



Derby City Local Plan

Habitats Regulations Assessment

Derby City Council

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Basis of Report

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Executive Summary

This report presents the Habitats Regulations Assessment (HRA) of the Derby City Local Plan in relation to listed and proposed European and Ramsar sites, and any sites required to compensate for adverse effects on such sites. There are no proposed European or Ramsar sites and no compensation sites within the area which could be affected by the Local Plan. The HRA considers the following European and Ramsar sites:

- River Mease SAC;
- Gang Mine SAC;
- Peak District Dales SAC;
- Bee's Nest and Green Clay Pits SAC;
- South Pennine Moors SAC; and
- Peak District Moors (South Pennine Moors Phase 1) SPA.

The HRA was undertaken between October and November 2025 to determine whether Likely Significant Effects (LSEs) on relevant European and Ramsar sites and their qualifying features can be excluded.

The HRA identified no potential impact pathways from the policies when considered alone or in-combination, which could lead to LSEs on one or more of the European and Ramsar sites.

The HRA identified no potential impact pathways from the site allocation options, when considered alone or combination. The site allocations plans do not have the potential to lead to LSEs on the European sites.

Therefore, the next stage of the HRA, Stage 2: Appropriate Assessment, is not required.



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Acronyms and Abbreviations

AA	Appropriate Assessment
BNG	Biodiversity Net Gain
DCLP	Derby City Local Plan
DLHHV	Designed Landscapes of High Historic Value
EEC	European Economic Community
HRA	Habitats Regulations Assessment
INNS	Invasive Non-Native Species
IROPI	Imperative Reasons of Overriding Public Interest
LNRS	Local Nature Recovery Strategy
LSE	Likely Significant Effect
SA	Sustainability Appraisal
SAC	Special Area of Conservation
SEA	Strategic Environmental Assessment
SPA	Special Protection Area
SLR	SLR Consulting Limited
Zol	Zone of Influence



1.0 Introduction

1.1 Background

SLR Consulting Limited (SLR) have been commissioned by Derby City Council to prepare a Habitats Regulations Assessment (HRA) report in support of the Derby City Local Plan (DCLP). This report presents the Derby City Local Plan HRA Stage 1 Screening findings.

1.2 Derby City Local Plan

The new DCLP is the key document that sets out a strategy for future development in South Derbyshire up to 2043. The new DCLP will set out the key locations for development within Derby City, seeking to protect the natural and historic environment, as well as open space. As well as how planning decisions are made and managed, the Plan comprises written policies and supporting information to be read alongside a map.

Once formally adopted, the DCLP will supersede the old local plan adopted in 2017. This was the Derby City Local Plan - Part 1 Core Strategy, January 2017. Although the old local plan sets out Derby's growth strategy through to 2028, it was felt that a partial update would be insufficient. This is because it is essential to work with neighbouring councils to consider the surrounding area, the government has made significant changes to national policy and the method for calculating housing needs, and some of the previous plan's policies date back to 2006.

The draft DCLP (dated November 2025) is the Regulation 18 consultation document draft version and was subject to HRA Screening between October and November 2025. This contains proposed policies and site allocation options, and the findings are presented within this report.

1.3 Habitats Regulations Assessment

The requirement for an Appropriate Assessment (AA) is set out within Article 6 of the Habitats Directive 92/43/ European Economic Community (EEC) of 21 May 1992 (as amended) on the conservation of natural habitats and of wild fauna and flora, which was most recently transposed into British law by the Conservation of Habitats & Species Regulations 2017 (as amended), also known as the 'Habitats Regulations'.

The Habitats Regulations afford protection to European sites (Special Protection Areas (SPAs) and Special Areas of Conservation (SACs)) and their interest or qualifying features, with Part 6 setting out the requirements for screening assessments, the circumstances under which an AA is required and the further implementation of Article 6(3) and 6(4) of the Habitats Directive.

The UK left the European Union (Brexit) on Exit Day, 31st January 2020, followed by Completion Day on 31st December 2020. The EU Exit Regulations (2019) establish any EU Exit-related changes to the Habitats Regulations (2017), with these considered to have no material implications on the requirement or process for a HRA of a plan. After Brexit, UK sites designated under the Habitats Regulations became part of the National Site Network (as defined in the interpretation sections of the Habitat Regulations (2017)), with a focus on maintaining ecological coherence throughout the UK.

In addition to the Habitats Regulations, UK Government policy (Office of the Deputy Prime Minister Circular 06/2005) states that internationally important wetlands designated under the Convention on Wetlands 1971, called the Ramsar Convention (Ramsar sites) are afforded the same protection as SPAs and SACs for the purpose of considering development proposals that may affect them.



The Government also affords the same level of policy protection to potential SPAs, possible SACs and proposed Ramsar sites and to sites identified, or required, as compensatory measures for adverse effects on any of the above sites, through planning policy such as the National Planning Policy Framework (NPPF)¹.

The purpose of the HRA is to determine whether the plan, in this case the DCLP, is compliant with the Habitats Regulations. HRA findings feed into the parallel Sustainability Appraisal (SA) which incorporates Strategic Environmental Assessment (SEA), an integral part of the plan preparation process.

¹ Department for Levelling Up, Housing & Communities (2024) National Planning Policy Framework. Available at: https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf [Accessed: 27/8/25].



2.0 Methodology

2.1 Relevant Legislation, Policy, Case Law and Guidance

Legislation, policies, case law and guidance relevant to the plan-level HRA of the new DCLP are provided in further detail in Appendix BB, including references. A summary is outlined below:

Legislation

- The Habitats Regulations; and
- The Environment Act (2021).

Policy

- National Planning Policy Framework (2024).

Case Law

- C-323/17 People Over Wind;
- C-164/17 Grace and Sweetman;
- C-293/17 and C-294/17 Dutch Nitrogen cases;
- C-461/17 Holohan v An Bord Pleanála; and
- EWHC 351 Wealden District Council v Secretary of State for Communities and Local Government & Ors 2017 (Admin).

Guidance

- Managing Natura 2000 Sites – the Provisions of Article 6 of the ‘Habitats’ Directive 92/43/EEC (2018);
- Government guidance – Appropriate assessment: Guidance on the use of Habitats Regulations Assessment (2019);
- European Commission guidance – Assessment of plans and projects in relation to Natura 2000 sites – Methodological Guidance on the Provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC (2021);
- Assessment of plans and projects in relation to Natura 2000 sites (2022);
- Government guidance – Habitats regulations assessments: Protecting a European site (2023);
- Government guidance – Nationally Significant Infrastructure Projects: Advice on Habitats Regulations Assessments (2024); and
- The Habitats Regulations Assessments Handbook (2024).

2.2 The HRA Process

The methodology used in this report is based on and in accordance with the UK Government² guidance (Appendix B.4.3). The new DCLP is a plan, rather than a project, and the HRA shall follow the four stages outlined below. The stages may not all need completing, depending on decisions at each stage.

² Organisations involved in producing this UK government guidance include the Department for Environment, Food & Rural Affairs, Natural England, Welsh Government, and Natural Resources Wales.



- **Stage 1: Screening** – the process that determines whether the Plan is directly connected with or necessary for the conservation management of a European or Ramsar site and, if not, whether all Likely Significant Effects (LSEs) upon European and Ramsar sites of the Plan, either alone or in-combination with other projects or plans, can be objectively excluded (without considering mitigation) and therefore whether Stage 2 is required;
- **Stage 2: AA** – the consideration of effects on the integrity of the European or Ramsar sites of the Plan, either alone or in-combination with other projects or plans, in respect of the listed or proposed European or Ramsar sites' structure and function and its conservation objectives. Additionally, where adverse effects on site integrity are identified, an assessment of the potential mitigation of those effects is undertaken. The assessment of the effect on integrity of the site is undertaken including the effect of such mitigation;
- **Stage 3: Assessment of Alternative Solutions** – the process which examines alternative ways of achieving the objectives of the project or plan that might avoid or reduce the adverse effects on the integrity of the European or Ramsar sites; and
- **Stage 4: Imperative Reasons of Overriding Public Interest (IROPI) and Compensatory Measures** – the assessment where no alternative solutions exist and where adverse effects on the integrity of the European or Ramsar sites remain, IROPI has been identified. If it is deemed that the project or plan should be allowed to proceed, compensatory measures are identified, secured and their effectiveness ascertained.

2.2.1 Stage 1: Screening

Stage 1: Screening will follow the European Commission guidance (B.4.3), and the four steps outlined below.

Step 1: Ascertain whether the Plan is directly connected with, or necessary to, the management of a listed or proposed European or Ramsar site – to determine if it contributes to achieving the site's conservation objectives.

Step 2: Description of the Plan and its impact factors – appropriate details about the activities carried out within the Plan will be considered and key parameters of the Plan will be identified, such as:

- size (e.g. in relation to direct land-take);
- overall affected area including the area affected by indirect impacts (e.g. noise, turbidity, vibrations);
- physical changes in the environment (e.g. modification of riverbeds or morphology of other water bodies, changes in the density of forest cover);
- changes in the intensity of an existing pressure (e.g. increase in noise, pollution or traffic);
- resource requirements (e.g. water abstraction, mineral extraction);
- emissions (e.g. nitrogen deposition) and waste (and whether they are disposed of on land, water or in the air);
- transportation requirements (e.g. access roads);
- duration of construction, operation, decommissioning, etc.;
- temporal aspects (timing of the different stages of a plan or project);



- distance from listed or proposed European and Ramsar sites and in particular from their designating features; and
- cumulative impacts with other projects and plans.

