

**THE ENVIRONMENTAL ASSESSMENT OF PLANS AND
PROGRAMMES REGULATIONS 2004
REGULATION 9 SCREENING DETERMINATION:
Hazelwood Neighbourhood Plan
as Proposed to be Modified**

THE ENVIRONMENTAL ASSESSMENT OF PLANS AND PROGRAMMES REGULATIONS 2004

REGULATION 9 SCREENING DETERMINATION: Hazelwood Neighbourhood Plan as Proposed to be Modified

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

Amber Valley Borough Council being the responsible authority has determined, after consideration of the Hazelwood Neighbourhood Plan as proposed to be modified and following consultation with the Environment Agency, Historic England and Natural England (responses appended), that the Plan does not require a SEA or HRA.

Reasons for the Decision

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

(a) biodiversity, flora and fauna

Habitats Regulation Assessment (HRA) is concerned with European sites, which are discussed under this SEA topic. It is considered reasonable to base decisions on likely significant effects on a high level consideration of the following factors:

- the nearest European sites lies north west of the Parish, at a distance of around 8km (Gang Mine Special Area for Conservation (SAC)). Slightly further to the north west are the Bees Nest & Green Clay Pits (SAC) and the Peak District Dales (SAC). The integrity of these sites and supporting ecological networks is not likely to be affected by locally specific policies in the Plan (which focus mainly on design).
- the nature of the habitat designations is such that they are not sensitive to local activities within the Parish. Pollution pathways in relation to recreational pressure, water quality and air quality will not arise.

- the Plan review does not involve development beyond the baseline position (i.e. no new homes or employment land is allocated), and therefore potential effects are likely to be limited to the Parish boundary.

Having regard to factors listed above, it is concluded that there are no likely significant effects on European sites as a result of the Plan review.

There are two Sites of Special Scientific Interest (SSSI) within 5km of the parish boundary:

- Kedleston Park (4.6km)
- Mount Pleasant (4.8km)

For the purposes of SEA it is concluded that given the nature of the designations, the distance from the parish boundary and the content of the plan that there would be no likely significant effects (either positive or negative).

Likewise, though there are important habitats throughout the Plan area such as woodland and trees, these are unlikely to be affected, and are protected through national and local planning policies.

(b) Population

The population of Hazelwood has remained more or less static since 1881 (according to the Census, in 1881 it was 339 and in 2021 it was 341). The January 2022 Electoral Roll recorded 153 dwellings and estimated 293 residents).

The population age distribution is, generally speaking, in line with national, regional and local proportions. The level of multiple deprivation in the parish (2019 deprivation data) indicates that the parish is within the 50% least deprived neighbourhoods in the country (which is the same as recorded in 2015).

The Plan seeks to mimic the approach to new development within the existing Neighbourhood Plan and emerging Local Plan. The key difference is a desire to influence design. The significance of effects in terms of population are therefore likely to be limited.

It is concluded that given the scope of the plan and the demographics of the area that there are no likely significant effects (either positive or negative). The consideration of housing provision is being / has been tested through the emerging Local Plan Sustainability Appraisal process.

(c) Human Health

The statistics show that health in Hazelwood Parish (in terms of those with long term health problems) has a proportion largely in line with national, regional and local proportions. Similarly, those who described their health as very bad, bad, fair, good and very good are also in line with national, regional and local proportions.

It is concluded that given the scope of the plan, and the health of the area that no likely significant effects (either positive or negative).

(d) soil, water and air

The agricultural land classification (ALC) appears to be predominately Grade 4 with elements of Grade 3 to the north of the parish boundary. It is uncertain whether Grade 3 land in the neighbourhood area comprises land classified as Grade 3a land (i.e. land classified as the best and most versatile agricultural land) or Grade 3b land (i.e. land not classified as the best and most versatile agricultural land).

Given the provisional quality of the soil, and the contents of the plan (i.e. there are no proposed site allocations) it is concluded that there are no likely significant effects (either positive or negative).

The parish lies between the River Ecclesbourne to the west and the Derwent to the East. Hazelwood itself is equidistant from these two rivers but lies in Flood Zone 1. Furthermore, the HNP does not itself allocate any land or sites for development. The very limited development that is supported through the HNP would be adjacent to existing developments and thus away from the flood zones of these two rivers. There is no surface water flood risk identified in Hazelwood itself.

There is a groundwater protection zone to the east (zone 3) but again, considering the scope of the plan, and the unlikelihood of residential development within the protection zone, significant effects are unlikely.

Given the scope of the plan and the level of sensitivity of the 'water locations' it is concluded that there are no likely significant effects (either positive or negative).

The nearest air quality management area (i.e. an area designated under for poor air quality) are located in central Derby City and to the south of the city of Derby (the Ring Road and along the A52). According to the 2022 Annual Air Quality Status Report for Amber Valley "Air quality is generally good and no Air Quality Management Areas (AQMAs) have been declared".

There are no air quality monitoring points close to Hazelwood, but there are several along the A6, that are substantially below the annual mean target for both particulate matter (PM10) and nitrogen oxide (NO2).

Given the scope of the plan (i.e. it is unlikely to lead to notable changes to vehicle trips) and the distance to the nearest sensitive locations, it is concluded that there are no likely significant effects (either positive or negative).

