. However, the Neighbourhood Plan reflects the broader spatial framework laid out in the North East Derbyshire Local Plan in terms of where new development can be located.</td>
</tr>
<tr>
<td>6. Does the Neighbourhood Plan set the framework for future development consent of projects (not just in annexes to the EIA Directive)? (Art. 3.4)</td>
<td>Y</td>
<td>The Plan, once ‘made’, forms part of the statutory development plan and will be used to determine planning applications within the designated Ashover Parish Neighbourhood Plan Area. Therefore, the Plan will set the framework for future developments at a local level.</td>
</tr>
<tr>
<td>7. Is the Neighbourhood Plan’s sole purpose to serve the national defence or civil emergency, OR is it a financial or budget Plan OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Art. 3.8, 3.9)</td>
<td>N</td>
<td>The Neighbourhood Plan does not have a sole purpose which falls within any of these categories.</td>
</tr>
<tr>
<td>8. Is it likely to have a significant effect on the environment? (Art. 3.5)</td>
<td>N</td>
<td>A neighbourhood plan could potentially have an effect on the environment. However, whether this is significant depends on the proposals in the Plan.</td>
</tr>
</tbody>
</table>

The focus of the Plan is to shape development to meet local needs, so that any adverse impacts on the local environment are minimised.

The Plan policies seek to conserve and enhance the natural and built environment and therefore likely to have a positive effect on the environment.

See table 2 for an individual screening assessment of the Plan.
3.3 To establish the likely significance of any environmental effects, a full assessment of the Ashover Neighbourhood Plan has been undertaken. The criteria for making the assessment are set out in Annex II of the SEA Directive and Schedule 1 of the Regulations. Table 3 outlines the result of this assessment in relation to the Ashover Neighbourhood Plan (Pre-Submission Draft) January 2017.

4.0 The Ashover Neighbourhood Plan

4.1 The Ashover Neighbourhood Plan area encompasses the whole of the Parish of Ashover (see figure 2).

4.2 Ashover Parish is one of the largest and most sparsely populated parishes in the country. The built environment is generally good and includes a number of assets of national and historic interest, including 83 Listed Buildings, one ancient monument and 55 historic and archaeological sites. There is a Conservation Area based on the historic core of Ashover (see Appendix C and D for maps of the Conservation Area and Listed Buildings).

4.3 The Parish has a good and diverse natural environment, including some of the finest Derbyshire landscapes outside of the Peak National Park. There are a number of non-statutory designated Local Wildlife Sites and a Local Nature Reserve. The Parish incorporates one SSSI; Fall Hill Quarry a site of mineralogical interest. A second SSSI, Ogston Reservoir sits approximately 5km from the Plan area and is an important wintering site for wildfowl and feeding site for wading birds.

4.4 The South Pennine Moors Special Area of Conservation (SAC) is located within 5km of the Ashover Neighbourhood Plan area. The moorlands support a breeding bird community of national and international importance. The South Pennine Moors are also classified as a Special Protection Area (SPA) (see Appendix A for a map of the SSSIs and SAC).

Aims of the Plan

4.5 The key aim of the Neighbourhood Plan is to provide a strategic and long-term plan for the area that reflects the values of those living in the area. Whilst the objectives of the Plan recognise the need for housing, they also seek to direct this development to the most sustainable locations, taking into consideration local needs and the special environmental qualities.

4.6 The aims of the policies are to:

- Ensure that development takes place in the most sustainable locations;
- Encourage the right types of development that meet local needs;
- Conserve and enhance heritage assets and their settings;
- Protect important community facilities and shops;
• Promote high quality design in new development;
• Protect the countryside and special landscape;
• Protect open spaces that are important to the community and/or wildlife; and
• Seek ways of addressing the problems of traffic congestion.

