



# **Strategic Environmental Assessment & Habitat Regulations Assessment Screening Report**

Sandiacre Neighbourhood Plan

23 November 2023

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## 1 Introduction

- 1.1 This document contains the Screening Statements for the Sandiacre Neighbourhood Plan (the Plan) with regard to whether a Strategic Environmental Assessment (SEA) and / or Habitat Regulations Assessment (HRA) are required to be undertaken. The document also includes an assessment of the policies proposed in the Plan with regard to Impact Risk Zones for Sites of Special Scientific Interest (SSSI).
- 1.2 Regulation 15 of the 2012 Neighbourhood Planning (General) Regulations sets out the information that must accompany a Neighbourhood Plan when submitted to the local planning authority. In February 2015 amendments to the Neighbourhood Plan Regulations came into force; this is known as the Neighbourhood Planning (General) (Amendment) Regulations 2015. Regulation 2(4) of these amendments added to the list of documents that a qualifying body must submit to a local planning authority with a Neighbourhood Plan. The additional document which must be submitted is either an environmental report prepared in accordance with the relevant regulations or, if the outcome concludes that an SEA or HRA is not necessary, a statement that sets out how environmental issues have been taken into account and considered during the preparation of the Neighbourhood Plan.
- 1.3 The National Planning Policy Framework (para 32 and footnote 19) advises that Neighbourhood Plans should be informed throughout their preparation by a sustainability appraisal and that assessments should be proportionate and should not repeat policy assessment that has already taken place. In view of this, only a high-level screening assessment of the Plan has been undertaken, and this assessment should be read in conjunction with the relevant reports produced for Erewash Borough Council's Core Strategy and Core Strategy Review.
- 1.4 As the responsible authority under relevant regulations, Erewash Borough Council have requested the SEA/HRA Screening Assessment contained in this document be undertaken. It has been produced by Planning With People working with the Sandiacre Neighbourhood Plan Group.

### Strategic Environmental Assessment (SEA)

- 1.5 The requirement for a SEA to be undertaken on development plans and programmes that may have a significant environmental effect is outlined in European Union Directive 2001/42/EC. The Environmental Assessment of Plans and Programmes Regulations 2004 (the 2004 Regulations) state that this is determined by a screening process, utilising a specified set of criteria, outlined in Schedule 1 of the Regulations. The results of this process must be set-out in an SEA Screening Statement, which must be publicly available.
- 1.6 The objective of undertaking a SEA is "to provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes with a view to promoting sustainable development, by ensuring that, in accordance with this Directive, an environmental assessment is carried out of certain plans and programmes which are likely to have significant effects on the environment."<sup>1</sup>

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<sup>1</sup> SEA Directive, Article 1

## Habitat Regulations Assessment

- 1.7 European protected sites (the ‘Natura 2000 Network’) are of exceptional importance for the conservation of important species and natural habitats within the European Union. The network of European protected sites comprises Special Protection Areas (SPAs) designated under the Birds Directive (79/409/EEC), Special Areas of Conservation (SACs) designated under the Habitats Directive (92/43/EEC) and Ramsar sites designated under the Ramsar Convention 1975. Government guidance advises that potential SPAs (pSPA), candidate SACs (cSAC) and potential Ramsar (pRamsar) sites are also included in HRA’s.
- 1.8 As a land use plan, an assessment of the Sandiacre Neighbourhood Plan may be required under the Conservation of Habitats and Species (Amendment) Regulations 2012 (the Habitat Regulations) and Article 6(3) of the EU Habitats Directive in order to determine whether the Plan may result in significant effects on identified sites.
- 1.9 As with the SEA, a screening process is employed to establish whether any elements of the Draft Plan could have a significant effect on these sites. Regulation 32 of the Neighbourhood Planning (General) Regulations 2012 (as amended) further reemphasises the importance of carrying out this assessment by stating that one of the basic conditions that must be met before the Plan may be ‘made’ is that *“the making of the neighbourhood plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2012) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007 (either alone or in combination with other plans or projects)”<sup>2</sup>.*

## Summary of Findings

- 1.10 Having completed the Screening Assessments, it is concluded that the Plan, in its current form, **will not have any significant negative effects on the environment or any identified European sites**. It is considered, therefore, that **a full environmental assessment and habitat regulations assessment are not required**.
- 1.11 This determination has been reached by assessing the contents of a pre-release version of the Submission Draft of the Neighbourhood Plan, in October 2023. The Plan has been assessed against criteria provided in Schedule 1 of the 2004 Regulations and with regard to Regulation 32 of the 2015 Neighbourhood Planning Regulations & the Habitat Regulations. The conclusions are detailed in full in Section 6 (p28) of this report.

## 2 Generic Screening – Assessment

- 2.1 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. Table 1 shows this screening process and how a Plan is assessed against the SEA Directive criteria.

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<sup>2</sup> Planning Guidance - Paragraph: 079; Reference ID: 41-079-20140306

**Table 1 Assessment of the characteristics of the Sandiacre Neighbourhood Plan**

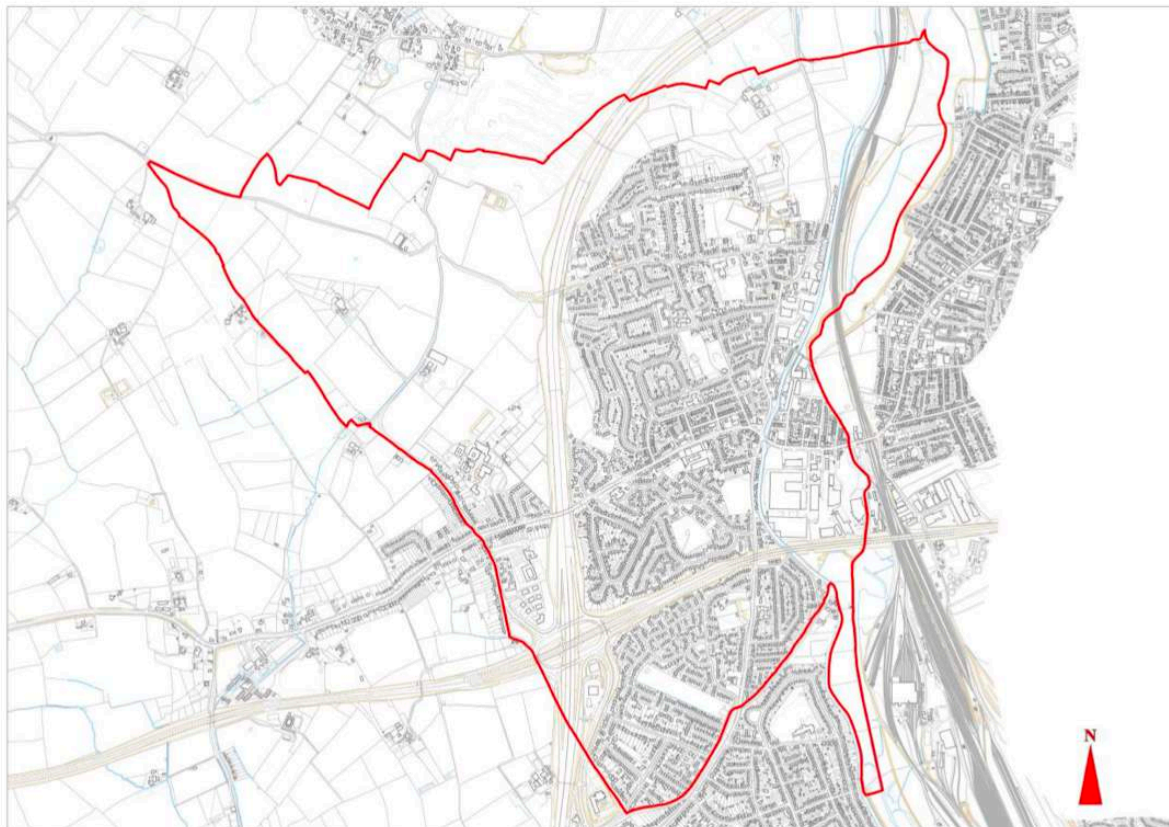
Assessment Criteria	Y/N?	Assessment
1. Is the Neighbourhood Plan subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2(a))	Y	The preparation and adoption of the Neighbourhood Plan is enabled under The Town and Country Planning Act 1990, as amended by the Localism Act 2011. The Neighbourhood Plan is prepared by Sandiacre Parish Council (as the relevant body) and will be made by Erewash Borough 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 and subsequent updates.
2. Is the Neighbourhood Plan required by legislative, regulatory or administrative provisions? (Art. 2(a))	Y	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 Borough and must meet statutory requirements. Therefore, it is important that the Plan be screened under the SEA Directive.
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))	N	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.
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))	N	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. In accordance with Article 6 of the Habitats Regulations there is a requirement to assess where a plan or project may give rise to significant effects upon 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 4 for HRA screening.