(e) climatic factors

With regard to climate change mitigation, it is considered that the plan's (small) magnitude of development will not result in likely significant effects on greenhouse gas emissions. In terms of climate change adaptation, see 'water' above.

Given the scope of development in the plan it is concluded that there are no likely significant effects (either positive or negative).

(f) material assets

There were concerns raised through consultation with regard to speeding, the safety of roads, and public transport. Whilst the neighbourhood plan has little power over these elements, the HNP identified a community objective to "work with Derbyshire County Council and local bus operators and community transport groups to promote more frequent and direct public transport services. To encourage the provision of measures to reduce speeding"

The HNP sets out that "Hazelwood residents are able to access a range of rural services." And that "...there are a wide variety of activities on offer in the Parish. These facilities compare favourably with the services of much larger rural communities and villages."

It is concluded that given the scope of the HNP and the services and facilities available to the parish that there are no likely significant effects (either positive or negative).

(g) cultural heritage, including architectural and archaeological heritage

The following listed buildings have been identified within the Parish boundaries. None are identified as 'At Risk' by Historic England. No Scheduled Monuments, Registered Battlefields or Registered parks and Gardens have been identified.

- The Firs Farmhouse (Grade II) and outbuildings (Grade II)

- Hazelwood Hall Farmhouse (Grade II)
- Larch Tree Cottage, Farmhouse and outbuildings (Grade II)
- Church of St. John the Evangelist
- Iretons Farmhouse and outbuildings (Grade II)
- Former Methodist Chapel (Grade II)
- Shottlegate Farmhouse (Grade II)

Given the nature of these heritage assets, and their setting, and the scope of the neighbourhood plan (including the general policy approaches and lack of site allocations) it is considered that there are unlikely to be significant effects.

More significantly, the parish boundary crosses the buffer of the Derwent Valley Mills World Heritage Site to the north of the boundary and, the east, the boundaries of the parish and WHS intersect. This asset is considered to be highly sensitive and given that the plan area lies within the buffer and adjacent to the WHS itself it is worth looking in more detail at the potential effects of the plan.

There are 10 policies (plus two 'Aspirational Policies' in the neighbourhood plan. Each has been discussed in brief in Table 1.

HNP Policy	Comments
NP1 Support appropriate new build homes, extensions and ancillary buildings	It is clear from the vision, and Policy NP1 that the area will experience very limited development. Any new development will be very tightly controlled in terms of numbers (proposals for more than one dwelling only supported if justified by evidence of exceptional local housing needs of current residents) and location (within existing 7 settlement areas) and visual impacts. Proposals are required to comply with Borough and national policies pertaining to the WHS Buffer Zone within the Parish
NP2 Design principles for development	This should ensure that future development is in line with the settlement character, taking account of the historic environment.
NP3 Housing character, scale and compatibility	This should ensure that future development is in line with the current character.
NP4 The conversion of redundant farm buildings	These developments are likely to have a negligible effect on heritage given their limited scale and required design criteria.
NP5 Maintaining and enhancing the Parish's biodiversity	Given the limited extent of development, the scope for influencing biodiversity

HNP Policy	Comments
	enhancement is likely to be limited / negligible, therefore knock-on effects on heritage are predicted to be limited.
NP6 Protection of landscape character across the Plan area	This should help protect the landscape / character from harm (combined with very limited development).
NP7 Use of buildings for employment purposes	These developments should have a negligible effect on the historic environment given their limited scale and the set of applicable criteria.
NP8 Supporting the expansion or creation of local businesses	Developments likely to be limited in scale given the criteria. Negligible effects are anticipated given the limited scale and criteria.
NP9 Improving the provision of broadband	No effects likely
NP10 Enhancing the provision of community facilities	No effects likely
Aspiration Policy 1 Pre-application community consultation	Procedural policy – no effects likely
Aspiration Policy 2 Residents' forums	Procedural policy – no effects likely

(h) landscape

The parish boundary is not close to any nationally designated landscapes (e.g. Area of Outstanding Natural Beauty).

Areas of Multiple Environmental Sensitivity (AMES) have been identified across Derbyshire as part of a technical study published in 2013. Hazelwood Parish was classed as falling within an area of 'secondary sensitivity', rather than one of 'primary sensitivity'.

There are 'Special Landscape Areas' primarily to the north and east of the Parish. Given the lack of allocations, and the focus of growth into the existing settlement areas, it is considered very unlikely that significant effects upon the character of these landscapes would arise.

The Parish is close to the Derwent Valley Mills WHS and overlaps with the buffer zone in places, but this is covered in section (k).

The Plan review has a limited scope in terms of new or intrusive development. The design policies and criteria based development policies in the plan are also positive, and therefore

it is considered very unlikely that significant effects would occur. Development in sensitive areas is not being promoted, and the plan is positive with respect to design requirements.

Conclusion

Having considered the anticipated scope of the HNP review, the fact that it is not allocating sites and generally planning for a very limited amount of development, alongside the relevant environmental issues locally, it is concluded that the HNP will have no likely significant effects (either positive or negative) and therefore a SEA is not required. It is also concluded that the plan will have no likely significant effects on European sites and therefore a HRA is not required.

Should the scope or nature of the HNP change substantially through further revisions of the draft plan then the screening opinion and determination should be revisited, but at present it is considered (to our best available knowledge, and on the basis of the evidence and draft document provided to us) that SEA and HRA is not necessary.

Further Information

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

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

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

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

Date: 23 March 2023