

The Findern Parish Neighbourhood Plan 2024-2041

Strategic Environmental Assessment and Habitat Regulations Assessment Screening Determination

September 2025

Contents

1.0 Introduction

2.0 The Findern Parish Neighbourhood Plan 2024-2041

3.0 Characteristics of Findern Parish Neighbourhood Plan Designated Area

4.0 SEA Screening Assessment

5.0 Habitats Regulations Assessment Screening

6.0 Conclusion

1.0 Introduction

1.1. A Neighbourhood Plan must meet certain Basic Conditions, as set out in legislation. These include Directive 2001/42/EC or SEA Directive that has been transposed into UK law through the Environmental Assessment of Plans and Programmes Regulations (SEA Regulations) and it is these regulations that the Neighbourhood Plan will need to be compatible with.

1.2. A Strategic Environmental Assessment (SEA) is required for all Neighbourhood Plans which may result in likely significant environmental effects. Any Neighbourhood Plan submitted to the Council must be accompanied by either a statement of reasons as to why SEA was not required, or an environmental report as part of the SEA process.

1.3. A Screening Report is necessary to assess whether any Neighbourhood Plan is likely to require an SEA. The SEA Regulations require the 'responsible authority' to 'determine' whether a plan is likely to have significant effects, and therefore if an SEA is needed.

1.4. This report has been prepared by South Derbyshire District Council as the responsible authority.

1.5. This assessment has also been provided to the Environment Agency, Natural England and Historic England for consideration.

2.0 The Findern Parish Neighbourhood Plan 2024-2041

2.1. The Findern Parish Neighbourhood Plan (FPNP) has been produced by the Findern Neighbourhood Planning Group (NPG) on behalf of Findern Parish Council, with assistance from a planning consultant and various stakeholders.

2.2. The Neighbourhood Plan has a clear community vision which sets out what the area will be like in 2041:

“By 2041 Findern Parish will be a sustainable and thriving community. Quality of life and a sense of community spirit will have been maintained and where possible enhanced. There will be continued (and extended) direct access to the countryside for leisure and recreation. Local facilities, including schools, a village hall, church, shop and access to a community building at Highfields, will be sufficient to meet local need.

The Parish will contain a mix of housing types, some within a rural setting and some next to Derby City. New development will be of a high design standard, that has reinforced the local character and is of a low carbon construction, low operation and is resilient to climate change. Development will be designed and located to respect the wider landscape and the sense of openness and separation between the urban edge of Highfields and the rural character of the rest of the Parish. Areas that have environmental significance will remain protected.

The proximity to the A50 and A38 will continue to provide good connections to the strategic road network and to neighbouring towns and cities for residents and businesses. The combined benefits of a network of Parish wide walking, cycling and bridleways and site related local enhancements will provide active travel options and recreation. In combination this ensures that residents will continue to be healthy, happy and prosperous.”

2.3. The Neighbourhood Plan also includes 10 Community Objectives set out under the following themes:

Community Objective 1: To support sustainable growth of a scale and type that meets objectively assessed local and District need. Most growth will be on allocated sites.

Community Objective 2: To protect the rural character of Findern village (reflecting local densities and the historic character) and to protect the sense of openness and separation between Findern village and Highfields.

Community Objective 3: To protect and enhance the landscape and surrounding open countryside, ensuring development minimises its impact on the natural and built environment. Ensuring that the green spaces on the western edge of Highfields are protected, maintained and enhanced, reflecting their function as a community asset and providing a soft transition from the edge of Derby City to the countryside.

Community Objective 4: To ensure development is designed to a high quality that encourages sustainable building practices, and that it reflects local character, topography, landscape sensitivity, green gaps and views as detailed in the Findern Design Guidance and Code 2024.

Community Objective 5: To protect and improve the parks, play areas and other green spaces that are highly valued assets for local people.

Community Objective 6: To contribute to an improving quality of life for all residents by promoting a level of growth that is balanced with an expansion in the range of local facilities and services (where possible) that will enable Findern Parish to thrive. Particularly providing a community building at Highfields. Community buildings should be designed to reduce their environmental impact through e.g. the use of insulation, renewable energy generation and battery storage.

Community Objective 7: To protect and enhance access to the countryside for walking, horse riding and cycling to access jobs, services and for leisure and recreation.