Assessment Criteria	Y/N?	Assessment
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)	Y	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 Core Strategy Review in terms of where new development can be located.
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)	N	The Plan, once 'made', forms part of the statutory development plan and will be used to determine planning applications within the designated Sandiacre Parish Neighbourhood Plan Area. Therefore, the Plan will set the framework for future developments at a local level.
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)	N	The Neighbourhood Plan does not have a sole purpose which falls within any of these categories.
8. Is it likely to have a significant effect on the environment? (Art. 3.5)	N	A neighbourhood plan could potentially have an effect on the environment. However, whether this is significant depends on the proposals in the Plan. 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 are therefore likely to have a positive effect on the environment. (See table 3 for an individual SEA screening assessment of the Plan.)

### 3 The Sandiacre Neighbourhood Plan

- 3.1 The Neighbourhood Plan is being developed by Sandiacre Parish Council, the Qualifying Body for the Neighbourhood Area in Erewash Borough. The Plan area is depicted in Figure 1, below. The Plan has been devised to cover the period to 2037 – to match the time frame of the Core Strategy Review.
- 3.2 The Census 2021 recorded a population of 9100 people living in 3900 households.

## Map 1 Designated Neighbourhood Area



### Plan Overview

- 3.3 The priorities of the Plan are captured in the Vision and Community Objectives (see page 12 and 13 of the Submission Plan), to be delivered through the application of 12 development management policies specific to the Neighbourhood Area.

### Vision

**In 15 years' time Sandiacre's residents will be well served with a range of shops and businesses in a vibrant Local Centre. The heritage of the Parish will be protected and enhanced and the benefits of the River Erewash and the Erewash Canal, will be maximised, acting as a focus for improved leisure and recreational opportunities. Progress will have been made on opening up the Derby Canal to enhance the natural and recreational asset that the presence of water provides.**

**Development in the Parish will be low carbon with a mixture of housing to suite all ages and incomes. Sandiacre will continue to provide high quality sports grounds, parks and green spaces that provide outdoor spaces for a wide range of community groups. The natural environment will be improved with tree and hedgerow planting an important part of new development and the biodiversity of the existing green spaces will be improved.**

**Walking and cycling around the Parish will be easier and more pleasant with routes to shops, local employment areas, parks and along the water ways improved to encourage active living that promotes physical and mental well-being.**

### **Community Objectives**

1. To repurpose key spaces and vacant or underutilised areas to create a vibrant Local Centre attractive to residents and shoppers.
2. To maximise the benefits of the Erewash Canal as a walking and cycling route, as a green corridor for wildlife, and as a leisure and recreational resource and heritage asset and to support the opening of the Derby and Sandiacre Canal.
3. To protect and improve the parks and other green spaces that are highly valued assets for local people. To ensure that the community facilities are suitable to meet local needs.
4. To promote urban greening works like tree planting particularly on grass verges, in public parks and along Derby Road and Station Road. This will improve biodiversity and provide some climate change resilience (by introducing shading and reducing the amount of impermeable hard surfacing). On Derby Road and Station Road this will also create a more attractive shopping area.
5. To ensure that all new development is designed to a high standard that reinforces existing character with boundary treatment including trees and hedgerows where possible. Where development is located near the Canal and in a Conservation Area, that it respects the historic character of the area in the use of materials, form and layout.
6. To ensure new development brings forward a mixture of house types suitable for all income levels. This should include housing suitable for older people which should be close to local services.
7. To create a well-connected, accessible and legible neighbourhood street network that prioritises active travel, making walking and cycling a convenient choice.
8. To support innovative solutions to the construction of new buildings and energy generation that accelerates development to net zero carbon.



## Development Management Policies

- 3.4 The 11 development management policies include in the Neighbourhood Plan are summarised in the following table.

**Table 2**

Policy	Summary
<b>Policy 1: Sustainable Development</b>	An overarching policy that defines what sustainable development means for the Plan area.
<b>Policy 2: Protecting Heritage Assets</b>	Requires consideration of the impact of new development on identified features of historical significance. Highlights the heritage value of the open spaces and the Canal and the importance of taking into account the impact of development proposals on the significance of heritage assets.
<b>Policy 3: Achieving Well Designed Places</b>	Seeks to maintain and enhance the character and distinctiveness of the Neighbourhood Area, through reference to the accompanying Sandiacre Design Guidance and Codes 2023.
<b>Policy 4: Protecting and Enhancing the Provision of Community Facilities</b>	Identifies and seeks to protect community facilities within the Plan area. Sets out the requirement if a community facility is replaced as part of new development.
<b>Policy 5: Designation of Local Green Spaces</b>	Identifies 7 local green spaces (LGS) for designation, in accordance with the regulations.
<b>Policy 6: Improving the Local Centre</b>	Supports development that enhances the form and function of the retail area and that makes the most of the public realm, where possible creating new public realm.
<b>Policy 7a: Protecting and Enhancing Biodiversity</b>	Requires that development proposals seek to deliver biodiversity net gain of at least 10% and identifies planting and management measure that would enable enhancements.
<b>Policy 7b: Greening the Streets</b>	Supports development that protects existing trees and hedges and includes landscaping schemes that recognise the significance of existing trees and soft boundaries. Supports proposals the result in a net gain in the tree canopy along streets as part of highway infrastructure proposals.
<b>Policy 8: Making The Most Of The Canal</b>	Requires development adjacent to Erewash Canal to demonstrate how it this is taken into account and provides an active frontage to the towpath.
<b>Policy 9: Reducing the Risk of Flooding</b>	Requires development to follow a sequential approach to flood risk management and sets out specifically the constraints to development in each flood zone.
<b>Policy 10a: A Mix of Housing Types</b>	Translates the findings of the Housing Needs Assessment into a locally relevant policy, including stipulations on the mix of sizes and encourages houses to be built to accessible and adaptable standards.
<b>Policy 10b: Housing Tenure</b>	Based on the findings in the Housing Needs Assessment, this policy supports the provision of affordable homeownership and affordable homes to rent.