Step 3: Identify which listed or proposed European and Ramsar sites may be affected by the Plan – all aspects of the Plan that could have potential effects on the sites through potential impact pathways will be considered. This will take account of the sites, their qualifying features and their Conservation Objectives (COs).

Step 4: Assess whether LSEs can be ruled out in view of the site's COs – the potential impacts identified will be assessed in terms of their likelihood and significance. Policies and sites will be screened out where there is no pathway for impact, or a pathway is so weak that there is no possibility for significant effects, either alone or in-combination.

Screening of the DCLP policies will use the following criteria from the Habitats Regulations Assessments Handbook (B.4.6).

Table 2-1: Screening Criteria

Screening Category	Description	Screening Outcome
A	General statement of policy/general aspiration	Screen out
B	Policy listing general criteria for testing the acceptability/sustainability of proposals	Screen out
C	Proposal referred to but not proposed by the plan	Screen out
D	General plan-wide environmental protection/ site safeguarding/ threshold policies	Screen out
E	Policies or proposals which steer change in such a way as to protect listed or proposed European and Ramsar sites from adverse effects	Screen out
F	Policy that cannot lead to development or other change	Screen out
G	Policy or proposal that could not have any conceivable effect on a listed or proposed European or Ramsar site	Screen out
H	Policy or proposal the (actual or theoretical) effects of which cannot undermine the conservation objectives (either alone or in-combination with other aspects of this or other plans or projects)	Screen out
I	Policy or proposal which may have a likely significant effect on a listed or proposed European or Ramsar site alone	Screen in
J	Policy or proposal with an effect on a listed or proposed European or Ramsar site but unlikely to be significant alone, so need to check for likely significant effects in-combination	Dependent on in-combination test
K	Policy or proposal unlikely to have a significant effect either alone or in-combination	Screen out after the in-combination test



Screening Category	Description	Screening Outcome
L	Policy or proposal which might be likely to have significant effect in-combination	Screen in after the in-combination test
M	Bespoke area, site or case-specific policies or proposals intended to avoid or reduce harmful effects on an international nature conservation site	Screen in

There are no COs for Ramsar sites, instead those for overlapping SACs and SPAs will be considered (in particular, where the qualifying features are the same). In the absence of any proxy COs, it will be assumed that the objective is to ensure the habitat types or habitats of species habitats of species significantly present on the site do not deteriorate below the current level (at the time of the assessment) and that the species are not significantly disturbed.

The in-combination assessment will consider the cumulative impacts of all the policies within the Plan as well as with other plans and projects. The plans considered for in-combination effects initially include the neighbouring authorities' local plans, as listed below, which also cover the extent of potential impacts that may arise from the DCLP policies:

- South Derbyshire Local Plan PART 1 Adopted 13 06 2016³
- South Derbyshire Local Plan PART 2 Adopted 02 11 2017⁴
- Amber Valley Borough Local Plan 2022-2040 Pre-Submission February 2024⁵
- Erewash Core Strategy Adopted March 2014⁶

The projects considered for cumulative effects are listed below:

- East Midlands Freeport⁷.

³ South Derbyshire Local Plan PART 1 Adopted 13 06 2016 Available at: [Local Plan Part 1 Full Version.pdf](#) [Accessed 27/10/2025]

⁴ South Derbyshire Local Plan PART 2 Adopted 02 11 2017 Available at: [Local Plan Part 2 - reduced file.pdf](#) [Accessed 27/10/2025]

⁵ Amber Valley Borough Local Plan 2022-2040 Pre-Submission February 2024 Available at: [Pre-Submission Local Plan 2022-2040](#) [Accessed 27/10/2025]

⁶ Erewash Core Strategy Adopted March 2014 [3 THE DELIVERY STRATEGY](#) [Accessed 27/10/2025]

⁷ [East Midlands Airport and Gateway Industrial Cluster \(EMAGIC\) | East Midlands Freeport \(emfreeport.com\)](#)



3.0 Stage 1: Screening

3.1 Step 1

The DCLP is not directly connected with or necessary to the management of any listed or proposed European and Ramsar sites (Appendix A – Figure 1); therefore, the Stage 1: Screening must be undertaken following Steps 2 to 4 (Appendix B.4.3).

3.2 Step 2

The DCLP sets out the spatial strategy for development across Derby City, indicating where different types of development should be located within this borough. The DCLP Vision is that “Derby will be an attractive, thriving, healthy, lively city of growth, opportunity and innovation for all”, over the plan period a high-quality selection of different types, sizes and tenures of homes will be developed. New schools will be provided and existed ones expanded to serve the new housing. The historic environment, natural environment, biodiversity and open spaces will be protected and improved, extending the green network beyond the City’s boundaries. The DCLP vision is that Derby will be the home of Great British Railways, further encouraging innovation and employment.

There is potential for the DCLP to lead to expansion of the urban area for housing and employment, which could result in impacts within Derby City as well as outside of this area. Potential impacts that are to be considered as part of the screening are listed in **Table 3-1** as these may lead to adverse effects on the integrity of listed or proposed European and Ramsar sites and their qualifying features. The nearest European site is located 15km from the DCLP area (Appendix A - Figure 1 and C-1)

Table 3-1: Potential Impacts

Potential Impacts	Description
Habitat loss	A direct loss of habitat within the boundaries of a listed or proposed European or Ramsar site itself. This would also include the loss of Functionally Linked Land (FLL), which affects the abilities of the listed or proposed European or Ramsar sites’ qualifying species to utilise the habitat and move between it.
Habitat isolation	Development or activities resulting in a separation of existing habitats.
Physical damage or degradation of habitats	Direct damage to sites such as through fire, vandalism, littering, trampling, grazing and erosion by people using the listed or proposed European and Ramsar sites recreationally.
Increased disturbance	Impacts on sight or sound that result in a change in behaviour of species from usual routines. Can occur from sources such as traffic, construction, or recreation.
Reduced mobility or migration of species	Habitat loss and increased disturbance could reduce the ability for mobile and migratory species to travel.
Spread of Invasive Non-Native Species (INNS) or undesirable species	Introduction or spread of species which can result in negative impacts to native species / habitats through direct competition or spread of disease. This can lead to simplification of and / or loss of qualifying species within listed or proposed European and Ramsar sites.
Hydrological changes	Impacts to water levels or flows through direct or indirect impacts can negatively affect habitats and species through a reduction or increase in availability of water. Can occur from drainage changes or abstraction.



Potential Impacts	Description
Turbidity and siltation	Introduction of particulate matter into watercourses can reduce the ability of plants or animals to access light or create a reduction in water levels. Can occur from surface run-off from impermeable surfaces or exposed land during construction.
Pollution (aerial or waterborne)	Activities which introduce harmful compounds into natural environments, such as ammonia from fertiliser or sulphurous oxides from vehicle emissions. This also includes nitrate or phosphate pollution to watercourses, which may result from diffuse pollution or discharges from wastewater treatment works. These can negatively impact qualifying habitats and species of listed or proposed European and Ramsar sites.

3.3 Step 3

The potential impacts listed above have potential to impact on the following sites identified with potential impact pathways due to the impacts listed in Table 3-1. These were initially derived from a 20 km buffer, including the following sites:

- River Mease SAC;
- Gang Mine SAC
- Peak District Dales SAC
- Bee's Nest and Green Clay Pits SAC

This was extended following a review of the policies to include South Pennine Moors SAC and Peak District Moors (South Pennine Moors Phase 1) SPA, 25 km north.

None of these sites fall within the two river catchments within which Derby City falls; these include the Derwent Lower and the Trent River Operational Catchments (Appendix A – Figure 1). Full details on these listed European and Ramsar sites are provided in C, including their Conservation Objectives.

The River Mease SAC is located to the south of Derby, within the Tame, Anker and Mease catchment⁸, due to the distance between the River Mease SAC and Derby city, and the fact that the Mease catchment does not encompass the Derby City region or its policy areas and is therefore not linked hydrologically, it is anticipated that there will be no LSE on the European Site as a result of new developments within Derby.

3.3.1 Zones of Influence

Regarding the determination of a Zone of Influence (ZOI) for LSE, particularly in relation to visitor and recreational activity pathways on European Sites, a review of proximal HRAs to the South Pennine Moors SAC and Peak District Moors (South Pennine Moors Phase 1) SPA was undertaken to determine previous project buffers that have been implemented.

Visitor surveys undertaken by Bradford City Council in 2013 and 2019 determined that the vast majority of visitors (81%) to the South Pennine Moors were travelled less than 7km.

Following the surveys undertaken by the Bradford Core Strategy HRA, Calderdale Council implemented a precautionary 15km buffer when considering recreational pressure on Natura 2000 sites.