Community Objective 8: To protect and enhance the rich flora and fauna of the Parish particularly the mature trees, hedgerows and areas designated for their nature conservation.

Community Objective 9: To ensure development does not increase surface water flooding, taking into account the additional future risks of flooding from climate change, existing water courses and the high ground water levels across the whole Parish. To encourage design solutions that incorporate sustainable drainage systems that have multi benefits like increasing the biodiversity of the area.

Community Objective 10: To ensure future expansion takes into account the existing road infrastructure capacity and enhances non-vehicular routes for walking, cycling and horse riding so that the pedestrian and cyclist environments are enhanced by an improved and extended integrated network of active travel routes across the Parish.

2.4. The Neighbourhood Plan includes policies to promote sustainable development within Findern Parish, as well as more aspirational non-planning aims.

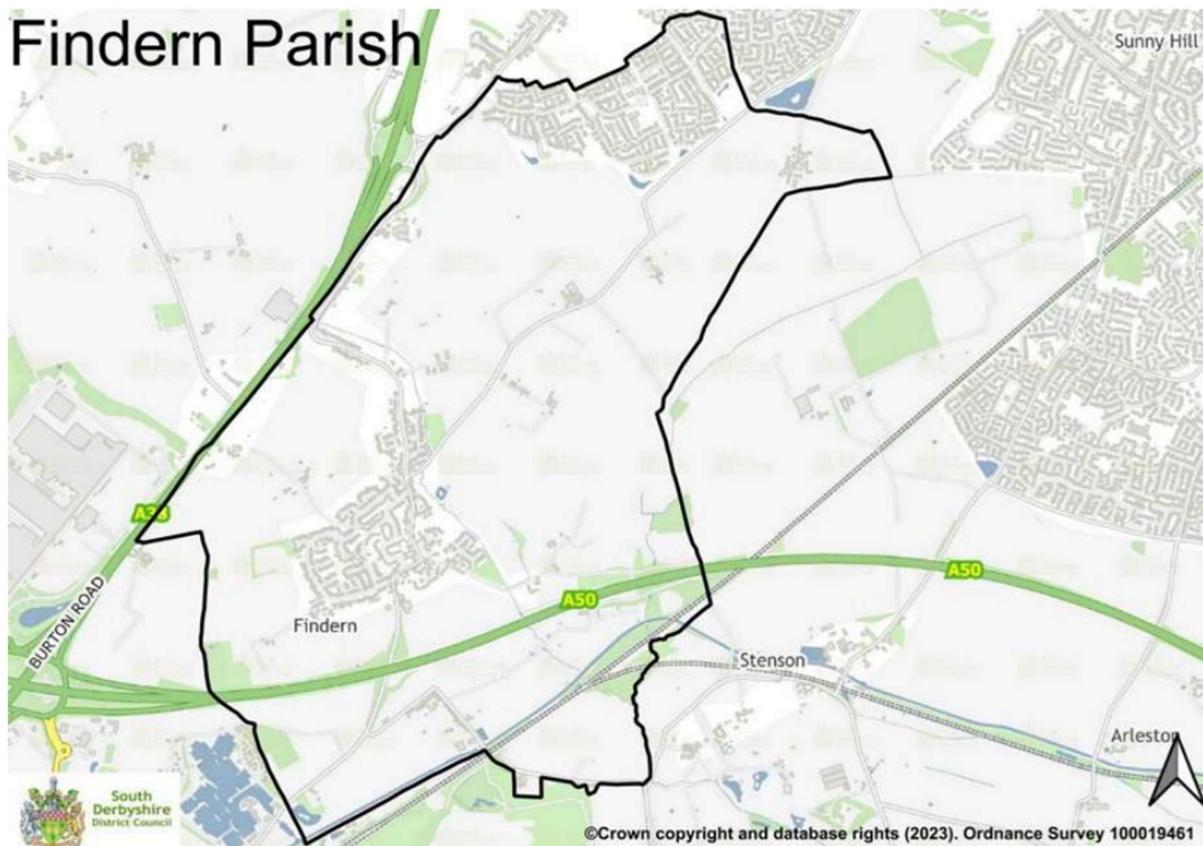
2.5. The FPNP does not allocate sites for development. It is acknowledged that in line with the adopted Local Plan and the Local Plan Part 1 Review, that the maximum threshold for development within and/or adjoining (where it is a rural exception site) the settlement boundary is up to 15 dwellings. Future consideration of potential implications on the FPNP stemming from the Local Plan Part 2 will be assessed during its review, however, it is mentioned that this phase will not contain strategic allocations and will therefore have limited local impacts given the non-strategic nature of the Plan. Potential development would be subject to further consideration, including the overall Sustainability Appraisal process.

