

The Etwall Neighbourhood Development Plan
Strategic Environmental Assessment and
Habitat Regulations Assessment Screening Determination

January 2026

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1.0 Introduction

1.1. A Neighbourhood Development 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 Development Plan needs to be compatible with.

1.2. A Strategic Environmental Assessment (SEA) is required for all Neighbourhood Development Plans which may result in likely significant environmental effects. Any Neighbourhood Development 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 Development 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 Etwall Neighbourhood Development Plan

2.1. The Etwall Neighbourhood Development Plan (ENDP) has been produced by the Etwall Neighbourhood Plan Working Group on behalf of Etwall Parish Council, with assistance from a planning consultant.

2.2. The Etwall Neighbourhood Development Plan has a clear community vision which sets out what the area will encompass:

“Etwall should retain its village character and maintain a sense of separation from neighbouring built up areas.

Landscaping and design will minimise the impact of the East Midlands Intermodal Park (aka Freeport) on the village.

The infrastructure and facilities of the Parish should meet the needs of its residents now and in the future.

Etwall should provide a safe and healthy environment that fosters a strong community spirit.

Development should conserve key views both within Etwall village and across the Parish.

The flora and fauna of the Parish should be protected and enhanced.

New houses will be of a type and tenure that meet local needs.”

2.3. The Neighbourhood Development Plan also includes 12 Community Objectives set out under the following themes:

Community Objective 1: To ensure development is well designed so that it relates positively in form and function and enhances the character of the village.

Community Objective 2: To ensure that future development is located so that the sense of separation is retained between Etwall village and neighbouring settlements.

Community Objective 3: To ensure that any additional development that will increase vehicle movements demonstrates how the increased traffic flows will be accommodated without causing severe congestion. To make Main Street more pedestrian and cycling friendly.

Community Objective 4: To ensure that future housing growth is of a size and type that meets local housing requirements, to enable residents to continue living in Etwall if they want to.

Community Objective 5: To protect and where possible enhance the existing community facilities ensuring that they meet local needs.

Community Objective 6: To protect and extend/improve walking and cycling routes within the village and out to the surrounding villages and to make walking and cycling a more attractive option.

Community Objective 7: To protect and where possible enhance the biodiversity of the Parish.

Community Objective 8: To protect and improve public green spaces ensuring residents have direct, safe access to them.

Community Objective 9: To minimise the risk of flooding, ensuring additional development does not exacerbate existing flood risk.

Community Objective 10: To ensure that heritage assets including those buildings of local historic interest, are protected.

Community Objective 11: To ensure the design and layout of the EMIP (Freeport) minimises its impact on the landscape and character of the Parish.

Community Objective 12: To support the development of a sustainable business community whilst retaining the character of the Parish.