Policy	Summary
<b>Policy 10c: Accommodation for Older People</b>	Based on the findings in the Housing Needs Assessment, this policy supports the provision of housing for older people (particularly sheltered accommodation with limited support).
<b>Policy 11: Renewable Energy, Energy Efficiency and Low Carbon Technologies</b>	Supports the incorporation of sustainable design features and energy efficiency measures as part of new developments.
<b>Policy 12: Pedestrian Movement and Car Parking</b>	Supports the extension of cycling and walking routes and pedestrian friendly road layouts. Requires development proposals to take into account the impact of on street parking on the character of the area based on the AECOM Design Guidance and Codes.

## 4 SEA Screening Assessment

- 4.1 The table below includes the assessment of the Sandiacre Parish Neighbourhood Plan, including its Objectives and Development Management Policies, against the criteria included in Schedule 1 of the 2004 Regulations. The Neighbourhood Plan is being assessed as a whole against the criteria listed below to allow for the consideration of its effects on the environment.

**Table 3**

Criteria for determining the likely significance of effects (Annex II SEA Directive)	Significant effect likely?	Comment
<b>1a</b> The degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources.	NO	The Sandiacre Parish Neighbourhood Plan (the Plan) sets-out a spatial vision for the designated Neighbourhood Area and an accompanying framework to guide development proposals. This framework will be delivered by the development management policies contained within the Plan. The framework will have some impacts on the environment, noticeably the support for development proposals. However, it is deemed that these impacts will not be significant, due to their small-scale and localised nature.
<b>1b</b> The degree to which the plan or programme influences other plans and programmes including those in a hierarchy.	NO	The Plan, where possible, will respond to rather than influence other plans and programmes. It is part of a hierarchy, but is at the lowest tier, sitting below the Erewash Borough Core Strategy (Borough level) and National Planning Policy Framework (National level), and has thus been influenced by these higher-tier and pre-existing plans, rather than having an influence on them.  The policies within a neighbourhood plan apply only within the designated neighbourhood area, hence

Criteria for determining the likely significance of effects (Annex II SEA Directive)	Significant effect likely?	Comment
		the Plan will not have a direct impact on adjoining areas.
<b>1c</b> The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development.	NO	<p>The Plan promotes sustainable development within the Neighbourhood Area through balancing environmental, social and economic objectives; this is clearly articulated in paragraph 39 – 41 which shows how the themes in the over arching Policy 1 Sustainable Development are given a more detailed policy framework in subsequent policies. The Vision &amp; Objectives (pages 12 – 13), in conjunction with the development management policies, work to ensure that all development proposals brought forward in the area will take this balance into account.</p> <p>Specifically, the forms of development supported by policies 1, 2, 3, 6, 8, 10a, 10b, 10c, 11 and 12, are viewed as key to ensuring the long-term sustainability of the Plan area. This projected growth is balanced by the protection of key environmental and social / cultural assets, both through criteria in the above policies themselves, and through policies 4,5,7a,7b, and 9.</p> <p>As a result, it is considered that the Plan effectively integrates and balances all potential environmental considerations, and that potential impacts are, therefore, unlikely to be significant.</p>
<b>1d</b> Environmental problems relevant to the plan or programme.	NO	As noted above, the Plan supports development on a number of fronts, including residential, retail and other employment development, all of which could have some effects on the environment. However, existing national and local planning policies, the specific criteria included within the policies in the Plan, and the planning application process, will collectively ensure that these effects are not significant.
<b>1e</b> The relevance of the plan or programme for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection).	NO	The Plan is intended to be in compliance with Erewash Borough Core Strategy and the Core Strategy Review, which has taken into account the existing European and National legislative framework for environmental protection. The Plan will therefore have a positive effect on compliance with regards to relevant legislation and programmes. It is considered that none of the proposals within the Plan will compromise this position.

Criteria for determining the likely significance of effects (Annex II SEA Directive)	Significant effect likely?	Comment
<b>2a</b> The probability, duration, frequency and reversibility of the effects.	NO	<p>It is deemed highly unlikely that there will be any irreversible damaging environmental impacts associated with the Plan. The policies within the Plan seek to ensure new development is sustainable in context, and promotes the enhancement and protection of environmental assets.</p> <p>Should any unforeseen significant effects on the environment arise as a result of the Plan, the intention to monitor the Plan and also to review/update the Plan when required will allow these effects to be addressed (see Section 22: <i>Monitoring and Review</i> (page 64)).</p>
<b>2b</b> The cumulative nature of the effects.	NO	It is considered that the Policies contained in the Plan, cumulatively, will have minimal negative effects on the environment and will in fact have moderate to significant positive effects through the stipulations included. It is considered that all effects will be at a local level.
<b>2c</b> The transboundary nature of the effects.	NO	Effects will be local, with no expected impacts on neighbouring areas.
<b>2d</b> The risks to human health or the environment (for example, due to accidents).	NO	No obvious risks have been identified, as the overall aim of the Plan is to ensure the careful management of development and the continued sustainability of the Plan area.
<b>2e</b> The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected).	NO	<p>The Plan relates to, and will have an influence over, a designated neighbourhood area of approximately 5.35 km<sup>2</sup> (2.07mi<sup>2</sup>) (google maps calculation), with a usual resident population of approximately 9,100 people (Census 2021).</p> <p>It is deemed the Plan as a whole will have a positive impact upon local residents through the protection and enhancement of local environmental and social / cultural assets, and the promotion of sustainable development.</p>
<b>2f</b> The value and vulnerability of the area likely to be affected due to:  (i) special natural characteristics or cultural heritage;  (ii) exceeded environmental quality standards or limit values; or	NO	<p>The Plan is deemed unlikely to have an adverse effect on the natural characteristics and cultural heritage of the neighbourhood area. The neighbourhood plan policies seek to protect and enrich the natural characteristics.</p> <p><b>Natural characteristics</b></p> <p>There are 4 Local Wildlife Sites within the Plan area, namely (see Map 3):</p> <ul style="list-style-type: none"> <li>• Erewash Canal</li> <li>• Stoney Clouds LNR and adjacent grassland</li> </ul>