2.6. The FPNP is in general conformity with the adopted South Derbyshire District Local Plans Part 1 and Part 2 as well as with national policy.

3.0 Characteristics of Findern Parish Neighbourhood Plan Designated Area

3.1. The Neighbourhood Area corresponds to the Findern Parish Council boundary of Findern parish, as shown in Map 1.

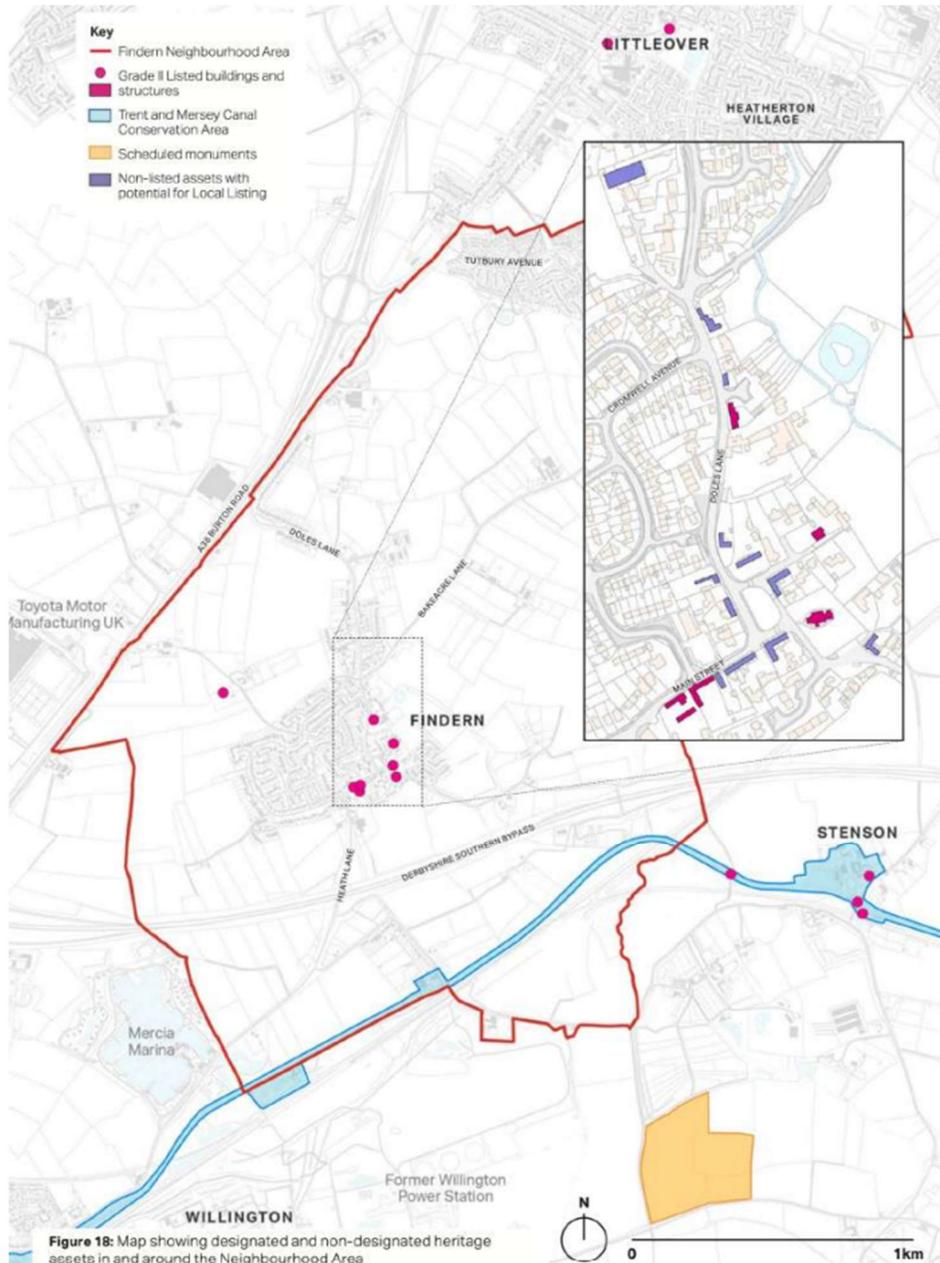
Map 1: Findern Parish Neighbourhood Area



3.2. Findern Parish lies within South Derbyshire District. Findern is to the southwest of Derby, and is located north of Willington and east of Etwell.