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

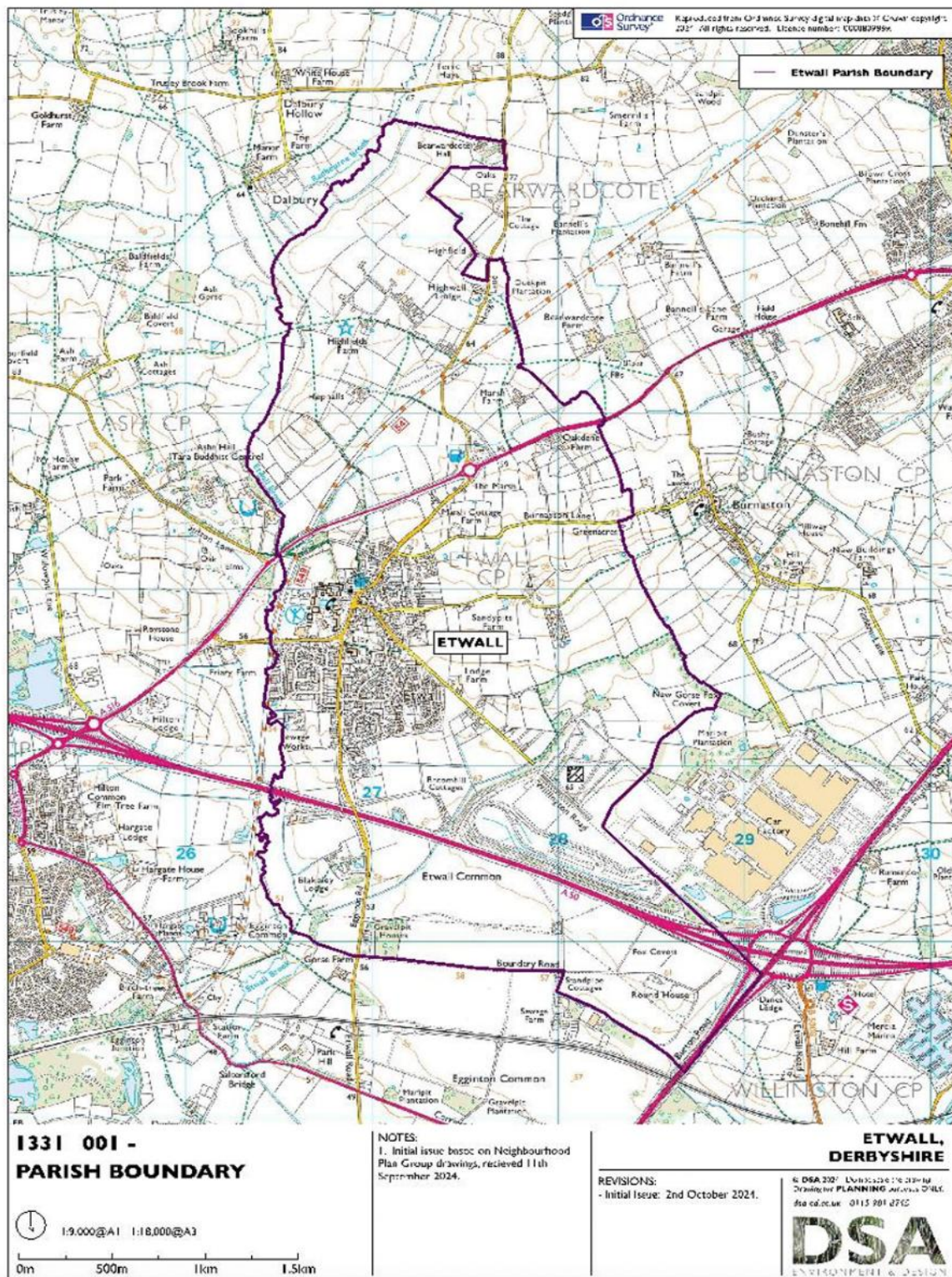
2.5. The ENDP does not allocate sites for development. However, it does enumerate the policy requirements to be considered for future development, such as those contained in Policy 10a Housing Mix and Type. It also refers to the Review process of the South Derbyshire Local Plan Part 1 and Local Plan Part 2, and references Policy H1 from the adopted Local Plan Part 1, which allows for up to 25 dwellings either within the Settlement Boundary or adjoining it. The ENDP makes reference to the update to Policy H1 which amends the policy in terms of the cross-subsidy element. As the ENDP relates, the Plan will be reviewed in 5 years, and may need to be amended accordingly, in order to reflect the up-to-date Local Plan approach.

2.6. The ENDP 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 Etwal Parish Neighbourhood Development Plan Designated Area