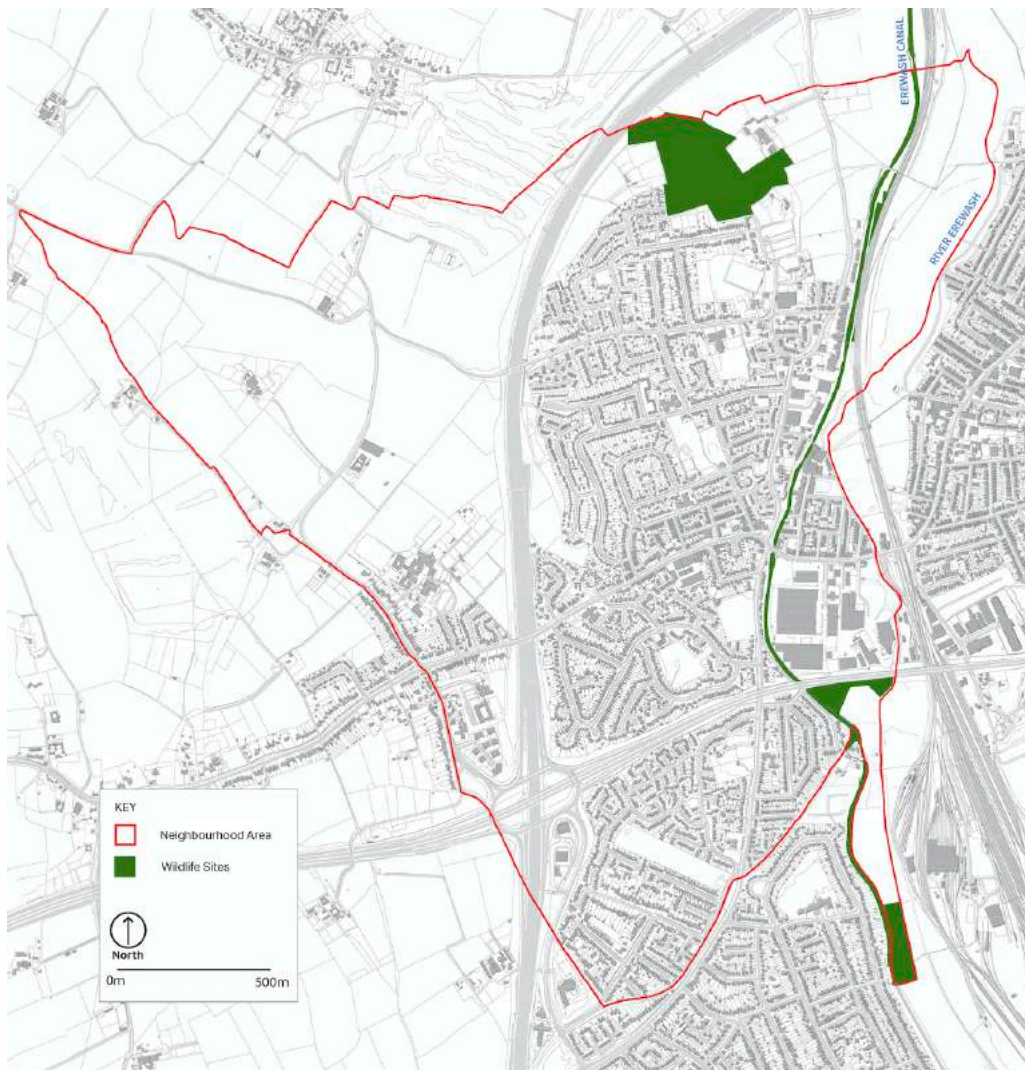
Criteria for determining the likely significance of effects (Annex II SEA Directive)	Significant effect likely?	Comment
(iii) intensive land-use.		<ul style="list-style-type: none"> <li>• Sandiacre Marsh</li> <li>• Lock Lane Scrub</li> </ul> <p>The nearest SSSI is Attenborough Nature Reserve which is 3.61 km or 2.25 miles from nearest boundary of the Neighbourhood Area. Map 3 shows the SSSIs in the vicinity, none are in close proximity to the Parish.</p> <p>The impact risk zones for these designations intersect the Neighbourhood Area. (See Map 4 below)</p> <p>The Plan includes four policies in particular designed to protect and enhance the natural assets in the Neighbourhood Area. Policies 7a and 7b address the need for development to achieve a biodiversity net gain and identifies environmental enhancement and tree planting that will contribute to biodiversity. Policy 5 provides specific protection to 7 sites through designation as Local Green Spaces.</p> <p><b>Cultural heritage</b></p> <p>There are no World Heritage Sites, Protected Wreck Sites, Registered Battlefields, Registered Park and Gardens, or Scheduled Ancient Monuments in the Neighbourhood Area.</p> <p>There are currently 68 records on the Derbyshire Historic Environment Record including an iron age quern, roman and medieval pottery, ridge and furrow and the remains of monuments.</p> <p>There are three Conservation Areas in the Parish. These cover land in: (1) Cloud Side; (2) Canalside; and (3) Sandiacre Lock</p> <p>There are 14 Listed Buildings in the Parish and 8 locally listed buildings.</p> <p>The Plan does not allocate any sites for housing and the CSR does not allocated any sites within the Neighbourhood Area. But the Neighbourhood Plan</p>

Criteria for determining the likely significance of effects (Annex II SEA Directive)	Significant effect likely?	Comment
		<p>provides a policy framework for those sites any development on unallocated sites.<sup>3</sup></p> <p>The Sandiacre Parish Design Guidance and Codes has also fed-into Policy 3 (Achieving Well Designed Places), which takes a proactive stance in seeking to reflect or complement the established character of the Parish as a whole and the identified character zones.</p> <p>Policy 2 (Protecting and Enhancing Heritage Assets) specifically addresses local heritage assets and their setting.</p> <p>It is considered that the development supported by the Plan will not result in significant effects on the identified natural or cultural heritage assets. Furthermore, the Plan does not exceed environmental quality standards or limit values, and does not provide specific policies in relation to intensive land uses.</p>
<b>2g</b> The effects on areas or landscapes which have a recognised national, community or international protection status.	NO	<p>It is considered that the Plan will not adversely affect areas of landscape which have recognised community, national or international protection. The need for new development to respect landscape setting is included as part of the criteria within the respective Policies.</p>

<sup>3</sup> The Masterplan for the change of use of Mark Street from employment use to mixed use is not a policy but a community aspiration.



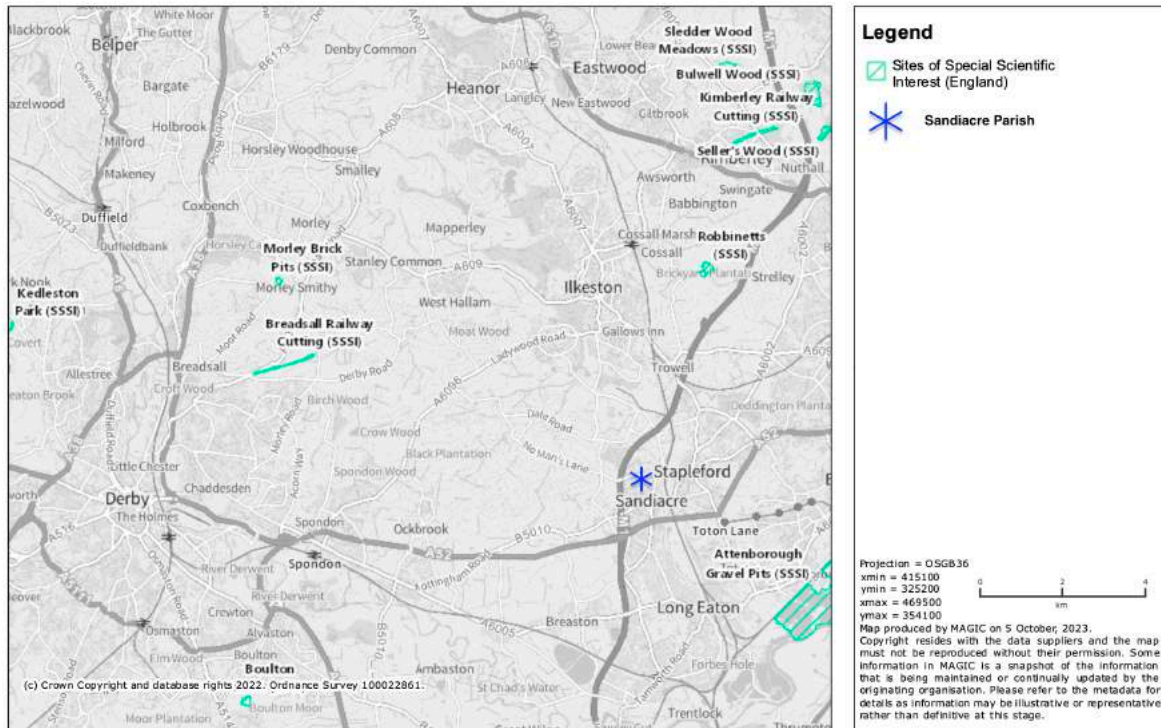
**Map 2 Local Wildlife Sites in Sandiacre Parish**