3.3. Findern Parish contains 8 Grade II listed buildings, and the Trent and Mersey Canal Conservation Area bisects the south of the area.

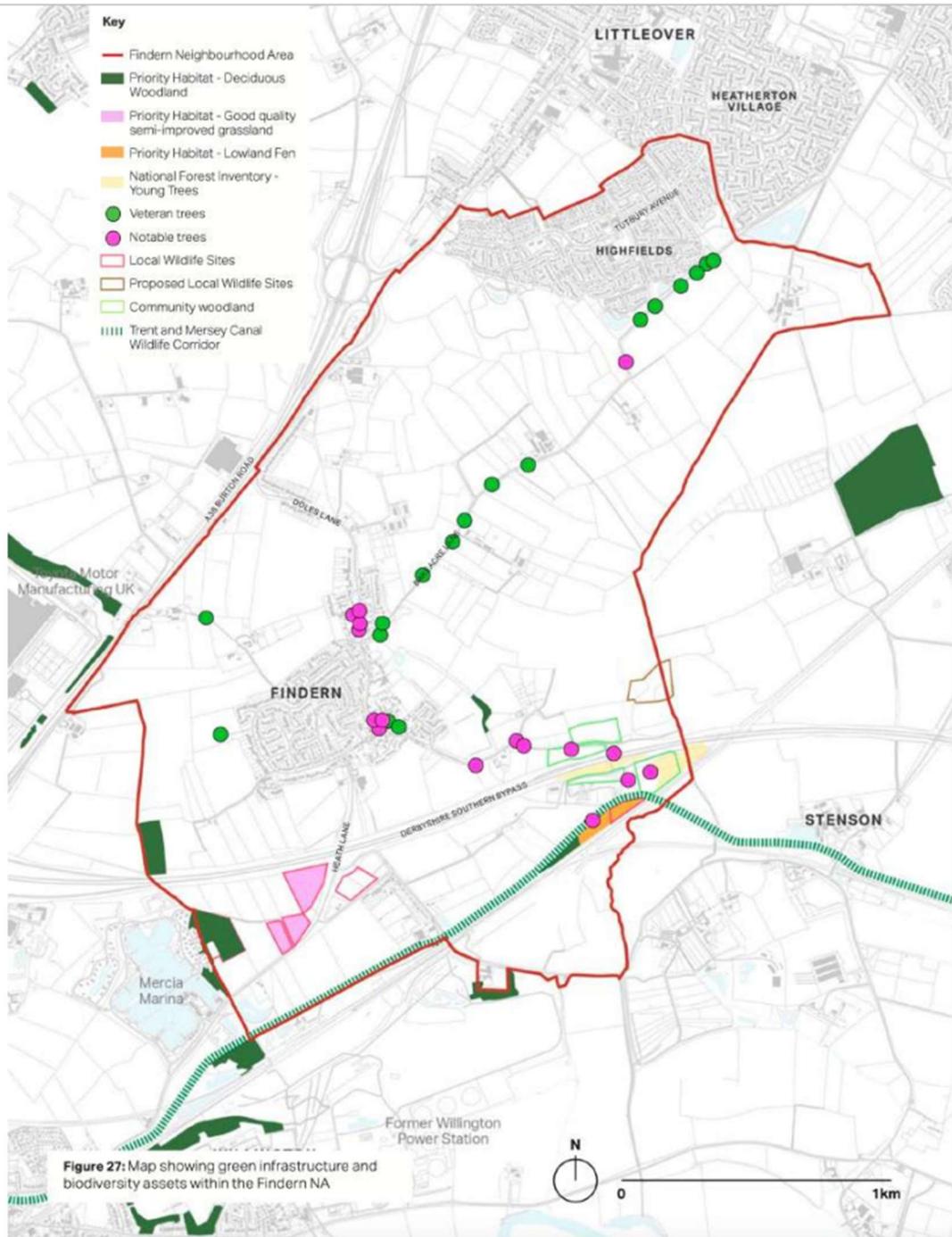
Map 2: Findern Parish – Historic Features