Within the HRA 'Places for Everyone' which encompasses Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan reference an 8 km ZOI for



recreation, on the basis that 68% of European Site use is by dog walkers travelling less than 8 km.

3.3.2 Functionally Linked Land (FLL)

When considering FLL, the documented core ranges and maximum foraging distances of qualifying species will be used to determine the presence of a pathway and potential LSE following the NatureScot guidance⁹. Of the European / International sites, the Peak District Moors (South Pennine Moors Phase 1) SPA includes merlin *Falco columbarius*, golden plover *Pluvialis apricaria*, and short-eared owl *Asio flammeus*, as designated species during the breeding season. Golden plover holds the largest maximum range of these species during the breeding season, of 11 km, with merlin and short-eared owl 5 km. This site represents the only European or Ramsar site with qualifying species of interest to which impact pathways may be derived if FLL is identified.

3.4 Step 4

3.4.1 Screening of Policies

Chapter 1 of the DCLP is screened out as this contains administrative text to introduce the Plan. Chapter 2 is also screened out as this refers to the overall vision and strategic priorities of the Plan, setting out the general aspiration, with subsequent policies providing specific details for assessment.

The potential effects on these European and Ramsar sites as a result of the DCLP policies are outlined in Table 3-2. The screening categories used within this table follow the descriptions and criteria outlined in Table 2-1. Green indicates that the policy can be screened out, with orange indicating that the policy must be screened in and taken forward for further assessment of the effects on site integrity will be undertaken. Following the screening assessment, none of the policies presented in Table 32 have been screened in. Further details and justification where required are provided for each individual policy. -

⁹ [Assessing connectivity with special protection areas \[Accessed 11/11/2025\]](#)



Table 3-2: HRA Pre-Screening of DCLP Policies

Policy	Policy Summary	Assessment of LSE alone	In-combination assessment	1. Pre-screening category and outcome
General Development Principles				
Policy GD1: Placemaking Principles	Outlines the need for developments to contribute to improving the City's residents' lives. Providing well considered architectural and urban design which raises the standard of the City.	The policy outlines the general need for proposals to improve the City's residents' lives. The policy could not lead to any LSEs as there are no impact pathways.	N/A – no pathways identified.	A – General statement of policy/general aspiration Screen out: LSEs can be objectively excluded for this policy alone and in-combination
Policy GD2: Character and Context	States the need for new developments to make positive contributions towards the character and identity of the city, and the actions the council will take to ensure this.	The policy outlines general criteria for new developments. The policy could not lead to any LSEs as there are no impact pathways.	N/A – no pathways identified.	A – General statement of policy/general aspiration Screen out: LSEs can be objectively excluded for this policy alone and in-combination
Policy GD3: Amenity	This policy lists factors which can impact amenities and need to be considered, mitigated and managed by developers as to avoid harm.	The policy outlines general criteria for proposals to consider which could negatively impact amenities. The policy could not lead to any LSEs as there are no impact pathways.	N/A – no pathways identified.	A – General statement of policy/general aspiration B – Policy listing general criteria for testing the acceptability/sustainability of proposals Screen out: LSEs can be objectively excluded for this policy alone and in-combination
Policy GD4: Accessible Places	This policy sets out the objective to design and manage buildings, streets and spaces in a way which improves accessibility for everyone.	The policy outlines general objectives for design to improve accessibility for everyone, rather than proposing activities with potential for LSEs on European or Ramsar sites.	N/A – no pathways identified.	A – General statement of policy/general aspiration B – Policy listing general criteria for testing the acceptability/sustainability of proposals Screen out: LSEs can be objectively excluded for this policy alone and in-combination



Policy	Policy Summary	Assessment of LSE alone	In-combination assessment	1. Pre-screening category and outcome
Policy GD5: Resilient Places and Community Safety	This policy regards designing buildings to enhance community safety, crime prevention, street activity and where relevant reduce risk of terrorist attacks.	The policy outlines general criteria for the enhancement of safety where possible, rather than proposing activities with potential for LSEs on European or Ramsar sites.	N/A – no pathways identified.	<p>A – General statement of policy/general aspiration</p> <p>B – Policy listing general criteria for testing the acceptability/sustainability of proposals</p> <p>Screen out: LSEs can be objectively excluded for this policy alone and in-combination</p>
Policy GD6: Health and Wellbeing	This policy outlines measures for developments to reduce health and wellbeing inequalities. As well as outlining the need to promote, support and enhance physical and mental health and wellbeing.	The policy outlines general criteria for developments to reduce health and wellbeing inequalities. Providing opportunities for recreation within developments, reducing the impacts of recreation on European and Ramsar sites.	N/A – no pathways identified.	<p>B – Policy listing general criteria for testing the acceptability/sustainability of proposals</p> <p>Screen out: LSEs can be objectively excluded for this policy alone and in-combination</p>
Policy GD7: Comprehensive and Coordinated Development	Outlines the need of certain sites to be guided by a masterplan or framework, as to avoid impeding development options for the wider area.	The policy outlines the general need for certain sites to be guided by a masterplan or framework. The policy could not lead to any LSEs as there are no impact pathways.	N/A – no pathways identified.	<p>A – General statement of policy/general aspiration</p> <p>B – Policy listing general criteria for testing the acceptability/sustainability of proposals</p> <p>Screen out: LSEs can be objectively excluded for this policy alone and in-combination</p>
Policy GD8: Enforcement	Outlines the councils right to investigate and intervene with reported breeches of planning control.	The policy outlines rights of the Council regarding breeches of planning control. The policy could not lead to any LSEs as there are no impact pathways.	N/A – no pathways identified.	<p>A – General statement of policy/general aspiration</p> <p>G – Policy or proposal that could not have any conceivable effect on a listed or proposed European or Ramsar site</p> <p>Screen out: LSEs can be objectively excluded for this policy alone and in-combination</p>



Policy	Policy Summary	Assessment of LSE alone	In-combination assessment	1. Pre-screening category and outcome
Policy GD9: Infrastructure and Developer Contributions	Outlines the need for major new developments to provide a comprehensive and coordinated approach to phasing and infrastructure. Developments need to provide necessary infrastructure to mitigate its impact, such as education facilities and waste infrastructure.	The policy outlines general criteria for major developments to provide infrastructure to mitigate their impact, rather than proposing activities with potential for LSEs on European or Ramsar sites.	N/A – no pathways identified.	<p>A – General statement of policy/general aspiration</p> <p>B – Policy listing general criteria for testing the acceptability/sustainability of proposals</p> <p>Screen out: LSEs can be objectively excluded for this policy alone and in-combination</p>
Housing				
Policy H1: Housing Delivery	<p>Outlines the aim to meet Derby's new housing needs through during the Plan period, by providing housing to meet needs such as affordable homes, across a range of sizes, meeting a range of specialist needs.</p> <p>Lists the actions the Council will take to enable this, such as facilitating the delivery of 12,500 new homes and requiring developments to provide effective use of land.</p>	The provision of new homes could lead to an increase in the population of Derby City though no pathways for potential LSEs on European or Ramsar sites are considered likely due to the distance (greater than 20km) from the policy area, which is therefore beyond the 15km ZOI for recreational impacts. Furthermore, there is a lack of ecological and hydrological links given that the Derby City catchment is not within the Tame, Anker and Mease catchment (and therefore not hydrologically linked to the River Mease SAC), or the Derwent Upper catchment, within which the remaining European sites are located. No land identified as FLL is present within proposed development areas, given these are approximately 20km and further from the European sites, and beyond the maximum foraging range for SPA cited species. Therefore, this policy has been screened out.	N/A – no pathways identified.	<p>K - Policy or proposal unlikely to have a significant effect either alone or in-combination</p> <p>Screen out LSEs can be objectively excluded for this policy alone and in-combination</p>
Policy H2: Residential Development – General Criteria	Lists objectives to be met by residential developments to be granted planning permission, such as a minimum density of 35 dwellings per hectare on all developments, unless for clear environmental reasons, this density increases to 80 dwelling per hectare in the city centre. And a layout that creates an interesting townscape and urban form can be achieved.	The policy outlines general criteria for the density of houses in Derby City, rather than proposing activities with potential for LSEs on European or Ramsar sites.	N/A – no pathways identified.	<p>B – Policy listing general criteria for testing the acceptability/sustainability of proposals</p> <p>Screen out: LSEs can be objectively excluded for this policy alone and in-combination</p>
Policy H3: House Extensions	Sets out requirements which need to be met for an extension to a residential property to be granted permission.	The policy outlines general criteria for the residential extensions, rather than proposing activities with potential for LSEs on European or Ramsar sites.	N/A – no pathways identified.	<p>B – Policy listing general criteria for testing the acceptability/sustainability of proposals</p> <p>Screen out: LSEs can be objectively excluded for this policy alone and in-combination</p>