*Figure 2: Ashover Neighbourhood Plan Area*

**Policies**

4.7 There are 27 policies proposed in the draft neighbourhood plan. In brief, the intent of the policies are as follows:
<table>
<thead>
<tr>
<th>Topic</th>
<th>Policy</th>
<th>Intention</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Sustainability</strong></td>
<td>AP1</td>
<td>In considering development proposals, the Plan will take a positive approach which reflects the presumption in favour of sustainable development.</td>
</tr>
<tr>
<td></td>
<td>AP2</td>
<td>To support Limits to Development for Fallgate and Alton and update that which is existing for Ashover, Kelstedge and Littlemoor. Support proposals which help meet the development needs of the Parish, within the Limits to Development when in compliance with listed criteria. (The emerging Local Plan will define the final boundaries).</td>
</tr>
<tr>
<td></td>
<td>AP3</td>
<td>Land outside of the defined Limits to Development will be treated as open countryside.</td>
</tr>
<tr>
<td><strong>Housing</strong></td>
<td>AP4</td>
<td>Supports the delivery of a minimum of 98 new dwellings over the Plan period through sites with existing planning permission and windfall sites.</td>
</tr>
<tr>
<td></td>
<td>AP5</td>
<td>Supports development proposals for small infill and redevelopment sites for new housing within defined Limits to Development.</td>
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<tr>
<td></td>
<td>AP6</td>
<td>Supports the provision of housing that meets the recognised need in the Parish.</td>
</tr>
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<td></td>
<td>AP7</td>
<td>Supports the provision for affordable housing and prioritises allocation to local residents.</td>
</tr>
<tr>
<td><strong>Employment</strong></td>
<td>AP8</td>
<td>Supports the retention of existing employment use</td>
</tr>
<tr>
<td></td>
<td>AP9</td>
<td>Supports new small scale development or expansion of existing employment uses under certain conditions.</td>
</tr>
<tr>
<td><strong>Shops and community facilities</strong></td>
<td>AP10</td>
<td>Supports the retention and enhancement of shops.</td>
</tr>
<tr>
<td></td>
<td>AP11</td>
<td>Supports the retention and enhancement of community facilities.</td>
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<tr>
<td></td>
<td>AP12</td>
<td>Supports the protection of Assets of Community Value.</td>
</tr>
<tr>
<td><strong>Design and Built Heritage</strong></td>
<td>AP13</td>
<td>Seeks high quality design in development proposals (including extensions) and amongst other criteria, enhance and reinforce the local distinctiveness of the area.</td>
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<tr>
<td></td>
<td>AP14</td>
<td>Seeks to conserve and enhance the site and setting of scheduled Listed Buildings.</td>
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<tr>
<td></td>
<td>AP15</td>
<td>Seeks to conserve and enhance the site and setting of assets of local heritage interest.</td>
</tr>
<tr>
<td></td>
<td>AP16</td>
<td>Seek to protect and where possible enhance dry stone walls.</td>
</tr>
<tr>
<td><strong>Landscape, green spaces and the natural environment</strong></td>
<td>AP17</td>
<td>Supports and reinforces the current ‘Special Landscape Areas’ and the saved policy within the Local Plan pertaining to them.</td>
</tr>
<tr>
<td></td>
<td>AP18</td>
<td>Seeks to protect important Local Green Spaces</td>
</tr>
<tr>
<td></td>
<td>AP19</td>
<td>Seeks to protect and enhance biodiversity through incorporation in development proposals and promotion of preservation, restoration and recreation of local and national priority sites.</td>
</tr>
<tr>
<td>Topic</td>
<td>Policy</td>
<td>Intention</td>
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</tr>
<tr>
<td></td>
<td>AP20</td>
<td>Seeks to protect trees, hedges and woodlands of good arboricultural, ecological and amenity value.</td>
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<tr>
<td></td>
<td>AP21</td>
<td>Outlines in-principle support for renewable energy and low carbon technologies under certain criteria.</td>
</tr>
<tr>
<td></td>
<td>AP22</td>
<td>Outlines a framework to assess the appropriateness of proposal for the use of land for noisy sports.</td>
</tr>
<tr>
<td>Getting Around</td>
<td>AP23</td>
<td>Seeks to manage traffic impact by requesting demonstration that development proposals not result in an unacceptable direct/cumulative impact on congestion and road safety.</td>
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<td></td>
<td>AP24</td>
<td>Supports strategic partnerships to bring forward traffic management measures to improve vehicular and pedestrian safety and movement.</td>
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<tr>
<td></td>
<td>AP25</td>
<td>Supports strategic partnerships to bring forward traffic management measures to exclude inappropriate heavy vehicles through the area.</td>
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<tr>
<td></td>
<td>AP26</td>
<td>Seeks to protect the existing network of footpaths, cycleways and bridleways.</td>
</tr>
<tr>
<td></td>
<td>AP27</td>
<td>Seeks opportunities to encourage improvement of the existing network of footpaths, cycleways and bridleways.</td>
</tr>
</tbody>
</table>