3.4. The Parish does not contain Green Belt land.

3.5. The Parish does not contain an above average concentration of environmental features. However, there are numerous veteran and notable trees within the settlement boundary. Additionally, there are four designated Local Wildlife Sites within the Parish, one proposed Local Wildlife Site, and various priority habitat areas, such as tracts of deciduous woodland as well as good quality semi-improved grassland.

Map 3 – Natural Environment Features



4.0 SEA Screening Assessment SEA Screening Assessment Part 1: Is SEA Required?

4.1. Table 1 sets out how the guidance provided in Paragraph 2.18 of the Government's 'Practical Guide to the Strategic Environmental Assessment Directive' has been applied. This suggests a flowchart of questions to determine whether SEA is required.

Table 1: Is SEA Required?

Assessment Question	Commentary	Conclusion
<p>Question 1</p> <p>Is the NP 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))</p>	<p>The preparation of and adoption of the FPNP is permitted under The Town and Country Planning Act 1990 as amended by the Localism Act.</p> <p>The FPNP has been prepared by Findern Parish Council (as the 'relevant body') and will be 'made' by South Derbyshire District Council (as the Local Authority), if successful at referendum.</p> <p>The preparation of Neighbourhood Plans is subject to the following regulations: The Neighbourhood Planning (General) Regulations 2012 and The Neighbourhood Planning (referendums) Regulations 2012.</p>	<p>Yes – proceed to Q.2</p>
<p>Question 2</p> <p>Is the NP required by legislative, regulatory or administrative provisions? (Art. 2(a))</p>	<p>Whilst the Neighbourhood Plan is not a requirement and is optional under the provisions of The Town and Country Planning Act 1990 as amended by the Localism Act 2011, it will, if 'made', form part of the Development Plan for the District.</p> <p>It is therefore important that the screening process considers whether the FPNP is likely to have significant environmental effects and hence whether a full SEA is required under the Directive.</p>	<p>Yes – proceed to Q.3</p>
<p>Question 3</p> <p>Is the NP 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 2) to the EIA Directive? (Art 3.2(a))</p>	<p>Whilst the FPNP covers a range of land use considerations, it does not set the framework for future development consent of projects in Annexes I and II of the EIA Directive.</p>	<p>No – proceed to Q. 4</p>

<p>Question 4</p> <p>Will the NP, 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 (b))</p>	<p>An assessment is not required as there is no SPA, SAC or Ramsar site that will be impacted by the Neighbourhood Plan.</p>	<p>No – proceed to Q.6</p>
<p>Question 5</p> <p>Does the NP determine the use of small areas at local level, OR is it a minor modification of a PP subject to Art. 3.2? (Art. 3.3)</p>	<p>N/A</p>	<p>N/A</p>
<p>Question 6</p> <p>Does the NP set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Art 3.4)</p>	<p>Yes, once made the FPNP will form part of the Development Plan for the area and will be used to determine planning applications.</p>	<p>Yes – proceed to Q.8</p>
<p>Question 7</p> <p>Is the NP's sole purpose to serve the national defence or civil emergency, OR is it a financial or budget PP, OR is it co-financed by structural funds or EAFF programmes 2000 to 2006/7? (Art 3.8, 3.9)</p>	<p>N/A</p>	<p>N/A</p>
<p>Question 8</p> <p>Is it likely to have a significant effect on the environment? (Art. 3.5)</p>	<p>Please see Table 2 below. Overall conclusion:</p> <p>The FPNP does not propose to allocate specific sites for future development. The FPNP promotes policies that seek to shape future development proposals in a way that supports sustainable development and conserves and enhances the parish's natural environment.</p> <p>Specific policies are included that seek to enhance and protect the environment.</p> <p>The content and broad approach of the Plan must be in general conformity with the adopted South Derbyshire Local Plans Part 1 and 2, which has already had regard to European Directives and</p>	<p>SEA is not required.</p>

	<p>National Regulations on Environmental Impact.</p> <p>Overall, the Plan is therefore not considered to have a significant effect on the environment, or on designated sites. Therefore, SEA is not required.</p>	
--	--	--

SEA Screening Assessment Part 2: Effect on the Environment

4.2. Table 2 sets out the assessment undertaken to determine whether the Neighbourhood Plan is likely to have any significant effects on the environment, using criteria set out in Annex II of the SEA Directive and Schedule 1 of the UK Environmental Assessment of Plans and Programmes Regulations 2004.