Policy	Policy Summary	Assessment of LSE alone	In-combination assessment	1. Pre-screening category and outcome
Policy H4: Affordable Housing	Sets out the minimum percentage of affordable housing to be provided when building new developments in various areas. As well as exceptions, and alternative solutions.	The provision of new affordable homes are not considered to lead to potential LSEs on European or Ramsar sites due to the distances (greater than 20km) from these, and the lack of ecological and hydrological links.	N/A – no pathways identified.	G - Policy or proposal that could not have any conceivable effect on a listed or proposed European or Ramsar site Screen out LSEs can be objectively excluded for this policy alone and in-combination
Policy H5: Looked After Children and Vulnerable People	Outlines requirements to be met for the council to support a change of use of residential dwellings for the care of small groups of looked after children, disabled or vulnerable people.	The policy outlines general criteria for the change of use of residential dwellings for looked after children and vulnerable people rather than proposing activities with potential for LSEs on European or Ramsar sites.	N/A – no pathways identified.	B – Policy listing general criteria for testing the acceptability/sustainability of proposals Screen out: LSEs can be objectively excluded for this policy alone and in-combination
Policy H6: Accommodation for Older People and People with Disabilities	Outlines the need for a diverse range of housing meeting the needs of all members of society (old, frail, mobility impaired and disabled). Voicing support of Care Homes and Extra Care Schemes in appropriate, sustainable locations.	The policy outlines a general need for diverse housing such as Care Homes and Extra Care Schemes rather than proposing specific activities with potential for LSEs on European or Ramsar sites.	N/A – no pathways identified.	B – Policy listing general criteria for testing the acceptability/sustainability of proposals Screen out: LSEs can be objectively excluded for this policy alone and in-combination
Policy H7: Proposals Which Would Create a New House in Multiple Occupation	Outlines the criteria new HMO's need to meet to be permitted by the council. And the need of these properties to not cause unacceptable harm to the local environment, including character and amenity of the area.	The policy outlines general criteria for the HMO's to meet rather than proposing activities with potential for LSEs on European or Ramsar sites.	N/A – no pathways identified.	B – Policy listing general criteria for testing the acceptability/sustainability of proposals Screen out: LSEs can be objectively excluded for this policy alone and in-combination
Policy H8: Student Accommodation	Outlines the need for new purpose-built student in a sustainable location, with access to services, shopping facilities, and good connections to campus. As well as including communal facilities.	The provision of new student accommodation is not considered to lead to pathways for potential for LSEs on European or Ramsar sites due to the distances (greater than 20km) from these, and the lack of ecological and hydrological links.	N/A – no pathways identified.	K - Policy or proposal unlikely to have a significant effect either alone or in-combination Screen out LSEs can be objectively excluded for this policy alone and in-combination
Policy H9: Self-Build, Custom Build and Community Build Homes	Outlines the need for these houses to meet policy H2 criteria and be in locations appropriate for such developments.	The policy outlines the need for self-build, custom build and community build homes to meet general criteria set out in H2, above. rather than proposing activities with potential for LSEs on European or Ramsar sites.	N/A – no pathways identified.	B – Policy listing general criteria for testing the acceptability/sustainability of proposals Screen out: LSEs can be objectively excluded for this policy alone and in-combination



Policy	Policy Summary	Assessment of LSE alone	In-combination assessment	1. Pre-screening category and outcome
Policy H10: Gypsies, Travellers and Travelling Showpeople	Outlines the need to provide additional sites to meet the needs of Gypsies and Travellers, the requirements for such sites when seeking planning permission. And the protection of lawful sites by the council.	The provision of new sites for Gypsies and Travellers could not lead to pathways for potential LSEs on European or Ramsar sites due to the distances (greater than 20km) from these, and the lack of ecological and hydrological links.	N/A – no pathways identified.	G - Policy or proposal that could not have any conceivable effect on a listed or proposed European or Ramsar site Screen out LSEs can be objectively excluded for this policy alone and in-combination
Economy				
Policy E1: New Employment Locations	Outlines the allocation of 130 hectares of new employment land, the majority of which is to be in four strategic locations. This also outlines the requirements for new business and industrial development to be considered in other areas.	The policy outlines the allocation of land for new employment developments, rather than proposing activities with potential for LSEs on European or Ramsar sites.	N/A – no pathways identified.	A – General statement of policy/general aspiration B – Policy listing general criteria for testing the acceptability/sustainability of proposals Screen out: LSEs can be objectively excluded for this policy alone and in-combination
Policy E2: Existing Employment Locations	Outlines the criteria to be met to justify the loss of employment land for alternative uses. And emphasises the importance of protecting employment areas fundamental to the local economy.	The policy outlines general criteria for the loss of employment land to be justified. The policy could not lead to any LSEs as there are no impact pathways.	N/A – no pathways identified.	B – Policy listing general criteria for testing the acceptability/sustainability of proposals Screen out: LSEs can be objectively excluded for this policy alone and in-combination
Policy E3: Local Labour Agreements	Encourages major developments to enter into a 'Local Labour Agreement'. And outlines details to include in an employment and training skills plan.	The policy outlines the need for certain developments to enter into a 'Local Labour Agreement'. The policy could not lead to any LSEs as there are no impact pathways.	N/A – no pathways identified.	B – Policy listing general criteria for testing the acceptability/sustainability of proposals F – Policy that cannot lead to development or other change Screen out: LSEs can be objectively excluded for this policy alone and in-combination
Policy E4: Office Development	Sets out requirements for office floorspace development outside of the preferred location for the development of new office floorspace which are the Central Activity Area (CAA) and District Centres.	The policy outlines general criteria for new office floorspace proposals. The policy could not lead to any LSEs as there are no impact pathways.	N/A – no pathways identified.	B – Policy listing general criteria for testing the acceptability/sustainability of proposals Screen out: LSEs can be objectively excluded for this policy alone and in-combination
Employment Site Allocations				



Policy	Policy Summary	Assessment of LSE alone	In-combination assessment	1. Pre-screening category and outcome
Policy E5: Land South of Wilmore Road (Infinity Park)	Outlines the allocation of the land for an advanced manufacturing and logistics business park, and the requirements for this development.	The policy outlines general criteria for a new business park, rather than proposing activities with potential for LSEs on European or Ramsar sites.	N/A – no pathways identified.	B – Policy listing general criteria for testing the acceptability/sustainability of proposals G – Policy or proposal that could not have any conceivable effect on a listed or proposed European or Ramsar site Screen out: LSEs can be objectively excluded for this policy alone and in-combination
Policy E6: SmartParc, Spondon	Outlines the continued support for the redevelopment of the SmartParc, including new manufacturing, storage and distribution and other justified uses.	The policy outlines general criteria for ongoing redevelopment, rather than proposing activities with potential for LSEs on European or Ramsar sites.	N/A – no pathways identified.	B – Policy listing general criteria for testing the acceptability/sustainability of proposals G – Policy or proposal that could not have any conceivable effect on a listed or proposed European or Ramsar site Screen out: LSEs can be objectively excluded for this policy alone and in-combination
Policy E7: Indurent Park	Outlines the continued support for the redevelopment of Indurent Park for new manufacturing, storage and distribution uses.	The policy outlines general criteria for ongoing redevelopment, rather than proposing activities with potential for LSEs on European or Ramsar sites.	N/A – no pathways identified.	B – Policy listing general criteria for testing the acceptability/sustainability of proposals G – Policy or proposal that could not have any conceivable effect on a listed or proposed European or Ramsar site Screen out: LSEs can be objectively excluded for this policy alone and in-combination
Policy E8: Defined Centres	Outlines a hierarchy of defined centres regarding development uses in the city centre, local centres and new or extended centres.	The policy outlines general aims for location of specific development uses. The policy could not lead to any LSEs as there are no impact pathways.	N/A – no pathways identified.	B – Policy listing general criteria for testing the acceptability/sustainability of proposals Screen out: LSEs can be objectively excluded for this policy alone and in-combination