### 5.0 SEA Screening Assessment

*Table 3: The assessment of the likely significance of effects of the Ashover Neighbourhood Plan (Taken from Annex II of the SEA Directive).*

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) The characteristics of the plans, having regard to:</td>
<td></td>
</tr>
<tr>
<td>(a) the degree to which the plan sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources;</td>
<td>The Ashover Neighbourhood Plan, if made, would form part of the statutory development plan; therefore, it would contribute to the development control framework for the Parish. The Neighbourhood Plan however, sits within a wider framework set by the National Planning Policy Framework (NPPF) and the Saved Policies of adopted North East Derbyshire Local Plan 2001 to 2011. The Neighbourhood Plan helps to set a framework for projects which are local in nature and have limited resource implications.</td>
</tr>
<tr>
<td>(b) the degree to which the plan influences other plans and programmes including those in a hierarchy;</td>
<td>The Neighbourhood Plan sits in the lower tier of the planning hierarchy and must conform to the Saved Policies of adopted North East Derbyshire Local Plan 2001 to 2011 and have regard to the NPPF. The Neighbourhood Plan is unlikely to influence other plans or programmes.</td>
</tr>
<tr>
<td>Criteria</td>
<td>Assessment</td>
</tr>
<tr>
<td>----------</td>
<td>------------</td>
</tr>
<tr>
<td>(c) the relevance of the plan for the integration of environmental considerations, in particular with a view to promoting sustainable development;</td>
<td>The Neighbourhood Plan, as advocated by the NPPF, is underpinned by the principles of sustainable development. There is strong recognition of the value and sensitivity of the local environment and the underlying premise of the Plan is to ensure that these environmental qualities are protected and enhanced. It is considered that the Plan will have a <strong>positive</strong> impact on local environment assets and places valued by local people in the Parish. This will be achieved primarily through the protection and enhancement of open spaces, wildlife habitats, landscape features and heritage. Fundamentally, the Plan seeks to direct development to the most sustainable locations provided it meets conditions set out in policy.</td>
</tr>
</tbody>
</table>
| (d) environmental problems relevant to the plan; and | The Neighbourhood Plan will not introduce any environmental problems, rather it will seek to address environmental issues in the Plan Area. Potential environmental issues identified during the Neighbourhood Planning process include:  
  - A high proportion of BAP Priority habitat  
  - The presence of SSSIs, RIGS and proximity to a Special Area of Conservation  
  - A high quality historic landscape  
  - Special Landscape Area  