Map 3 SSSIs near Sandiacre Parish

MAGiC

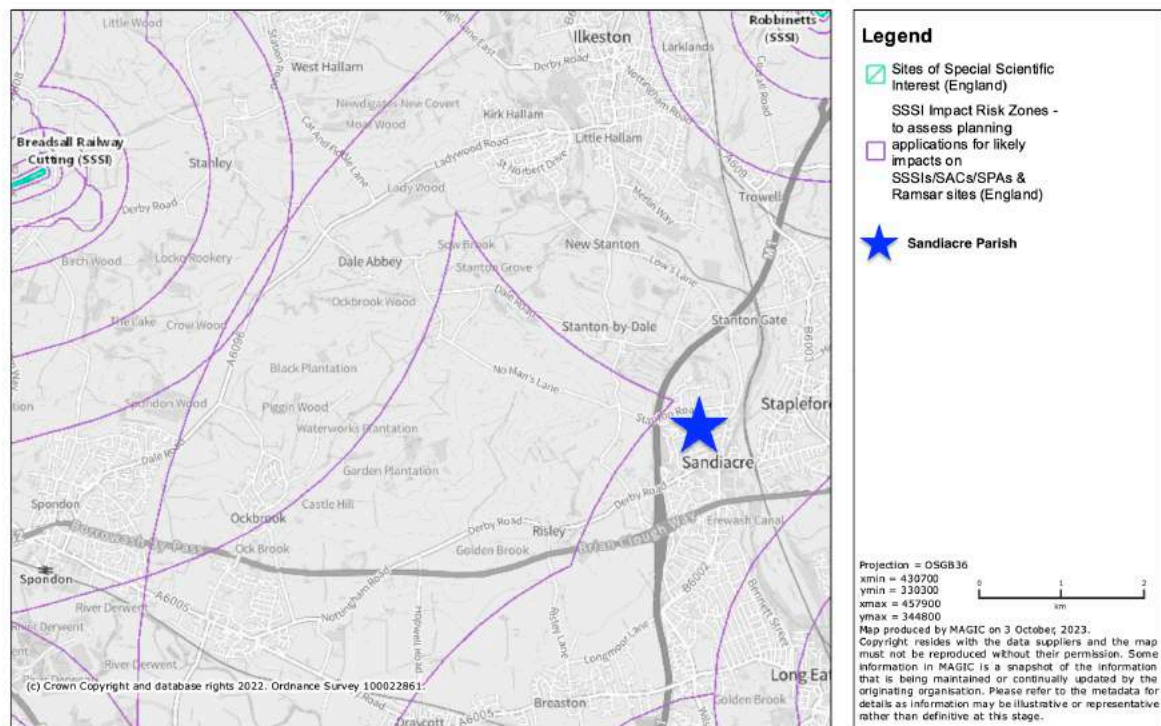
### SSIs near Sandiacre Parish



Map 4 SSSI Impact Risk Zones

MAGiC

### s and SSI Impact Risk Zone near Sandiacre Parish





## 5 HRA Screening Assessment

- 5.1 The adopted 2014 Erewash Core Strategy was supported by a Habitats Regulation Assessment (HRA) undertaken by the ecological consultants David Tyldesley Associates (DTA). The HRA, published in 2012, was jointly commissioned by the five Nottingham Core Housing Market Area (HMA) councils who at the time were working together to produce an aligned set of Local Plans as a way of coordinating major growth proposals across Greater Nottingham.
- 5.2 The HRA flagged a proposed housing allocation in Gedling Borough in the north of the Greater Nottingham area as having a potential effect on a nearby area of woodland associated with the Sherwood Forest candidate Special Protection Area (cSPA). Further screening/assessment focused on the impacts of several potential housing sites elsewhere around Gedling Borough, and in particular, the scale of growth planned at the settlement of Calverton. The HRA concluded that specified mitigation measures on identified sites in Gedling Borough were necessary to reduce the assessed impact of future development to an allowable level.
- 5.3 For Erewash Borough, the 2012 HRA concluded that none of the provisions made by its Core Strategy for housing or employment development would result in a detrimental impact on any protected European sites. As such, the policies in the adopted Core Strategy were unaltered by the HRA screening process.
- 5.4 For the HRA screening assessment for the Sandiacre Parish Neighbourhood Plan, the designated neighbourhood area was assessed to identify if any Special Protection Areas (SPA), Special Areas of Conservation sites (SAC), or Ramsar sites were located within the boundary. The analysis below is from the HRA Screening Assessment Screening Exercise 2022 for the Core Strategy Review and is the main source of information. The Core strategy Review was submitted for examination in November 2022 along with the HRA Screening Assessment Screening Exercise 2022. It is referred to hereafter as EBCs HRA 2022.
- 5.5 Utilising spatial mapping obtained from DEFRA's MAGIC map portal, Erewash Borough Council has been able to locate each of the nearest European site designations listed in table 1 and Map 4 below. This assessment also identified if any of these internationally important sites were located within a 15km radius from the Borough Council area.

Table 1: Closest European sites to Erewash Borough

Distance	SACs	cSAC	SPAs	cSPA	Ramsar
<b>To edge of borough</b>	Gang Mine - 13.8km	None within 50km of Borough	Peak District Moors (South Pennine Moors – Phase 1) - 23.2km Borough	None within 50km of Borough	Midland Meres & Mosses -36.9km
<b>To nearest strategic allocation</b>	Acorn Way (SGA1) – 20.1km	None within 50km of a strategic allocation	North of Cotmanhay (SGA7) - 26.7km	None within 50km of a strategic allocation	Acorn Way (SGA1) – 36.9km

- 5.6 EBCs HRA 2022 notes *'Table 1 confirms the existence of consistently long distances between the identified European sites and the Borough's boundary. No recorded distance is lower when a European site is measured to the closest draft Core Strategy review allocation inside Erewash.'*<sup>4</sup>
- 5.7 The Conservation Objectives for European sites identified within Table 1 are available to view at Natural England's website and summaries are provided at Appendix A.
- 5.8 Table 2 provides more geographic and technical information on each European site identified as part of this screening exercise and is taken from EBCs HRA 2022.