Policy	Policy Summary	Assessment of LSE alone	In-combination assessment	1. Pre-screening category and outcome
Policy E9: Main Town Centre Uses Outside of Centres	Outlines requirements to be demonstrated by developers if presenting a proposal for a site with town centre uses, outside of a town centre.	The policy outlines general criteria for proposals for town centre uses outside the town centre. The policy could not lead to any LSEs as there are no impact pathways.	N/A – no pathways identified.	B – Policy listing general criteria for testing the acceptability/sustainability of proposals Screen out: LSEs can be objectively excluded for this policy alone and in-combination
Policy E10: Tourism and Culture	Outlines the commitment of the council to elevate its identity as a cultural and leisure destination. Encouraging development which will contribute to visitor numbers, and participation in cultural and leisure activities.	The policy outlines general aspiration for Derby City as a cultural and leisure destination. Steering recreation into the City itself, possibly reducing the impacts of recreation on European and Ramsar sites.	N/A – no pathways identified.	B – Policy listing general criteria for testing the acceptability/sustainability of proposals Screen out: LSEs can be objectively excluded for this policy alone and in-combination
Policy E11: Managing the Proliferation of Specific In-Centre Uses	Outlines conditions for establishments which require particular consideration due to their potential impacts, these uses are bookmakers, casinos, adult gaming centres, bars, pubs and clubs, hot food takeaways, and adult entertainment venues.	The policy outlines general criteria for particular establishments, rather than proposing activities with potential for LSEs on European or Ramsar sites.	N/A – no pathways identified.	B – Policy listing general criteria for testing the acceptability/sustainability of proposals Screen out: LSEs can be objectively excluded for this policy alone and in-combination
Environment				
Policy EN1: Green & Blue Infrastructure	Outlines the councils safeguarding of blue and green infrastructure from inappropriate development and work with partners towards improvements. Proposals which cause loss or harm to these areas will only be supported if the need for, and benefits of the development outweigh the adverse impacts. Outlines the principles of green infrastructure design certain proposals will be required to meet. All major developments must maximise provision of on-site green infrastructure, the policy sets out minimum scores for various development types.	The policy outlines general aspiration for safeguarding of blue and green infrastructure from inappropriate development, steering proposals towards positive environmental change and avoiding LSEs on European and Ramsar sites.	N/A – no pathways identified.	D – General plan-wide environmental protection/ site safeguarding/ threshold policies E – Policies or proposal which steer change in such a way as to protect listed or proposed European and Ramsar sites from adverse effects Screen out: LSEs can be objectively excluded for this policy alone and in-combination
Policy EN2: Dark Infrastructure	Outlines the need for consideration of adverse impacts of obtrusive light on privacy, amenity, and the natural environment. And the value of natural darkness as an environmental asset. Outlines recommendations for lighting of developments.	The policy outlines general considerations for proposals surrounding lighting being unobtrusive, while providing necessary safety. This steers proposals towards positive environmental change and avoiding LSEs on European and Ramsar sites.	N/A – no pathways identified.	B – Policy listing general criteria for testing the acceptability/sustainability of proposals D – General plan-wide environmental protection/ site safeguarding/ threshold policies Screen out: LSEs can be objectively excluded for this policy alone and in-combination



Policy	Policy Summary	Assessment of LSE alone	In-combination assessment	1. Pre-screening category and outcome
Policy EN3: Open Space, Sport and Recreation Buildings	<p>Outlines the situations in which existing open spaces, sports and recreational buildings and land, including playing fields and formal play spaces can be built on. As well as further factors the Council will need to consider when implementing this.</p> <p>Outlines the duty of new developments providing green infrastructure such as provision for long-term maintenance and wider connectivity.</p>	The policy outlines general criteria for proposals intending to build on existing open space, sport and recreation buildings, as well as duties regarding provision of green infrastructure. Rather than proposing activities with potential for LSEs on European or Ramsar sites.	N/A – no pathways identified.	<p>B – Policy listing general criteria for testing the acceptability/sustainability of proposals</p> <p>Screen out: LSEs can be objectively excluded for this policy alone and in-combination</p>
Policy EN4: Allotments and Community Gardens	Allotments and community gardens are to be protected. This policy outlines the cases in which development on these sites will be permitted, as well as factors the council will consider when new allotments are to be provided. Major housing developments are strongly encouraged to provide allotments and community gardens.	The policy outlines the general aspiration to protect allotments and community gardens, rather than proposing activities with potential for LSEs on European or Ramsar sites.	N/A – no pathways identified.	<p>D – General plan-wide environmental protection/ site safeguarding/ threshold policies</p> <p>Screen out: LSEs can be objectively excluded for this policy alone and in-combination</p>
Policy EN5: Green Belt	Outlines the maintenance of the green belt, encouragement of improving public access and connectivity to the green belt and adjacent build up areas. Discourages inappropriate developments within the green belt.	The policy outlines the general aspiration to maintain the green belt while improving connectivity, rather than proposing activities with potential for LSEs on European or Ramsar sites.	N/A – no pathways identified.	<p>D – General plan-wide environmental protection/ site safeguarding/ threshold policies</p> <p>Screen out: LSEs can be objectively excluded for this policy alone and in-combination</p>
Policy EN6: Green Wedges	<p>Lists the developments which will be considered within Green Wedges, such as forestry and cemeteries.</p> <p>Outlines characteristics to be met for planning permission to be granted such as not leading to an excessive increase in traffic or noise.</p>	The policy outlines the general aspiration to maintain the green wedges, rather than proposing activities with potential for LSEs on European or Ramsar sites.	N/A – no pathways identified.	<p>Review</p> <p>D – General plan-wide environmental protection/ site safeguarding/ threshold policies</p> <p>Screen out: LSEs can be objectively excluded for this policy alone and in-combination</p>
Policy EN7: Green Gaps	<p>Lists the developments which will be considered within Green Gaps such as agriculture, and public open spaces.</p> <p>Outlines characteristics to be met for planning permission to be granted such as not leading to an excessive increase in traffic or noise.</p>	The policy outlines the general aspiration to maintain the green gaps, rather than proposing activities with potential for LSEs on European or Ramsar sites.	N/A – no pathways identified.	<p>Review</p> <p>D – General plan-wide environmental protection/ site safeguarding/ threshold policies</p> <p>Screen out: LSEs can be objectively excluded for this policy alone and in-combination</p>



Policy	Policy Summary	Assessment of LSE alone	In-combination assessment	1. Pre-screening category and outcome
Policy EN8: Biodiversity and Geodiversity	Outlines the duties of developments towards biodiversity and geodiversity such as seeking to reduce habitat fragmentation. Proposed developments which adversely impact Nationally Designated Sites will only be permitted where public benefits clearly outweigh impacts on the site. Outlines conditions to be met for a development which is to have an adverse effect on locally designated sites to be considered.	The policy outlines general aspiration to protect biodiversity and geodiversity. This steers proposals towards positive environmental change and avoiding LSEs on European and Ramsar sites.	N/A – no pathways identified.	D – General plan-wide environmental protection/ site safeguarding/ threshold policies E – Policies or proposal which steer change in such a way as to protect listed or proposed European and Ramsar sites from adverse effects Screen out: LSEs can be objectively excluded for this policy alone and in-combination
Policy EN9: Trees and Hedgerows	Encourages retention of trees and hedgerows, incorporation of tree-lined streets, trees in open spaces in new developments, integration of hedgerows into design, while considering management requirements. Outlines the need to consider the impact on existing trees and woodland within, or adjacent to the woodland. Where trees or hedgerows are to be lost suitable replacement planting will be required with provision for maintenance and management. If necessary, trees can be provided offsite.	The policy outlines general aspiration for developments to retain and incorporate trees and hedgerows. This steers proposals towards positive environmental change and could not lead to any LSEs as there are no impact pathways.	N/A – no pathways identified.	A – General statement of policy/general aspiration D – General plan-wide environmental protection/ site safeguarding/ threshold policies E – Policies or proposal which steer change in such a way as to protect listed or proposed European and Ramsar sites from adverse effects Screen out: LSEs can be objectively excluded for this policy alone and in-combination
Policy EN10: Biodiversity Net Gain	Refers to additional information on the council's local validation list, to be provided as well as the minimum 10% BNG requirement. If developments cannot provide the BNG on site it is to be provided in line with the Council's sequential approach, providing BNG within the same ward, if possible, followed by adjacent wards and so on. Statutory credits are to be used as a last resort.	The policy outlines the requirement for 10% BNG minimum. This steers proposals towards positive environmental change and could not lead to any LSEs as there are no impact pathways.	N/A – no pathways identified.	D – General plan-wide environmental protection/ site safeguarding/ threshold policies E – Policies or proposal which steer change in such a way as to protect listed or proposed European and Ramsar sites from adverse effects Screen out: LSEs can be objectively excluded for this policy alone and in-combination



Policy	Policy Summary	Assessment of LSE alone	In-combination assessment	1. Pre-screening category and outcome
Policy EN11: Historic Environment	Lists heritage assets of importance to Derby and outlines the importance of conserving these assets. Outlines what the Council will require of proposals, such as impact assessments where relevant. As well as the ways in which the Council will work with partners, for example in promoting sensitive conversion of underutilised assets.	The policy outlines a general aspiration to conserve historic assets as well as general criteria for proposals which may impact such assets. The policy could not lead to any LSEs as there are no impact pathways.	N/A – no pathways identified.	A – General statement of policy/general aspiration B – Policy listing general criteria for testing the acceptability/sustainability of proposals Screen out: LSEs can be objectively excluded for this policy alone and in-combination
Policy EN12: Derwent Valley Mills World Heritage Site	Outlines requirements to be met by proposals within the World Heritage Site area and its buffer zones, including the need to protect and enhance the area. Encourages early pre-application discussions with the Council and other stakeholders.	The policy outlines general criteria for proposals in the World Heritage Site area and its buffer zones to meet, rather than proposing activities with potential for LSEs on European or Ramsar sites.	N/A – no pathways identified.	B – Policy listing general criteria for testing the acceptability/sustainability of proposals Screen out: LSEs can be objectively excluded for this policy alone and in-combination
Policy EN13: Darley Abbey Mills Complex	Outlines criteria to be met by applicants to bring back into use the vacant buildings, helping to deliver the enhancements identified in the Darley Abbey Mills Regeneration Strategy.	The policy outlines general criteria for proposals in the Darley Abbey Mills Complex, rather than proposing activities with potential for LSEs on European or Ramsar sites.	N/A – no pathways identified.	B – Policy listing general criteria for testing the acceptability/sustainability of proposals Screen out: LSEs can be objectively excluded for this policy alone and in-combination
Policy EN14: Conservation Areas	Outlines objectives to be met by development proposals in conservation areas such as preserving and enhancing the special character and appearance. As well as the requirement for the need of an alteration or demolition of buildings which make positive contributions in this area, to outweigh the damage if this is to be approved.	The policy outlines general criteria for proposals in conservation areas to meet, rather than proposing activities with potential for LSEs on European or Ramsar sites.	N/A – no pathways identified.	B – Policy listing general criteria for testing the acceptability/sustainability of proposals Screen out: LSEs can be objectively excluded for this policy alone and in-combination
Policy EN15: Listed Buildings/ Locally Listed Buildings	Outlines the need to preserve listed buildings and buildings of local importance. Listing factors developers must consider as alternatives to demolition of heritage assets and demonstrate why these have been found to be unrealistic.	The policy outlines the general aspiration to preserve listed buildings, and general criteria to be met by proposals involving their demolition. The policy could not lead to any LSEs as there are no impact pathways.	N/A – no pathways identified.	B – Policy listing general criteria for testing the acceptability/sustainability of proposals Screen out: LSEs can be objectively excluded for this policy alone and in-combination