The Plan contains measures to address environmental problems. These are notably in relation to protecting important local green spaces as well as conserving nature conservation sites and heritage assets (designated and non-designated). |
<p>| (e) the relevance of the plan for the implementation of Community legislation on the environment (e.g. plans linked to waste-management or water protection). | The Ashover Neighbourhood Plan is not directly relevant to any of these. The Plan is a land-use plan and sets the framework for future development consents within the Ashover Neighbourhood Plan Area. |</p>
<table>
<thead>
<tr>
<th>Criteria</th>
<th>Assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>(2) Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:</td>
<td></td>
</tr>
<tr>
<td>(a) the probability, duration, frequency and reversibility of the effects;</td>
<td>Given that the Plan; does not allocate sites for housing or other development and has proposed a suite of policies to protect and where possible enhance the built and natural environment, it is unlikely to have an adverse impact on the environment. Overall, it is considered through application of its policies, the Plan is likely to have positive environmental effects.</td>
</tr>
<tr>
<td>(b) the cumulative nature of the effects;</td>
<td>The Plan does not allocate sites for housing, but instead, seeks to shape development that comes forward to ensure that it makes a positive contribution to the local environment. Therefore, any cumulative impacts are likely to be beneficial.</td>
</tr>
<tr>
<td>(c) the transboundary nature of the effects;</td>
<td>The majority of effects will be localised to the Parish. The exception to this is consideration for landscape and biodiversity, which is likely to have positive impact beyond the Parish.</td>
</tr>
<tr>
<td>(d) the risks to human health or the environment (e.g. due to accidents);</td>
<td>There are no significant risks to human health or the environment. The Plan seeks to improve human health by protecting areas which are important to the local community for recreation, supporting housing for an ageing population and seeking to address traffic issues.</td>
</tr>
<tr>
<td>(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);</td>
<td>The Plan is concerned with development within Ashover Parish which has a population of 1,905 people (2011 Census) and covers an area of 3,686 hectares. The effects arising from the Plan policies are considered to be localised.</td>
</tr>
<tr>
<td>(f) the value and vulnerability of the area likely to be affected due to:</td>
<td>The Neighbourhood Plan offers an opportunity to enhance the natural environment and the cultural heritage of the area through its policies. The broad environmental characteristics of the area are outlined in Section 4. Ashover has rich natural characteristics and cultural heritage. Inappropriate development may adversely impact the Parish’s heritage assets and landscape character. The Plan includes policies which seek to mitigate this including; supporting limits to development; ensuring good design, protecting local heritage assets; protecting dry stone walls; endorsing the Special Landscape Area; protecting local green spaces, woodlands, trees and hedges and protecting and enhancing biodiversity.</td>
</tr>
<tr>
<td>(i) special natural characteristics or cultural heritage;</td>
<td></td>
</tr>
<tr>
<td>(ii) exceeded environmental quality standards or limit values;</td>
<td></td>
</tr>
<tr>
<td>(iii) intensive land-use;</td>
<td></td>
</tr>
</tbody>
</table>
Criteria | Assessment
--- | ---
Given that the Plan is not allocating sites for development, it is unlikely to result in exceedance of environmental quality standards, such as those relating to air, water and soil quality.

(g) the effects on areas or landscapes which have a recognised national, Community or international protection status. | The Neighbourhood Plan contains policies which seek to preserve and enhance the special landscape area of the Parish.

**Determination of significant effects**

This screening report has explored the potential effects of the Ashover Neighbourhood Plan with a view to determining the likely requirement for an environmental assessment under the SEA Directive.

Based on the SEA Screening Assessment set out in Table 3 above, it is concluded that there are unlikely to be significant environmental impacts. The key reasons for this conclusion are:

1. The Plan does not allocate sites for development.
2. The Plan is a lower tier plan in the hierarchy of planning documents for the area and therefore has limited influence on other plans or programmes.
3. The Plan seeks to avoid or minimise negative environmental effects by providing guidance for applicants making planning proposals for development within the Plan area.

**6.0 HRA Screening Assessment**

6.1 Alongside the SEA screening process there is a need to assess whether the Neighbourhood Plan would have an adverse impact upon internationally designated wildlife sites, as required by the European Habitats Directive. There are no European sites within the boundaries of the Plan area. However, the South Pennine Moors SAC is located on the north-western boundary of the Neighbourhood Plan area. The map at Appendix A shows the location of the neighbourhood area in relation to the European Site.

6.2 In carrying out the screening assessment, the various requirements set out in the European Commission Guidance has been addressed. The guidance sets out various steps which need to be followed; i) description of the plan, ii) characteristics of the European site and iii) assessment of significance. Table 4 provides a detailed assessment of the European sites located within 10km of the Parish boundary.
6.3 The intent of the Plan is to reinforce the existing Local Plan for the District by ensuring that development takes place in the most sustainable locations and that the natural environment and heritage assets are protected. The Plan is therefore unlikely to exacerbate vulnerabilities of the European sites through pollution, visitor disturbance and recreation.
<table>
<thead>
<tr>
<th>Name of Site</th>
<th>Reason for Designation</th>
<th>Conservation Objectives</th>
<th>Site Vulnerability</th>
</tr>
</thead>
</table>
| South Pennine Moors SAC (within 5km of the Ashover Neighbourhood Plan Area) | Presence of European dry heath, blanket bog, old sessile oak woods and Ilex and Blechnum, northern Atlantic wet heaths with Erica tetralix and transition mires and quaking bogs. | • To maintain the current extent of blanket bog habitats.  
• For there to be no loss of ancient semi natural woodland stands.  
• To maintain the current extent of dry heath habitats.  
• To maintain the current extent of wet heath habitats. | • Recreational pressure resulting in physical damage to habitats, trampling, erosion, fragmentation and accidental fires.  
• Overgrazing by sheep can result in direct damage to vegetation and burning as a tool for grouse moor management can cause habitat damage.  
• Heathland and blanket bog are vulnerable to changes in hydrological conditions such as agricultural drainage causing changes in the water table.  
• Nitrogen enrichment from air pollution can lead to changes in the vegetation while the application of fertilisers and pesticides can also potentially damage habitats. |
| Peak District Moors (South Pennine Moors Phase 1) SPA | Regularly supports breeding populations of short eared owl Asio flammeus, merlin Falco columbarius and golden plover Pluvialis apricaria. | • To maintain the mosaic of upland habitats including acid grassland, bog, bracken, heathlands, fen, rivers and streams. The extent of these habitats should be maintained unless loss is as a result of restoration to another notified habitat type | • Habitat Loss Breeding bird species are susceptible to habitat loss and degradation. This could be caused by many factors including recreational pressure, overgrazing, poor management and hydrological changes.  
• Agricultural intensification around the edge of the moors can result in a reduction in feeding habitat for birds.  
• Increased visitor numbers also have the potential to lead to a rise in nesting failures though disturbance during the breeding period. |
Determination of significant effects