**Table 2 Further information about nearest European Sites<sup>5</sup>**

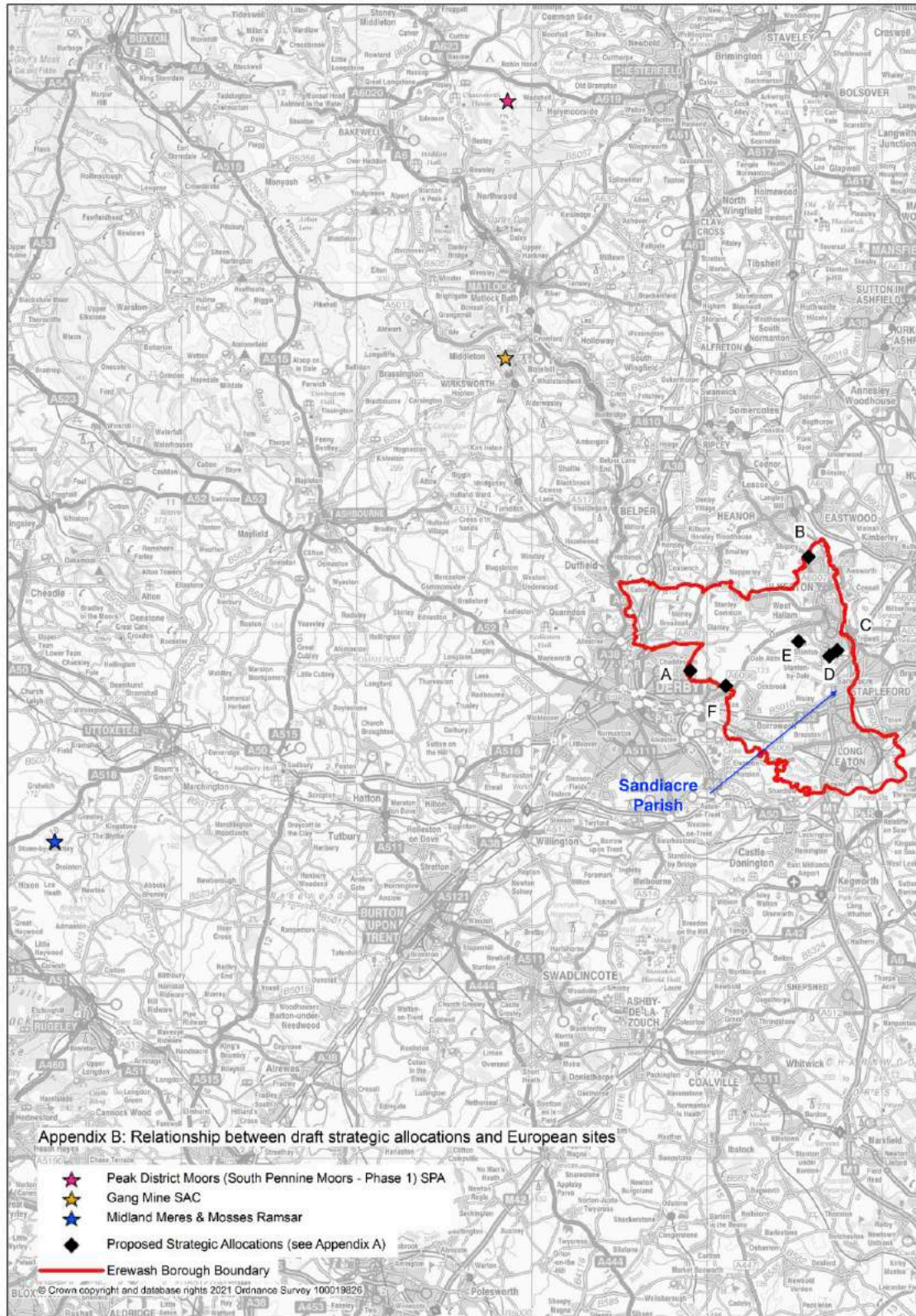
European site	Identification number	Broad location	Type of designation
Gang Mine	UK 0012817	North of Wirksworth	SAC
Peak District Moors (South Pennine Moors – Phase 1)	UK 0030280	Extending northwards of Darley Dale	SPA
Midland Meres & Mosses	UK 11043	South-west of Uttoxeter	Ramsar

- 5.9 Map 5 shows these sites in relation to Sandiacre Parish.

<sup>4</sup> See <https://www.erewash.gov.uk/local-plan-section/habitats-regulations-assessment.html>

<sup>5</sup> From EBCs HRA 2022 section 6

Map 5 Closest European site to Sandiacre Parish<sup>6</sup>



<sup>6</sup> See EBCs HRA 2022 Appendix B

- 5.10 Table 3 provides a HRA Screening Assessment that considers the main possible sources of effects on the SPAs, SACs and Ramsar Site arising from the Plan. The assessment considers the impacts of the Policies in the Plan directly on the European designations as these are land use policies which mostly are expected to have some direct or indirect impact on the local environment.

**Table 3**

	Vulnerabilities					
	Direct loss	habitat	Impact on protected species	Air quality	Water quality and quantity	Invasive species
Gang Mine SAC	<ul style="list-style-type: none"> <li>The Plan does not allocate sites for development and is therefore unlikely to have adverse effect on the integrity of European Sites.</li> <li>The Plan supports additional landscape analysis around the built-up area reducing the likelihood of future development beyond the existing built up area.</li> <li>The Plan policies are designed to manage the scale, form and location of development within the built-up area in.</li> <li>The Plan supports the protection of Local Green Spaces and conservation and enhancement of landscape and heritage assets.</li> <li>The Plan seeks to manage the potential for adverse effects of increased traffic as a result of future development promoting walking and cycling.</li> </ul>					
South Pennines Moors SAC						
Midland Meres and Mosses Ramsar						
Peak District Moors (South Pennine Moors Phase 1) SPA						

- 5.22 The Screening Assessment has considered the main potential sources of effects on the identified European sites arising from the Plan, possible pathways to the sites, and the effects on possible sensitive receptors. The assessment considers the impacts of the policies in the Plan, as these are land use policies, hence mostly expected to have some direct or indirect impact on the local environment.

## 6 In Combination Effects

- 6.1 Regulation 105 of the Amended Habitats Regulations 2017 requires an Appropriate Assessment where “a land use plan is likely to have a significant effect on a European site (either alone or in combination with other plans or projects) and is not directly connected with or necessary to the management of the site”. Therefore, it is necessary to consider whether there may be significant effects from the Sandiacre Parish Neighbourhood Plan in combination with other plans or projects.
- 6.2 The first stage in identifying ‘in-combination’ effects involves identifying which other plans and projects in addition to the Sandiacre Parish Neighbourhood Plan may affect the European sites that were the focus of this assessment. There are a large number of potentially relevant plans and projects



which could be considered, therefore, the review focused on planned spatial growth within Erewash Borough Council based on the Core Strategy Review, with the HRA 2022 for the EBCs Core Strategy Review as the key source of reference<sup>7</sup>.

- 6.3 The HRA Screening of the Core Strategy Review concluded that the policies would not result in likely significant effects on the Gang Mine SAC, Peak District Moors SPA or the Midland Meres and Mosses Ramsar sites. The matter was therefore addressed as part of the Core Strategy Review process. As the Neighbourhood Plan does not allocate sites for development it is also in conformity with the adopted Core Strategy and the findings of the HRA in 2012 and review of 2014.
- 6.4 The scale of development proposed by the Sandiacre Neighbourhood Plan is in conformity with the adopted Core Strategy and the Core Strategy Review. The scale of housing development proposed, together with the Neighbourhood Area's distance from the SPAs, SACs and Ramsar sites identified on Map 4 means that the Neighbourhood Plan's in-combination effect is insignificant.

## 7 Conclusions

- 7.1 As required by the regulations, a draft version of this report was issued for the purposes of consultation with the statutory bodies, specifically the Environment Agency, Historic England, and Natural England. On conclusion of the five -week consultation (6<sup>th</sup> October to 10<sup>th</sup> November 2023), responses had been received from two bodies. The consultation period was extended to enable the Environment Agency to provide a response. The responses are included in full at Appendix C, and can be summarised as follows:
  - 7.2 **Environment Agency:** no formal comments to make, supported the opinion of the Local Authority.
  - 7.3 **Historic England:** on the basis of the information provided in the draft report, it is considered that the preparation of a SEA is not likely to be required.
  - 7.4 **Natural England:** agrees with the conclusions that neither a full SEA nor HRA is required.
- 7.5 **SEA Screening**
  - 7.6 On the basis of the SEA Screening Assessment set out in this document, the conclusion is that the Sandiacre Parish Neighbourhood Plan will not have significant environmental effects in relation to any of the criteria set out in Schedule 1 of the SEA Regulations, and therefore **does not need to be subject to a full SEA.**
- 7.7 **HRA Screening**
  - 7.8 The HRA Screening Assessment concludes that no significant effects are likely to occur with regard to the integrity of the Gang Mine SAC, Peak District Moors SPA or the Midland Meres and Mosses Ramsar sites as a consequence of the implementation of the Plan. As such, **a full HRA is not required to be undertaken.**

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<sup>7</sup> See <https://www.erewash.gov.uk/local-plan-section/habitats-regulations-assessment.html#appenc>

7.9 The main reason for these conclusions is:

- The development that is supported in the Plan is deemed to be of a scale and nature that will not result in any significant effects on the identified European sites.