Policy	Policy Summary	Assessment of LSE alone	In-combination assessment	1. Pre-screening category and outcome
Policy EN16: Heritage Statements of Significance	Outlines the importance of developments undertaking a Heritage Statement of Significance and Heritage Impact Assessment when affecting heritage assets.	The policy outlines general criteria for proposals affecting heritage assets. The policy could not lead to any LSEs as there are no impact pathways.	N/A – no pathways identified.	B – Policy listing general criteria for testing the acceptability/sustainability of proposals Screen out: LSEs can be objectively excluded for this policy alone and in-combination
Policy EN17: Uses Within Buildings of Architectural or Historic Importance	Outlines the need for applicants for a change of use of listed and locally important structures to demonstrate how they will preserve and enhance the structures significance, architectural and/ or historic interest.	The policy outlines general criteria for proposals for change of use of listed buildings. The policy could not lead to any LSEs as there are no impact pathways.	N/A – no pathways identified.	B – Policy listing general criteria for testing the acceptability/sustainability of proposals Screen out: LSEs can be objectively excluded for this policy alone and in-combination
Policy EN18: Archaeology	Outlines the need to sustain and enhance Derby's archaeological assets. Depending on area developers will be required to provide an archaeological assessment undertaken with written specification agreed with the council. In cases where need for development outweighs the need for preservation of archaeology investigation and recording of archaeology will be required.	The policy the outlines general need to sustain and enhance Derby's archaeological assets. The policy could not lead to any LSEs as there are no impact pathways.	N/A – no pathways identified.	B – Policy listing general criteria for testing the acceptability/sustainability of proposals Screen out: LSEs can be objectively excluded for this policy alone and in-combination
Policy EN19: Historic Parks and Gardens and Designed Landscapes	Outlines the value of historic parks and gardens, and that developments which harm registered historic parks of gardens will not be permitted unless the need of the development outweighs need of preservation.	The policy the outlines general need to preserve historic parks and gardens. The policy could not lead to any LSEs as there are no impact pathways.	N/A – no pathways identified.	A – General statement of policy/general aspiration B – Policy listing general criteria for testing the acceptability/sustainability of proposals Screen out: LSEs can be objectively excluded for this policy alone and in-combination



Policy	Policy Summary	Assessment of LSE alone	In-combination assessment	1. Pre-screening category and outcome
Policy EN20: Advertisements	Outlines the need for advertisement to not have a detrimental impact on amenity or public safety whether cumulatively or individually. Outlines requirements for advertisements to gain consent where relevant, for example to be appropriately scaled to the proportions of the building.	The policy outlines general criteria for advertisement to not have a detrimental impact on amenity or public safety. The policy could not lead to any LSEs as there are no impact pathways.	N/A – no pathways identified.	<p>B – Policy listing general criteria for testing the acceptability/sustainability of proposals</p> <p>G – Policy or proposal that could not have any conceivable effect on a listed or proposed European or Ramsar site</p> <p>Screen out: LSEs can be objectively excluded for this policy alone and in-combination</p>
Policy EN21: Shopfronts	Outlines requirements shop fronts must meet, such as contributing to a cohesive streetscape, regarding frontages, signage, security features and other elements. Additionally, emphasises the importance of retention and repair of historic shopfronts.	The policy outlines general criteria for shop fronts to meet. The policy could not lead to any LSEs as there are no impact pathways.	N/A – no pathways identified.	<p>B – Policy listing general criteria for testing the acceptability/sustainability of proposals</p> <p>G – Policy or proposal that could not have any conceivable effect on a listed or proposed European or Ramsar site</p> <p>Screen out: LSEs can be objectively excluded for this policy alone and in-combination</p>
Policy EN22: Air Quality	Outlines what developments should not do to meet legal obligations regarding tackling poor air, and minimum criteria developments should be meeting. States emission reductions should be done on site where possible.	The policy outlines general criteria for developments to meet regarding tackling poor air. This steers proposals towards positive environmental change and could not lead to any LSEs as there are no impact pathways.	N/A – no pathways identified.	<p>D – General plan-wide environmental protection/ site safeguarding/ threshold policies</p> <p>Screen out: LSEs can be objectively excluded for this policy alone and in-combination</p>
Policy EN23: Land Contamination	Outlines the need for proposals on sites suspected or known to be contaminated, or those for sensitive uses such as housing to be accompanied by a Preliminary Risk Assessment, and where necessary a Site Investigation. And the need to demonstrate elements such as that the development can only occur without unacceptable risk to the environment, or controlled waters.	The policy outlines general criteria for developments occurring on contaminated land. The policy could not lead to any LSEs as there are no impact pathways.	N/A – no pathways identified.	<p>D – General plan-wide environmental protection/ site safeguarding/ threshold policies</p> <p>Screen out: LSEs can be objectively excluded for this policy alone and in-combination</p>
Policy EN24: Pollution	Outlines that developments will only be permitted where they can demonstrate that they will not result in or contribute to, unacceptable levels of pollution. Proposals that may generate significant pollution must include a proportionate Impact assessment. Developments for sensitive uses will need to demonstrate that occupants will not be exposed to unacceptable levels of pollution.	The policy outlines general duties for developments regarding pollution levels. The policy could not lead to any LSEs as there are no impact pathways.	N/A – no pathways identified.	<p>D – General plan-wide environmental protection/ site safeguarding/ threshold policies</p> <p>Screen out: LSEs can be objectively excluded for this policy alone and in-combination</p>



Policy	Policy Summary	Assessment of LSE alone	In-combination assessment	1. Pre-screening category and outcome
Climate Change				
Policy CL1: Flood Risk and Water Management	Requires all proposals in areas at risk of flooding to demonstrate why the proposal cannot be located in an area of lower flood risk. Outlines requirements for developments to meet such as not leading to increased flood risk elsewhere, ensure design allows access to watercourses, and to comply with the Water Framework Directive.	The policy outlines general criteria for proposals in areas at risk of flooding to not increase flood risk. The policy aims to avoid hydrological changes and could not lead to any LSEs as there are no impact pathways.	N/A – no pathways identified.	D – General plan-wide environmental protection/ site safeguarding/ threshold policies E – Policies or proposals which steer change in such a way as to protect listed or proposed European and Ramsar sites from adverse effects Screen out: LSEs can be objectively excluded for this policy alone and in-combination
Policy CL2: Our City Our River	Outlines the requirement of all developments within the Our City Our River (OCOR) area to implement the OCOR programme, enable access to flood defences and provide environmental enhancements.	The policy outlines general criteria for developments within the OCOR area. The policy could not lead to any LSEs as there are no impact pathways.	N/A – no pathways identified.	D – General plan-wide environmental protection/ site safeguarding/ threshold policies E – Policies or proposals which steer change in such a way as to protect listed or proposed European and Ramsar sites from adverse effects Screen out: LSEs can be objectively excluded for this policy alone and in-combination
Policy CL3: Sustainable Design & Construction	States all development proposals are to support Derby becoming net zero by 2035. Requires all major residential and non-residential developments to provide energy assessments.	The policy outlines general aspiration Derby City to be net zero by 2035, and for proposals to contribute to this. This steers proposals towards positive environmental change and could not lead to any LSEs as there are no impact pathways.	N/A – no pathways identified.	A – General statement of policy/general aspiration D – General plan-wide environmental protection/ site safeguarding/ threshold policies Screen out: LSEs can be objectively excluded for this policy alone and in-combination
Policy CL4: Renewable & Low Carbon Energy	Outlines that renewable and low carbon energy generating, distribution, storage and associated infrastructure will need to demonstrate there are no adverse cumulative impacts, and no adverse impacts on factors such as the character of the surrounding landscape. An End-of-Life Removal Scheme will be required for permitted proposals. Hydropower applications should be accompanied by a Flood Risk Assessment.	The policy outlines general criteria for renewable & low carbon energy developments, rather than proposing activities with potential for LSEs on European or Ramsar sites.	N/A – no pathways identified.	B – Policy listing general criteria for testing the acceptability/sustainability of proposals Screen out: LSEs can be objectively excluded for this policy alone and in-combination