6.4 The HRA screening has identified European sites within a 10km radius of the Plan area and outlined the reason for designation and site vulnerabilities. Table 5 suggests that there is likely to be no significant effect of the Ashover Neighbourhood Plan on the highlighted European Site and therefore a full Appropriate Assessment is not required.

6.5 Existing plans and proposals must be considered when assessing new plans or programmes for likely significant effects as they may create ‘in combination’ effect. Given that the Draft Plan i) does not allocate sites ii) is in general conformity with the saved policies of the North East Derbyshire Local Plan 2001-2011, it is concluded that no significant in-combination effects are likely to occur as a result of its implementation.

Table 5: Assessment of effects on the European Site

<table>
<thead>
<tr>
<th>Vulnerabilities</th>
<th>Direct habitat loss</th>
<th>Impact on protected species</th>
<th>Air quality</th>
<th>Water quality and quantity</th>
<th>Invasive species</th>
</tr>
</thead>
<tbody>
<tr>
<td>South Pennine Moors SAC</td>
<td>The Plan does not allocate sites for development and therefore unlikely to have adverse effect on the integrity of the European Site.</td>
<td>The Plan supports new Limits to Development (the final boundaries will be defined in the emerging Local Plan), reducing the likelihood of future development beyond the existing built areas.</td>
<td>The Plan policies are designed to manage the scale, form and location of windfall development within the Limits to Development.</td>
<td>The Plan supports the protection of Local Green Spaces and conservation and enhancement of biodiversity.</td>
<td>The Plan seeks to manage the potential for adverse effects of increased traffic as a result of future development.</td>
</tr>
<tr>
<td>Peak District Moors (South Pennine Moors Phase 1) SPA</td>
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</tr>
</tbody>
</table>
7.0 Screening Conclusion

7.1 This report sets out the assessment of the need for the Ashover Neighbourhood Plan to be subject to a Strategic Environmental Assessment as required by the SEA Directive and Appropriate Assessment as required by the Habitats Directive.

7.2 The assessment of both requirements has been undertaken on the Draft Pre-Submission Plan, published in January 2017.

Strategic Environmental Assessment

7.3 The assessment finds that no significant effects are likely as a result of the implementation of the Ashover Neighbourhood Plan. On this basis, a full SEA will not be required to be undertaken.

Habitat Regulations Assessment

7.4 A screening assessment to determine the need for a HRA in line with the regulations and guidance was undertaken and is set out in Section 6 of this report. There are no European sites within the boundaries of the Parish; however, the Screening Report did examine its impact on those located to the north-west of the Parish. The assessment finds that no significant adverse effects are likely as the result of the implementation of the Ashover Neighbourhood Plan. There is no requirement to prepare an appropriate assessment.
Appendix B:

Ashover Neighbourhood Plan Area: Regionally Important Geological Sites (RIGS)
Appendix D
Appendix E

Annex I Projects

1. Crude-oil refineries (excluding undertakings manufacturing only lubricants from crude oil) and installations for the gasification and liquefaction of 500 tonnes or more of coal or bituminous shale per day.