## **Appendix A: Main protected characteristics of European sites from EBCs HRA<sup>8</sup>**

### **Gang Mine (Special Area for Conservation – SAC):**

#### **Annex I habitats that are a primary reason for selection of this site:**

6130 Calaminarian grasslands of the *Violetalia calaminariae*

Gang Mine is an example of Calaminarian grasslands in an anthropogenic context in northern England. Natural limestone outcrops supporting species typical of calaminarian grasslands are rare and small, with a very impoverished flora. This site is included to provide an example of the habitat type on sedimentary rocks; it has colonised the large area of mine workings and spoil heaps on limestone. These are notable for the wide variations in slope, aspect and soil toxicity. Floristically the site contains the richest anthropogenic Calaminarian grasslands in the UK, with abundant spring sandwort *Minuartia verna* and alpine penny-cress *Thlaspi caerulescens*. Other species of grassland vegetation present include early-purple orchid *Orchis mascula* and dyer's greenweed *Genista tinctoria*. Many of these species are likely to be distinct genotypes adapted to soils rich in heavy metals.

Full details can be found at the following link:

[Gang Mine - Special Areas of Conservation \(jncc.gov.uk\)](http://jncc.gov.uk)

### **Peak District Moors (South Pennine Moors – Phase 1) (Special Protection Area – SPA):**

#### **Annex I habitats that are a primary reason for selection of this site:**

##### **4030 European dry heaths**

The site is representative of upland dry heath at the southern end of the Pennine range, the habitat's most south-easterly upland location in the UK. Dry heath covers extensive areas, occupies the lower slopes of the moors on mineral soils or where peat is thin, and occurs in transitions to acid grassland, wet heath and 7130 blanket bogs. The upland heath of the South Pennines is strongly dominated by heather *Calluna vulgaris*. Its main NVC types are H9 *Calluna vulgaris* – *Deschampsia flexuosa* heath and H12 *Calluna vulgaris* – *Vaccinium myrtillus* heath. More rarely H8 *Calluna vulgaris* – *Ulex gallii* heath and H10 *Calluna vulgaris* – *Erica cinerea* heath are found. On the higher, more exposed ground H18 *Vaccinium myrtillus* – *Deschampsia flexuosa* heath becomes more prominent. In the cloughs, or valleys, which extend into the heather moorlands, a greater mix of dwarf shrubs can be found together with more lichens and mosses. The moors support a rich invertebrate fauna, especially moths, and important bird assemblages.

##### **7130 Blanket bogs (\* if active bog) \* Priority feature**

This site represents blanket bog in the south Pennines, the most south-easterly occurrence of the habitat in Europe. The bog vegetation communities are botanically poor. Hare's-tail cottongrass *Eriophorum vaginatum* is often overwhelmingly dominant and the usual bog-building *Sphagnum* mosses are scarce. Where the blanket peats are slightly drier, heather *Calluna vulgaris*, crowberry *Empetrum nigrum* and bilberry *Vaccinium myrtillus* become more prominent. The uncommon cloudberry *Rubus chamaemorus* is locally abundant in bog vegetation. Bog pools provide diversity and are often characterised by common cottongrass *E. angustifolium*. Substantial areas of the bog

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<sup>8</sup> See Appendix C at <https://www.erewash.gov.uk/local-plan-section/habitats-regulations-assessment.html#appenc>

surface are eroding, and there are extensive areas of bare peat. In some areas erosion may be a natural process reflecting the great age (9000 years) of the south Pennine peats.

**91A0 Old sessile oak woods with Ilex and Blechnum in the British Isles**

Around the fringes of the upland heath and bog of the south Pennines are blocks of old sessile oak woods, usually on slopes. These tend to be dryer than those further north and west, such that the bryophyte communities are less developed (although this lowered diversity may in some instances have been exaggerated by the effects of 19th century air pollution). Other components of the ground flora such as grasses, dwarf shrubs and ferns are common. Small areas of alder woodland along stream-sides add to the overall richness of the woods.

**Annex I habitats present as a qualifying feature, but not a primary reason for selection of this site:**

**4010 Northern Atlantic wet heaths with *Erica tetralix***

**7140 Transition mires and quaking bogs**

**Full details can be found at the following link:**

[South Pennine Moors - Special Areas of Conservation \(jncc.gov.uk\)](https://jncc.gov.uk/south-pennine-moors-special-areas-of-conservation)

**Midland Meres and Mosses (Ramsar):**

**Ramsar criterion 1:**

The site comprises a diverse range of habitats from open water to raised bog.

**Ramsar criterion 2:**

Supports a number of rare species of plants associated with wetlands, including the nationally scarce cowbane *Cicuta virosa* and, elongated sedge *Carex elongata*. Also present are the nationally scarce bryophytes *Dicranum affine* and *Sphagnum pulchrum*. Also supports an assemblage of invertebrates including several rare species. There are 16 species of British Red Data Book insect listed for this site including the following endangered species: the moth *Glyphipteryx lathamella*, the caddisfly *Hagenella clathrata* and the sawfly *Trichiosoma vitellinae*.

Full details can be found at the following link:

[Midland Meres and Mosses - Ramsar \(jncc.gov.uk\)](https://jncc.gov.uk/midland-meres-and-mosses-ramsar)



## **Appendix B Qualifying Features, identified threats and pressures from EBCs HRA<sup>9</sup>**

### **Gang Mine (Special Area for Conservation – SAC):**

Threat: Air Pollution: Impact of atmospheric nitrogen deposition

Nitrogen deposition exceeds the site relevant critical load for ecosystem protection and hence there is a risk of harmful effects, but the sensitive features are currently considered to be in a favourable condition on this site. This requires further investigation.

Action: 1A

Further investigate potential atmospheric nitrogen impacts on the site based on application of guidance from Chief Scientist's Group Nitrogen Task & Finish Group.

### **Peak District Moors (South Pennine Moors – Phase 1) (Special Protection Area – SPA):**

Qualifying features of the SPA:

A222(B) *Asio flammeus*: Short-eared owl

A098(B) *Falco columbarius*: Merlin

A140(B) *Pluvialis apricaria*: European golden plover

The site improvement plan (SIP) which is in place for the above SPA is a comprehensive and lengthy document that sets out 15 separate priorities and issues spanning a diverse range of activities which are identified as being a pressure or threat (or both) to the condition of habitats across the SPA.

A detailed Issues & Action Plan sets out 53 separate actions across the 15 priorities as a means to ensure the maintenance of acceptable habitat across the SPA.