Policy	Policy Summary	Assessment of LSE alone	In-combination assessment	1. Pre-screening category and outcome
Policy CL5: Embodied Carbon	Outlines means by which a development should seek to reduce the embodied carbon content, by conserving resources, and minimising the use of materials by reusing, recycling, and minimising material sent for disposal. The policy highlights that such measures should be detailed within a sustainability statement, commensurate with the scale of the project.	The policy outlines general criteria for renewable & low carbon energy developments, rather than proposing activities with potential for LSEs on European or Ramsar sites.	N/A – no pathways identified.	B – Policy listing general criteria for testing the acceptability/sustainability of proposals Screen out: LSEs can be objectively excluded for this policy alone and in-combination
Infrastructure and Community				
Policy IC1: Social and Community Facilities	Outlines the Council's aim to ensure high-quality, inclusive social and community facilities and services are provided. And lists criteria for proposals of this nature to meet.	The policy outlines general aspiration to ensure inclusive social and community facilities, and the criteria proposals should meet, rather than proposing activities with potential for LSEs on European or Ramsar sites.	N/A – no pathways identified.	A – General statement of policy/general aspiration B – Policy listing general criteria for testing the acceptability/sustainability of proposals Screen out: LSEs can be objectively excluded for this policy alone and in-combination
Policy IC2: Cemetery	Outlines criteria to be met for the council to support a new cemetery adjacent to the existing crematorium in the Allestree/Mackworth/Markeaton Brook Green Wedge.	The policy outlines general criteria for proposals for a new cemetery, rather than proposing activities with potential for LSEs on European or Ramsar sites.	N/A – no pathways identified.	B – Policy listing general criteria for testing the acceptability/sustainability of proposals G – Policy or proposal that could not have any conceivable effect on a listed or proposed European or Ramsar site Screen out: LSEs can be objectively excluded for this policy alone and in-combination
Policy IC3: Education Provision	Outlines the councils support for development proposals that enhance education and skills provision. New school proposals will only be refused if there are significant negative local impacts that outweigh the benefits.	The policy outlines general aspiration to enhance education provision, rather than proposing activities with potential for LSEs on European or Ramsar sites.	N/A – no pathways identified.	A – General statement of policy/general aspiration Screen out: LSEs can be objectively excluded for this policy alone and in-combination
Policy IC4: Higher and Further Education	Outline the council's commitments to support continued growth and development of higher and further education establishments within the city.	The policy outlines general aspiration to support higher and further education, rather than proposing activities with potential for LSEs on European or Ramsar sites.	N/A – no pathways identified.	A – General statement of policy/general aspiration Screen out: LSEs can be objectively excluded for this policy alone and in-combination



Policy	Policy Summary	Assessment of LSE alone	In-combination assessment	1. Pre-screening category and outcome
Policy IC5: Communication Infrastructure	Outlines the Council's support for development of high-quality communications infrastructure. Lists the NPPF objectives which proposals will need to meet.	The policy outlines general criteria for communications infrastructure to meet, rather than proposing activities with potential for LSEs on European or Ramsar sites.	N/A – no pathways identified.	<p>A – General statement of policy/general aspiration</p> <p>B – Policy listing general criteria for testing the acceptability/sustainability of proposals</p> <p>Screen out: LSEs can be objectively excluded for this policy alone and in-combination</p>
Transport and Movement				
Policy T1: Active and Sustainable Transport	Outlines that all developments should aim to actively encourage walking and wheeling through well designed environments. Emphasising the need to encourage an increase in walking, wheeling, cycling and use of public transport through design.	The policy aspires to reduce the number of cars being used and increase sustainable transport by encouraging more sustainable modes of transport. This is a general aspiration, steering proposals towards positive environmental change and avoiding LSEs on European and Ramsar sites.	N/A – no pathways identified.	<p>A – General statement of policy/general aspiration</p> <p>B – Policy listing general criteria for testing the acceptability/sustainability of proposals</p> <p>Screen out: LSEs can be objectively excluded for this policy alone and in-combination</p>
Policy T2: Transport Infrastructure	Outlines the intention of the Council to work to deliver a long-term transport strategy, and support implementation of strategic proposals and initiatives, followed by listing these initiatives such as the Key Cycle Network.	The policy sets out objectives for Derby City's long-term transport strategy, rather than proposing activities with potential for LSEs on European or Ramsar sites.	N/A – no pathways identified.	<p>G – Policy or proposal that could not have any conceivable effect on a listed or proposed European or Ramsar site</p> <p>Screen out: LSEs can be objectively excluded for this policy alone and in-combination</p>
Policy T3: Servicing, Accessibility and Parking	Outlines the requirement of all developments to provide safe and appropriate access and egress by members of the community, mobility scooters, cyclists, powered two-wheelers, public transport users and the private car. Appropriate access needs to be provided for servicing and the largest goods vehicles likely to visit.	The policy sets out general criteria for developments to meet regarding accessibility and travel options, rather than proposing activities with potential for LSEs on European or Ramsar sites.	N/A – no pathways identified.	<p>B – Policy listing general criteria for testing the acceptability/sustainability of proposals</p> <p>G – Policy or proposal that could not have any conceivable effect on a listed or proposed European or Ramsar site</p> <p>Screen out: LSEs can be objectively excluded for this policy alone and in-combination</p>



Policy	Policy Summary	Assessment of LSE alone	In-combination assessment	1. Pre-screening category and outcome
Policy T4: Protected Routes	Outlines the Council's aim to create new and improve existing, footpath, cycle and bridleway links throughout the city. And lists three supported routes.	The policy sets out general objectives for footpath, cycle and bridleway links throughout the city. The policy could not lead to any LSEs as there are no impact pathways.	N/A – no pathways identified.	G – Policy or proposal that could not have any conceivable effect on a listed or proposed European or Ramsar site Screen out: LSEs can be objectively excluded for this policy alone and in-combination
Policy T5: Electric Vehicle Charging Facilities	Outlines the Council's intended support of Publicly accessible charging points provided in appropriate locations as part of a wider transport strategy. And the need of new developments to provide electric vehicle charging infrastructure.	The policy outlines general criteria for the provision of electric vehicle charging, rather than proposing activities with potential for LSEs on European or Ramsar sites.	N/A – no pathways identified.	A – General statement of policy/general aspiration G – Policy or proposal that could not have any conceivable effect on a listed or proposed European or Ramsar site Screen out: LSEs can be objectively excluded for this policy alone and in-combination
Policy T6: Transport Mobility Hubs	Outlines criteria to be met by new Transport Mobility Hubs, and the aim to support those which form part of the wider transport network, aid the transition to sustainable modes of transport and improve multi-modal connectivity.	The policy outlines general criteria for new Transport Mobility Hubs. The policy could not lead to any LSEs as there are no impact pathways.	N/A – no pathways identified.	B – Policy listing general criteria for testing the acceptability/sustainability of proposals Screen out: LSEs can be objectively excluded for this policy alone and in-combination
Policy T7: Safeguarded Areas around Aerodromes (East Midlands Airport)	Outlines considerations regarding which establishments will or will not be permitted into the safeguarded areas for East Midlands Airport.	The policy outlines general criteria for which establishments are to be permitted in the safeguarded areas for East Midlands Airport, rather than proposing activities with potential for LSEs on European or Ramsar sites.	N/A – no pathways identified.	B – Policy listing general criteria for testing the acceptability/sustainability of proposals Screen out: LSEs can be objectively excluded for this policy alone and in-combination
City Centre				
CC1: City Centre Strategy	Outlines objectives the delivery of the city centre vision will involve, such as prioritising the city centre as the most important location for investment, renewal and regeneration.	The policy outlines general objectives for prioritising the city centre as a location for investment. This policy has the potential to steer recreation away from European or Ramsar sites, protecting these sites from adverse effects, in particular disturbance from recreation.	N/A – no pathways identified.	A – General statement of policy/general aspiration Screen out: LSEs can be objectively excluded for this policy alone and in-combination
Policy CC2: Defining the City Centre	States which figure shows the City Centre as defined in the Plan.	The policy defines the City Centre for the purposes of the plan. The policy could not lead to any LSEs as there are no impact pathways.	N/A – no pathways identified.	F – Policy that cannot lead to development or other change Screen out: LSEs can be objectively excluded for this policy alone and in-combination