2. Thermal power stations and other combustion installations with a heat output of 300 megawatts or more, and nuclear power stations and other nuclear reactors (except research installations for the production and conversion of fissionable and fertile materials, whose maximum power does not exceed 1 kilowatt continuous thermal load).

3. (a) Installations for the reprocessing of irradiated nuclear fuel
   (b) Installations designed:-
       • for the production or enrichment of nuclear fuel,
       • for the processing of irradiated nuclear fuel or high-level radioactive waste,
       • for the final disposal of irradiated nuclear fuel,
       • solely for the final disposal of radioactive waste,
       • solely for the storage (planned for more than 10 years) of irradiated nuclear fuels or
       • radioactive waste in a different site than the production site.

4. (a) Integrated works for the initial smelting of cast-iron and steel
   (b) Installations for the production of non-ferrous crude metals from ore, concentrates or secondary raw materials by metallurgical, chemical or electrolytic processes.

5. Installations for the extraction of asbestos and for the processing and transformation of asbestos and products containing asbestos: for asbestos-cement products, with an annual production of more than 20,000 tonnes of finished products, for friction material, with an annual production of more than 50 tonnes of finished products, and for other uses of asbestos, utilization of more than 200 tonnes per year.

6. Integrated chemical installations, i.e. those installations for the manufacture on an industrial scale of substances using chemical conversion processes, in which several units are juxtaposed and are functionally linked to one another and which are:
   i) for the production of basic organic chemicals;
   ii) for the production of basic inorganic chemicals;
   iii) for the production of phosphorous-, nitrogen- or potassium-based fertilizers (simple or compound fertilizers);
   iv) for the production of basic plant health products and of biocides;
   v) for the production of basic pharmaceutical products using a chemical or biological process;
   vi) for the production of explosives.

7. (a) Construction of lines for long-distance railway traffic and of airports with a basic runway length of 2,100 m or more;
   (b) Construction of motorways and express roads
   (c) Construction of a new road of four or more lanes, or realignment and/or widening of an existing road of two lanes or less so as to provide four or more lanes, where such new road, or realigned and/or widened section of road would be 10 km or more in a continuous length.
8. (a) Inland waterways and ports for inland-waterway traffic which permit the passage of vessels of over 1 350 tonnes;
   (b) Trading ports, piers for loading and unloading connected to land and outside ports (excluding ferry piers) which can take vessels of over 1 350 tonnes.

9. Waste disposal installations for the incineration, chemical treatment as defined in Annex IIA to Directive 75/442/EEC (3) under heading D9, or landfill of hazardous waste (i.e. waste to which Directive 91/689/EEC (4) applies).

10. Waste disposal installations for the incineration or chemical treatment as defined in Annex IIA to Directive 75/442/EEC under heading D9 of non-hazardous waste with a capacity exceeding 100 tonnes per day.

11. Groundwater abstraction or artificial groundwater recharge schemes where the annual volume of water abstracted or recharged is equivalent to or exceeds 10 million cubic metres.

12. (a) Works for the transfer of water resources between river basins where this transfer aims at preventing possible shortages of water and where the amount of water transferred exceeds 100 million cubic metres/year;
   (b) In all other cases, works for the transfer of water resources between river basins where the multi-annual average flow of the basin of abstraction exceeds 2 000 million cubic metres/year and where the amount of water transferred exceeds 5 % of this flow.
   In both cases transfers of piped drinking water are excluded.

13. Waste water treatment plants with a capacity exceeding 150 000 population equivalent as defined in Article 2 point (6) of Directive 91/271/EEC (5).

14. Extraction of petroleum and natural gas for commercial purposes where the amount extracted exceeds 500 tonnes/day in the case of petroleum and 500 000 m3/day in the case of gas.

15. Dams and other installations designed for the holding back or permanent storage of water, where a new or additional amount of water held back or stored exceeds 10 million cubic metres.

16. Pipelines for the transport of gas, oil or chemicals with a diameter of more than 800 mm and a length of more than 40 km.

17. Installations for the intensive rearing of poultry or pigs with more than:
   (a) 85 000 places for broilers, 60 000 places for hens;
   (b) 3 000 places for production pigs (over 30 kg); or
   (c) 900 places for sows.

18. Industrial plants for the
   (a) production of pulp from timber or similar fibrous materials;
   (b) production of paper and board with a production capacity exceeding 200 tonnes per day.