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

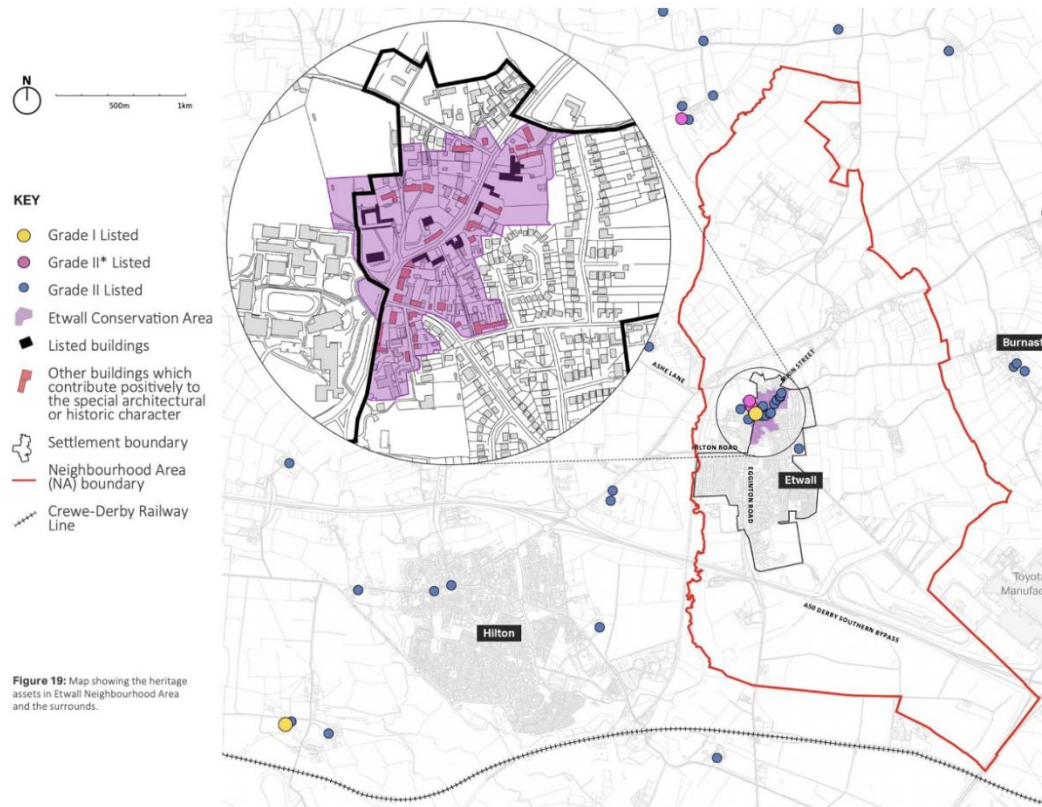
Map 1: Etwal Parish Neighbourhood Development Plan Designated Area



3.2. Etwall Parish lies within South Derbyshire District. Etwall is to the southwest of Derby, and is located northwest of Willington and south of Hilton.

3.3. Etwall Parish contains 1 Grade I listed building and several Grade II listed buildings. It also contains the Etwall Conservation Area.

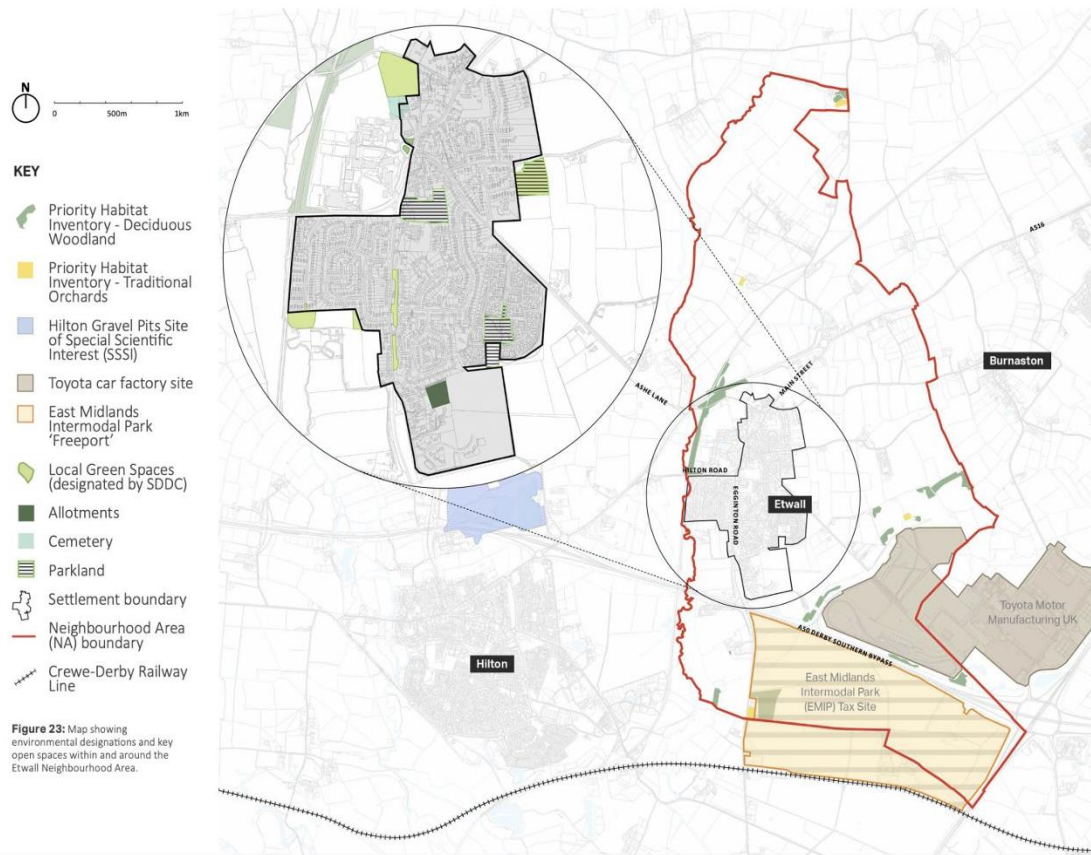
Map 2: Etwall Parish – Historic Features