Further details can be accessed from the following link:

[Site Improvement Plan: South Pennine Moors - SIP225 \(naturalengland.org.uk\)](https://naturalengland.org.uk/natural-england/conservation/conservation-plans-and-policies/south-pennine-moors-sip225)

### **Midland Meres and Mosses (Ramsar):**

Principal Features: The Meres and Mosses of the Clwyd-Shropshire-Cheshire-Staffordshire plain form an internationally important series of open water and peatland sites. "Meres" refer to pools, while "mosses" are mires or peatland sites. There are more than 60 meres and a smaller number of mosses. The meres range in depth from about one metre to 27m and vary between less than one hectare to 70ha, in area. The origin of most of the hollows can be accounted for by glaciation, which left depressions in the plain as ice sheets receded. However, a small number have been formed, at least in part, by more recent subsidence resulting from the removal in solution of underlying salt deposits. Although the majority of the meres are naturally nutrient rich (eutrophic), the water chemistry is very variable reflecting the heterogeneous nature of the surrounding drift deposits. Associated fringing habitats such as reedswamp, fen, carr and damp pasture add to the value of the meres. The development of these habitats is associated with peat accumulation which in some cases

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<sup>9</sup> See Appendix D at <https://www.erewash.gov.uk/local-plan-section/habitats-regulations-assessment.html#appenc>

has led to the complete infilling of the basin. During this process the nutrient status of the peat surface changed and typically became nutrient poor (oligotrophic) and acidic, thus allowing species such as *Sphagnum* spp. to colonise. In a few cases colonisation of the water surface by floating vegetation has resulted in the formation of a "quaking bog" also known as a "schwingmoor". The site is also home to a number of rare species of plants associated with wetlands. The site contains the nationally scarce *Elatine hexandra*, *Eleocharis acicularis*, *Cicuta virosa*, *Thelypteris palustris* and *Carex elongata*. The site also contains an assemblage of invertebrates, including the following rare wetland species. There are three species listed for the site which are considered to be endangered in Britain, these are the caddis fly *Hagenella clathrata*, the fly *Limnophila fasciata* and the spider *Cararita limnaea*. Other listed wetland Red Data Book species are: the beetles *Lathrobium rufipenne* and *Donacia aquatica*, the flies *Prionocera pubescens* and *Gonomyia abbreviata* and the spider *Sitticus floricola*. (Criteria 2a).

**Conservation Issues:** Various broad activities recorded for the site include agriculture and grazing, fishing, hunting, recreation, research and conservation. This complex site has undergone partial eutrophication from human activities (although some of the mires are naturally eutrophic). Excess nutrients come from intensification of agriculture, fertilizer runoff and domestic and agricultural effluent.

## Appendix C: Responses from the Statutory Consultees to the SEA/HRA Screening of the Sandiacre Neighbourhood Plan

Ms Helen Metcalfe Metcalfe Planning Services Ltd 1 Maris Drive Burton Joyce Nottingham NG14 5AJ	<b>Our ref:</b> LT/2011/113659/SE-02/ SC1-L01 <b>Your ref:</b>  <b>Date:</b> 21 November 2023
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Dear Sir/Madam

### **SEA/HRA screening request for Sandiacre Neighbourhood Plan**

Thank you for consulting us on the Strategic Environmental Assessment (SEA) & Habitat Regulations Assessment (HRA) Screening Report as part of the Sandiacre Neighbourhood Plan. Please accept my apologies for the delay in responding to you.

The Environment Agency, together with other bodies in England and Wales, is a statutory consultee in the SEA process. We must be consulted by plan-makers (or "responsible authorities") at certain key stages.

We appreciate that a neighbourhood development plan may require a strategic environmental assessment (SEA) under the Directive and early SEA screening is advised. The Environment Agency may be able to assist the Local Planning Authority at this stage by advising on whether your plan will result in significant environmental impacts within our remit. However please note that we do not advise on whether the plan falls under the requirements of the SEA Directive.

Should the local authority determine that a Neighbourhood Plan does require SEA, we must be consulted on the scope to ensure our key environmental issues are addressed.

Yours faithfully

**Mr Paul Goldsmith**  
**Planning Specialist**  
Direct e-mail: [paul.goldsmith@environment-agency.gov.uk](mailto:paul.goldsmith@environment-agency.gov.uk)

cc Erewash Borough Council



Ms Helen Metcalfe

Direct Dial: 0121 625 6887

Planning With People

Derbyshire

Our ref: PL00794179

10 October 2023

Dear Ms Metcalfe

#### **SANDIACRE NEIGHBOURHOOD PLAN- SEA/HRA SCREENING**

Thank you for your consultation and the invitation to comment on the SEA Screening Document for the above 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 the ‘SEA’ Directive], Historic England concurs with your view that the preparation of a Strategic Environmental Assessment is not required.

Regarding HRA Historic England does not disagree with your conclusions but would defer to the opinions of the other statutory consultees.

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://www.historicengland.org.uk/images-books/publications/sustainability-appraisal-and-strategic-environmental-assessment-advice-note-8/>

I trust the above comments will be of help in taking forward the Neighbourhood Plan.



THE FOUNDRY 82 GRANVILLE STREET BIRMINGHAM B1 2LH

Telephone 0121 625 6888  
HistoricEngland.org.uk



*Historic England is subject to both the Freedom of Information Act (2000) and Environmental Information Regulations (2004). Any information held by the organisation can be requested for release under this legislation.*



Yours sincerely,

P. Boland.

Peter Boland  
Historic Places Advisor  
[peter.boland@HistoricEngland.org.uk](mailto:peter.boland@HistoricEngland.org.uk)

cc:

Date: 07 November 2023  
Our ref: 452486  
Your ref: Sandiacre Neighbourhood Plan



Ms Helen Metcalfe  
Planning with People

Hornbeam House  
Crewe Business Park  
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T 0300 060 3900

**BY EMAIL ONLY**  
[helen.metcalfe@planningwithpeople.co.uk](mailto:helen.metcalfe@planningwithpeople.co.uk)

Dear Ms Metcalfe

### **Sandiacre Neighbourhood Plan - SEA & HRA Screening Report**

Thank you for your consultation on the above dated and received by Natural England on 06 October 2023

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

#### **Screening Request: Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA)**

**It is Natural England's advice, on the basis of the material supplied with the consultation, that:**

- **significant effects on statutorily designated nature conservation sites or landscapes are unlikely; and,**
- **significant effects on Habitats sites<sup>1</sup>, either alone or in combination, are unlikely.**

The proposed neighbourhood plan is unlikely to significantly affect any Site of Special Scientific Interest (SSSI), Marine Conservation Zone (MCZ), Special Areas of Conservation (SAC), Special Protection areas (SPA), Ramsar wetland or sites in the process of becoming SACs or SPAs ('candidate SACs', 'possible SACs', 'potential SPAs') or a Ramsar wetland. The plan area is unlikely to have a significant effect on a National Park, Area of Outstanding Natural Beauty or Heritage Coast, and is unlikely to impact upon the purposes for which these areas are designated or defined.

Guidance on the assessment of Neighbourhood Plans, in line with the Environmental Assessment of Plans and Programmes Regulations 2004 is contained within the [Planning Practice Guidance](#). This identifies three triggers that may require the production of an SEA:

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

Natural England does not hold information on the location of significant populations of protected

<sup>1</sup> Habitats sites are those referred to in the [National Planning Policy Framework](#) (Annex 2 - glossary) as "any site which would be included within the definition at regulation 8 of the Conservation of Habitats and Species Regulations 2017 for the purpose of those regulations, including candidate Special Areas of Conservation, Sites of Community Importance, Special Areas of Conservation, Special Protection Areas and any relevant Marine Sites".