19. Quarries and open-cast mining where the surface of the site exceeds 25 hectares, or peat extraction, where the surface of the site exceeds 150 hectares.

20. Construction of overhead electrical power lines with a voltage of 220 kV or more and a length of more than 15 km.

21. Installations for storage of petroleum, petrochemical, or chemical products with a capacity of 200,000 tonnes or more.
Annex II Projects

1. Agriculture, silviculture and aquaculture
   (a) Projects for the restructuring of rural land holdings;
   (b) Projects for the use of uncultivated land or semi-natural areas for intensive agricultural purposes;
   (c) Water management projects for agriculture, including irrigation and land drainage projects;
   (d) Initial afforestation and deforestation for the purposes of conversion to another type of land use;
   (e) Intensive livestock installations (projects not included in Annex I);
   (f) Intensive fish farming;
   (g) Reclamation of land from the sea.

2. Extractive industry
   (a) Quarries, open-cast mining and peat extraction (projects not included in Annex I);
   (b) Underground mining;
   (c) Extraction of minerals by marine or fluvial dredging;
   (d) Deep drillings, in particular:
      • geothermal drilling,
      • drilling for the storage of nuclear waste material,
      • drilling for water supplies;
   (e) Surface industrial installations for the extraction of coal, petroleum, natural gas and ores, as well as bituminous shale.

3. Energy industry
   (a) Industrial installations for the production of electricity, steam and hot water (projects not included in Annex I);
   (b) Industrial installations for carrying gas, steam and hot water; transmission of electrical energy by overhead cables (projects not included in Annex I);
   (c) Surface storage of natural gas;
   (d) Underground storage of combustible gases;
   (e) Surface storage of fossil fuels;
   (f) Industrial briquetting of coal and lignite;
   (g) Installations for the processing and storage of radioactive waste (unless included in Annex I);
   (h) Installations for hydroelectric energy production;
   (i) Installations for the harnessing of wind power for energy production (wind farms).

4. Production and processing of metals
   (a) Installations for the production of pig iron or steel (primary or secondary fusion) including continuous casting;
   (b) Installations for the processing of ferrous metals:
      (i) hot-rolling mills;
      (ii) smithies with hammers;
      (iii) application of protective fused metal coats;
(c) Ferrous metal foundries;
(d) Installations for the smelting, including the alloyage, of non-ferrous metals, excluding precious metals, including recovered products (refining, foundry casting, etc.);
(e) Installations for surface treatment of metals and plastic materials using an electrolytic or chemical process;
(f) Manufacture and assembly of motor vehicles and manufacture of motor-vehicle engines;
(g) Shipyards;
(h) Installations for the construction and repair of aircraft;
(i) Manufacture of railway equipment;
(j) Swaging by explosives;
(k) Installations for the roasting and sintering of metallic ores.

5. Mineral industry
   (a) Coke ovens (dry coal distillation);
   (b) Installations for the manufacture of cement;
   (c) Installations for the production of asbestos and the manufacture of asbestos-products (projects not included in Annex I);
   (d) Installations for the manufacture of glass including glass fibre;
   (e) Installations for smelting mineral substances including the production of mineral fibres;
   (f) Manufacture of ceramic products by burning, in particular roofing tiles, bricks, refractory bricks, tiles, stoneware or porcelain.

6. Chemical industry (Projects not included in Annex I)
   (a) Treatment of intermediate products and production of chemicals;
   (b) Production of pesticides and pharmaceutical products, paint and varnishes, elastomers and peroxides;
   (c) Storage facilities for petroleum, petrochemical and chemical products.

7. Food industry
   (a) Manufacture of vegetable and animal oils and fats;
   (b) Packing and canning of animal and vegetable products;
   (c) Manufacture of dairy products;
   (d) Brewing and malting;
   (e) Confectionery and syrup manufacture;
   (f) Installations for the slaughter of animals;
   (g) Industrial starch manufacturing installations;
   (h) Fish-meal and fish-oil factories;
   (i) Sugar factories.

8. Textile, leather, wood and paper industries
   (a) Industrial plants for the production of paper and board (projects not included in Annex I);
   (b) Plants for the pre-treatment (operations such as washing, bleaching, mercerization) or dyeing of fibres or textiles;
   (c) Plants for the tanning of hides and skins;
(d) Cellulose-processing and production installations.