3.4. The Parish is does not contain Green Belt land.

3.5. The Parish does not contain an above average concentration of environmental features. However, there are small tracks of deciduous woodland, and the settlement boundary contains and is adjacent to numerous existing and proposed Local Green Spaces. There are numerous Tree Preservation Orders within the settlement boundary and District Council Nature sites. The Parish is just to the east of the Hilton Gravel Pits Site of Special Scientific Interest (SSSI).

Map 3 - Natural Environment Features - (Environmental Designations)



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 ENDP is permitted under The Town and Country Planning Act 1990 as amended by the Localism Act.</p> <p>The ENDP has been prepared by Etwall 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 Development Plans is subject to the following regulations: The Neighbourhood Development Planning (General) Regulations 2012 and The Neighbourhood Development 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 Development 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 ENDP 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>

Assessment Question	Commentary	Conclusion
<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 ENDP 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 Development 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 ENDP 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>N/A</p>	<p>N/A</p>

Assessment Question	Commentary	Conclusion
<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>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 ENDP does not propose to allocate specific sites for future development. The ENDP 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 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>	<p>No.</p> <p>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 Etwall Neighbourhood Development Plan (ENDP)

Criteria (from Annex II of SEA Directive and Schedule I of Regulations)	Assessment	Likely Significant Environmental Effect?
<p>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>	<p>Once made, the Etwall Neighbourhood Development 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>	<p>No</p>
<p>The degree to which the plan or programme influences other plans or programmes including those in a hierarchy</p>	<p>The influence of the ENDP on other plans and/or programmes is limited.</p> <p>The ENDP 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>	<p>No</p>
<p>The relevance of the plan or programme for the integration of environmental considerations, in particular with a view to promoting sustainable development.</p>	<p>The ENDP has a focus on sustainable development, which conserves and enhances the natural environment and the policies throughout the Neighbourhood Development Plan are designed to help achieve this.</p> <p>The plan does not allocate any land for development.</p>	<p>No</p>

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 ENDP 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 ENDP 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

<p>The risks to human health or the environment (e.g. due to accidents)</p>	<p>There is limited risk to human health or the environment due to the ENDP. 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.</p>	<p>No</p>
<p>The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)</p>	<p>The ENDP covers only the Etwall Parish area and therefore it is likely that any effects will be primarily limited to the Parish.</p>	<p>No</p>
<p>The value and vulnerability of the area likely to be affected due to:</p> <ul style="list-style-type: none"> • 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 recognised National, Community or International protection status. 	<p>The ENDP extent includes some areas that are environmentally or culturally sensitive e.g. Local Wildlife Sites and Conservation Areas.</p> <p>The ENDP recognises and supports these designations and has taken them into account in drafting policies. They are also considered by the adopted Local Plans Part 1 and Part 2 which the ENDP is in broad conformity with.</p> <p>The ENDP is unlikely to adversely affect the value or vulnerability of these designated areas</p>	<p>No</p>

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 Etwell Neighbourhood Development Plan (ENDP) 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 – 18.2km from designated area)
- West Midlands Mosses (27.0km from designated area)
- Cannock Chase (30.0km from designated area)

- Bees Nests and Green Clay Pits (27.0km from designated area)
- Gang Mine (26.8km from designated area)
- Peak District Dales (28.8km from designated area)

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

	Threat													
Site	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 us	Fertilizer use	Fly-tipping	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)

5.8 In reviewing the likely effects of the Neighbourhood Development Plan on designated sites significant effects were discounted on all. The Etwall Neighbourhood Development Plan applies to an area of the District more 18km from the River Mease and 11km 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 In respect of the remaining sites all are over 20km from the designated plan area as the crow flies and considerably further on the ground. Moreover the lack of housing development allocated within the Plan within the settlement of Etwall 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 the will not require the preparation of a stage 2 Habitat Regulations Assessment (Appropriate Assessment).