Table 2: Effect on the Environment

The Characteristics of the Findern Parish Neighbourhood Plan (FPNP)

Criteria (from Annex II of SEA Directive and Schedule I of Regulations)	Assessment	Likely Significant Environmental Effect?
The degree to which the plan or programme sets a framework for projects and other activities, either regarding the location, nature, size, and operating conditions or by allocating resources	<p>Once made, the Findern Parish Neighbourhood Plan will form the framework for decision making for development proposals in the area.</p> <p>The Plan does not make any development allocations or site designations. The Plan is in general conformity with the adopted Local Plan Part 1 and 2 for the District and as such, the SA/SEA carried out for the existing Plans is considered sufficient.</p>	No
The degree to which the plan or programme influences other plans or programmes including those in a hierarchy	<p>The influence of the FPNP on other plans and/or programmes is limited.</p> <p>The FPNP will sit below the Development Plan for the District in the hierarchy of plans and must be in conformity with adopted documents and national planning policy.</p>	No
The relevance of the plan or programme for the integration of environmental considerations, in particular with a view to promoting sustainable development.	<p>The FPNP has a focus on sustainable development, which conserves and enhances the natural environment and the policies throughout the Neighbourhood Plan are designed to help achieve this.</p> <p>The plan does not allocate any land for development.</p>	No

Environmental problems relevant to the plan	Any environmental problems relevant to the Plan are localised and small-scale and therefore not considered significant in the context of the SEA.	No
The relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste management or water protection).	The FPNP is in general conformity with the Development Plan for the District and national planning policy. The adopted Local Plans Part 1 and 2 have had regard to National and European legislation on the environment.	No
The probability, duration, frequency and reversibility of the effects	An element of environmental change is likely to occur, as the Plan does not seek to prevent change. The impact of this change will depend upon individual proposals and will be assessed at the development management stage. The FPNP seeks to promote sustainable development that will conserve and enhance the environment.	No
The cumulative nature of the effects	As above	No
The transboundary nature of the effects	Effects will be localised with limited impact on neighbouring areas, therefore little transboundary effects are anticipated.	No
The risks to human health or the environment (e.g. due to accidents)	There is limited risk to human health or the environment due to the FPNP. The Plan seeks to promote well-being and health, by protecting and enhancing open spaces, sport and leisure facilities and the network of public rights of way (PROWs) in the Parish.	No
The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	The FPNP covers only the Findern Parish area and therefore it is likely that any effects will be primarily limited to the Parish.	No
The value and vulnerability of the area likely to be affected due to: • Special natural characteristics or cultural heritage • Exceeded environmental quality standards or limit values • Intensive Land-use • The effects on areas or landscapes which have a	The FPNP extent includes some areas that are environmentally or culturally sensitive e.g. Local Wildlife Sites and Conservation Areas. The FPNP recognises and supports these designations and has taken them into account in drafting policies. They are also considered by the adopted Local Plans	No

recognised National, Community or International protection status.	Part 1 and Part 2 which the FPNP is in broad conformity with. The FPNP is unlikely to adversely affect the value or vulnerability of these designated areas	
--	--	--

5.0 Habitats Regulations Assessment Screening

5.1 The Habitats Regulation Assessment (HRA) refers to the assessment required for any plan or project to assess the potential implications for European wildlife sites or candidate wildlife sites, (those in the process of becoming a European Wildlife Site). The HRA therefore looks at whether the implementation of the plan or project would harm the habitats or species for which European wildlife sites are designated. European wildlife sites include:

- Special Protection Areas (SPA) designated under the Birds Directive (79/409/EEC) and
- Special Areas of Conservation (SAC) designated under the Habitats Directive (92/43/EEC)

5.2 In addition to SPAs and SACs, Ramsar sites are designated under the Ramsar Convention. Although they are not covered by the Habitats Regulations, as a matter of Government policy, Ramsar sites should be treated in the same way as European wildlife sites. European wildlife sites and Ramsar sites are collectively known as internationally designated wildlife sites.