10. Infrastructure projects
   (a) Industrial estate development projects;
   (b) Urban development projects, including the construction of shopping centres and car parks;
   (c) Construction of railways and intermodal trans-shipment facilities, and of intermodal terminals (projects not included in Annex I);
   (d) Construction of airfields (projects not included in Annex I);
   (e) Construction of roads, harbours and port installations, including fishing harbours (projects not included in Annex I);
   (f) Inland-waterway construction not included in Annex I, canalisation and flood-relief works;
   (g) Dams and other installations designed to hold water or store it on a long-term basis (projects not included in Annex I);
   (h) Tramways, elevated and underground railways, suspended lines or similar lines of a particular type, used exclusively or mainly for passenger transport;
   (i) Oil and gas pipeline installations (projects not included in Annex I);
   (j) Installations of long-distance aqueducts;
   (k) Coastal work to combat erosion and maritime works capable of altering the coast through the construction, for example, of dykes, moles, jetties and other sea defence works, excluding the maintenance and reconstruction of such works;
   (l) Groundwater abstraction and artificial groundwater recharge schemes not included in Annex I;
   (m) Works for the transfer of water resources between river basins not included in Annex I.

11. Other projects
   (a) Permanent racing and test tracks for motorised vehicles;
   (b) Installations for the disposal of waste (projects not included in Annex I);
   (c) Waste-water treatment plants (projects not included in Annex I);
   (d) Sludge-deposition sites;
   (e) Storage of scrap iron, including scrap vehicles;
   (f) Test benches for engines, turbines or reactors;
   (g) Installations for the manufacture of artificial mineral fibres;
   (h) Installations for the recovery or destruction of explosive substances;
   (i) Knackers' yards.

12. Tourism and leisure
   (a) Ski-runs, ski-lifts and cable-cars and associated developments;
   (b) Marinas;
   (c) Holiday villages and hotel complexes outside urban areas and associated developments;
   (d) Permanent camp sites and caravan sites;
(e) Theme parks.

13. Any change or extension of projects listed in Annex I or Annex II, already authorised, executed or in the process of being executed, which may have significant adverse effects on the environment; Projects in Annex I, undertaken exclusively or mainly for the development and testing of new methods or products and not used for more than two years
Dear Ms Robson

RE: ASHOVER NEIGHBOURHOOD PLAN - SCREENING OPINION REQUEST

Thank you for your consultation of 23 March 2017 and the request for a Screening Opinion on the revised Ashover NP which does not allocate sites for development.

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 and the draft NP.

On the basis of the information supplied, including that set out in the draft plan in which no new development sites are allocated over 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:


Should it be concluded that, overall, a SEA will be required for the Plan, Historic England would be pleased to discuss the scope of the assessment in relation to the historic environment in due course.
I hope that this information is of use to you at this time. Should you have any queries, please do not hesitate to contact me.

Yours sincerely,

Rosamund Worrall
Historic Environment Planning Adviser
Rosamund.worrall@historicengland.org.uk
Dear Rachel

Planning consultation: Ashover Parish Neighbourhood Plan - SEA & HRA Screening for pre-submission draft plan

Thank you for your consultation on the above dated 23 March 2017

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.

Habitats Regulations Assessment Screening
Natural England notes the screening process applied to this Neighbourhood plan. We agree with the Council’s conclusion of no likely significant effect upon the named European designated sites:

- South Pennine Moors Special Area of Conservation (SAC)
- Peak District Moors Special Protection Area (SPA)

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.

We really value your feedback to help us improve the service we offer. We have attached feedback form to this letter and welcome any comments you might have about our service.

Yours sincerely

Felicity Bingham
Sustainable Development Advisor
East Midlands Team
felicity.bingham@naturalengland.org.uk
Hi Rachel,

The Environment Agency's response is as follows:

The Environment Agency has no comment as to whether the Plan should be subject to SEA legislation, however we are satisfied that the Plan is unlikely to have any significant environmental effects within our remit.

We note that the revised plan has removed the housing allocations, in particular at Fallgate where we previously had comments relating to flood risk.

Thanks,
Joe Drewry
Planning Advisor - Derbyshire
Sustainable Places - Planning Team