5.3 The legislation sets out a process to assess the potential implications of a plan on internationally designated sites. The first stage of this process is a 'screening' exercise where the details of nearby internationally designated sites are assessed to see if there is the potential for the implementation of the Plan to have an impact on the site.

5.4 The UK left the European Union on 31 January 2020. Under the UK-EU withdrawal agreement, a transition period ended on 31 December 2020, during which time all EU law continued to apply in the UK. During the transition period the UK needed to continue following domestic law that implements EU law, or directly applicable EU law that is given effect through the EUWA 2018. Beyond the transition period, the SEA Regulations, which previously implemented the requirements of the SEA Directive in England, will continue to apply as before unless and until new legislation is introduced.

5.5 The Findern Parish Neighbourhood Plan 2023-2041 once adopted will form part of the Development Plan for South Derbyshire, and will be in general conformity with the strategic policies in the adopted Local Plan for the District. The Adopted Part 1 and Part 2 Local Plans have been subject to Habitat Regulations Screening Assessment. The emerging Local Plan has also been considered for such impacts.

5.6 The Screening Assessment for the Part 1 Local Plan identified a number of International Sites within South Derbyshire and neighbouring Districts and Boroughs. These included:

- The River Mease (within District – 19.9km from designated area)
- West Midlands Mosses (27.0km from designated area)
- Cannock Chase (31.9km from designated area)
- Bees Nests and Green Clay Pits (25.1km from designated area)
- Gang Mine (26.1km from designated area)
- Peak District Dales (29km from designated area)

5.7 Details on the threats to the integrity of the closest internationally designated sites are set out below

Site	Threat													
	Hydrological Changes	Water Quality/pollution	Inappropriate management	Public Access/ Disturbance	Air Pollution	Wildlife	Changes in Species Distribution/low breed	Disease	Invasive Species	Development/Planning Permission Fertilizer use	Fertilizer use	Flytipping	Vandalism/Vehicle use	Habitat Fragmentation
River Mease SAC	-	-	None	None	None	None	None	None	-	-	*	None	None	None
Cannock Chase SAC	-	-	None	None	None	None	None	None	-	-	None	None	None	-
West Midland Mosses SAC	-	-	-	None	-	None	None	None	None	None	*	None	None	None
Gang Mines SAC	None	None	-	None	-	None	None	None	None	None	None	None	None	None
Peak District SAC	-	-	-	-	-	None	None	-	-	None	-	-	-	None
Bees Nest and Green Clay Pits SAC	None	None	-	None	-	None	None	None	None	None	None	None	None	None

Key: - = Potential threat to the integrity of the site

None = Not identified as a threat to the site

* = off site (i.e. within hydraulic catchment)

Source: SDDC (based on review of Conservation Objectives and Site Improvement Plans for identified sites)

5.8 In reviewing the likely effects of the Neighbourhood Plan on designated sites significant effects were discounted on all. The Findern Parish Neighbourhood Plan 2023-2041 applies to an area of the District more 19km from the River Mease and 12km from the nearest part of the catchment of the River, and having regard to the Conservation Objectives that apply to this site it is inconceivable that the NDP would have any effect given the key threats to the

site relate to development within the catchment, invasive species, water quality and the hydrological regime of the river.

5.9 The lack of housing development allocated within the Plan within the settlement of Findern would mean the potential for effects is already extremely limited given that most of the threats to the sites relate to internal management issues, increased visitor pressures, water quality, air quality, invasive issues or other impacts which are only likely to be exacerbated by close development.

5.10 Given that the plan will not have any effect on international sites identified it will not have any significant effects in combination with other plans or programmes.

6.0 Conclusion

Strategic Environmental Assessment

6.1 On the basis of the SEA Screening Assessment set out in Table 2 above, it is concluded that the Neighbourhood Development Plan will not have significant 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 SEA Report.

Habitats Regulations Assessment

6.2 The screening assessment concludes that no likely significant effects are likely to occur with regards to the integrity of the European Protected sites within and around South Derbyshire District, due to the implementation of the Neighbourhood Development Plan. As such, this will not require the preparation of a stage 2 Habitat Regulations Assessment (Appropriate Assessment).