Policy	Policy Summary	Assessment of LSE alone	In-combination assessment	1. Pre-screening category and outcome
Policy CC3: City Centre Living	Outlines the Council's aim to support the private sector in bringing forward new homes and creating communities to attract a diverse range of residents, seeking to provide a minimum of 5,529 new homes within the city centre.	The provision of new homes could lead to an increase in the population of Derby City, though no pathways with potential for LSEs on European or Ramsar sites are considered likely due to the distance (greater than 20km) from the policy area, which is therefore beyond the 15km ZOI for recreational impacts. Furthermore, there is a lack of ecological and hydrological links given that the Derby City catchment is not within the Tame, Anker and Mease catchment (and therefore not hydrologically linked to the River Mease SAC), or the Derwent Upper catchment, within which the remaining European sites are located. No land identified as FLL is present within proposed development areas, given these are approximately 20km and further from the European sites, and beyond the maximum foraging range for SPA cited species. Therefore, this policy has been screened out.	N/A – no pathways identified.	I – Policy or proposal which may have a likely significant effect on a site alone L – Policy or proposal which might be likely to have significant effect in-combination Screen in
Policy CC4: Residential Led, Mixed Use Site Allocations	Lists brownfield sites allocated to be changed to residential led mixed use sites.	The provision of new homes could lead to an increase in the population of Derby City, though no pathways with potential for LSEs on European or Ramsar sites are considered likely due to the distances (greater than 20km) from these, and which is therefore beyond the 15km ZOI for recreational impacts, and furthermore the lack of ecological and hydrological links given that the Derby City catchment is not linked with the Tame, Anker and Mease catchment (and therefore not hydrologically linked to the River Mease SAC). No land identified as FLL is present within proposed development areas, given these are approximately 20km and further from the European sites. Therefore, this policy has been screened out.	N/A – no pathways identified.	I – Policy or proposal which may have a likely significant effect on a site alone L – Policy or proposal which might be likely to have significant effect in-combination Screen in
Policy CC5: Non-Residential Regeneration Opportunities	Outlines the opportunities for “The Market Place” and “Derby Museum, Art Gallery and former Central Library” to be developed for non-residential uses.	The policy sets out opportunities for non-residential redevelopment of “The Market Place” and “Derby Museum, Art Gallery and former Central Library”, rather than proposing activities with potential for LSEs on European or Ramsar sites.	N/A – no pathways identified.	G – Policy or proposal that could not have any conceivable effect on a listed or proposed European or Ramsar site Screen out
Policy CC6: Tall Buildings	Outlines criteria to be met by tall building development proposals. As well as additional supporting information such as a tall building statement, to be provided.	The policy sets out general criteria for tall building proposals, rather than proposing activities with potential for LSEs on European or Ramsar sites.	N/A – no pathways identified.	B – Policy listing general criteria for testing the acceptability/sustainability of proposals Screen out: LSEs can be objectively excluded for this policy alone and in-combination



Policy	Policy Summary	Assessment of LSE alone	In-combination assessment	1. Pre-screening category and outcome
Policy CC7: Business, Creativity and Learning	Outlines the need for a more diverse office market and creative industry workspaces within the city centre.	The policy sets out a general need for more diverse office spaces in the city centre, rather than proposing activities with potential for LSEs on European or Ramsar sites.	N/A – no pathways identified.	B – Policy listing general criteria for testing the acceptability/sustainability of proposals Screen out: LSEs can be objectively excluded for this policy alone and in-combination
Policy CC8: Shopping, Eating and Drinking	Outlines that investment in new retail floorspace should firstly be directed into the defined Primary Shopping Area (PSA). New leisure uses, including food and drink will be supported across the city centre.	The policy sets out a general need for retail investment to be focused in the PSA. This policy has the potential to steer recreation away from European or Ramsar sites, protecting these sites from adverse effects, in particular disturbance from recreation.	N/A – no pathways identified.	A – General statement of policy/general aspiration B – Policy listing general criteria for testing the acceptability/sustainability of proposals C – Proposal referred to but not proposed by the plan Screen out: LSEs can be objectively excluded for this policy alone and in-combination
Policy CC9: Active and Inclusive Frontages	Outlines the importance that active and inclusive uses are maintained at ground floor level on key streets, to support vibrancy. Frontages that would not be accessible by all of Derby's communities during the daytime may be resisted.	The policy sets out general criteria for ground floor uses on key streets. The policy could not lead to any LSEs as there are no impact pathways.	N/A – no pathways identified.	A – General statement of policy/general aspiration G – Policy or proposal that could not have any conceivable effect on a listed or proposed European or Ramsar site Screen out: LSEs can be objectively excluded for this policy alone and in-combination
Policy CC10: Streets and Spaces	Outlines the councils aim to support innovative solutions which significantly increase the quality and quantity of open space, listing what the public realm interventions should do.	The policy sets out general objectives for the increase and improvement of open spaces. This will steer development in ways which will protect European and Ramsar sites from adverse effects, in particular disturbance from recreation. Therefore, LSEs can be excluded as there are no impact pathways.	N/A – no pathways identified.	B – Policy listing general criteria for testing the acceptability/sustainability of proposals Screen out: LSEs can be objectively excluded for this policy alone and in-combination



Policy	Policy Summary	Assessment of LSE alone	In-combination assessment	1. Pre-screening category and outcome
Policy CC11: City Centre Quiet Zone	Shows a map of the City Centre Quiet Zone, where the council will seek to limit opening hours of establishments.	The policy sets out general aspirations for the City Centre Quiet Zone. The policy could not lead to any LSEs as there are no impact pathways.	N/A – no pathways identified.	<p>A – General statement of policy/general aspiration</p> <p>G – Policy or proposal that could not have any conceivable effect on a listed or proposed European or Ramsar site</p> <p>Screen out: LSEs can be objectively excluded for this policy alone and in-combination</p>



3.4.2 Assessment of Residential Site Allocations

For the 17 housing site options listed below, no potential impact pathways for LSEs were identified when considered alone or in-combination for the, on the Gang Mine SAC, Bees Nest and Green Clay Pits SAC, Peak District Dales SAC, South Pennine Moors SAC, and Peak District Moors (South Pennine Moors Phase 1) SPA. The 17 sites are listed below:

- Policy HA1: Rykneld Road, Littleover
- Policy HA2: Brook Farm, Chaddesden
- Policy HA3: East of Moorway Lane, Littleover
- Policy HA4: Royal Hill Road, Spondon
- Policy HA5: The Hollow, Mickleover
- Policy HA6: Former Manor/Kingsway Hospital
- Policy HA7: Stoney Lane, Spondon
- Policy HA8: Former Police Station, Cotton Lane
- Policy HA9: Bramblebrook House/Humbleton View, Littleover
- Policy HA10: Elton Road Works, Osmaston
- Policy HA11: Former Shaftesbury Leisure Centre
- Policy HA12: North of Sinfin Moor Lane
- Policy HA13: Bembridge Drive, Alvaston
- Policy HA14: Former Beaufort Business Centre, Chaddesden
- Policy HA15: Kitchener Avenue/Browning Street.
- Policy HA16: Former Ivy House School
- Policy HA17: Gypsy and Traveller Site Allocation

Housing site options are therefore screened out due to lying beyond the 15km ZOI for recreational impacts from the European / Ramsar sites. Furthermore, there is a lack of hydrological links to Europeans and Ramsar sites, given that the Derby City catchment is not linked with the Tame, Anker and Mease catchment (and therefore not hydrologically linked to the River Mease SAC). No land identified as FLL is present within proposed development areas, given these are approximately 20km and further from the European sites, and beyond the maximum foraging distances of the qualifying species described within the citation for the Peak District Moors SPA.

3.4.3 Assessment of Employment Site Options

None of the employment site options could lead to LSEs alone or in-combination for the Gang Mine SAC, Bees Nest and Green Clay Pits SAC, Peak District Dales SAC, South Pennine Moors SAC, and Peak District Moors (South Pennine Moors Phase 1) SPA sites as they lack ecological and hydrological connections, sitting outside of the river catchment zone and are not considered to contribute to any LSE via recreation. These City Centre employment allocations which are not considered to hold any pathways to LSE alone or in-combination:

- Policy E5: Land south of Wilmore Road, Sinfin
- Policy E6: Smart Parc, Spondon



- Policy E7: Indurent Park, Chaddesden

3.4.4 Assessment of Gypsy and Traveller Site Options

The Gypsy and Traveller site option, (Policy HA17: Gypsy and Traveller Site Allocation) is not considered to lead to LSEs alone or in-combination for the Gang Mine SAC, Bees Nest and Green Clay Pits SAC, Peak District Dales SAC, South Pennine Moors SAC, River Mease SAC and Peak District Moors (South Pennine Moors Phase 1) SPA sites. The allocation lies over 22 km away from the most proximal of the designated sites (Gang Mine SAC) and sits outside of the river catchment linked to those designated sites.

3.4.5 City Centre Site Allocations

No LSEs were considered to be likely alone or in-combination, due to lying beyond the 15km ZOI for recreational impacts from the European / Ramsar sites. Furthermore, there is a lack of hydrological links to Europeans and Ramsar sites, given that the Derby City catchment is not linked with the Tame, Anker and Mease catchment (and therefore not hydrologically linked to the River Mease SAC). No land identified as FLL is present within proposed development areas, given these are approximately 20km and further from the European sites, and beyond the maximum foraging distances of the qualifying species described within the citation for the Peak District Moors SPA. Therefore the City Centre site allocations have been screened out.

- Policy CC12: Derby Riverside (600 homes)
- Policy CC14: Railway Station Quarter (500 homes)
- Policy CC15: North Castleward (400 Homes)

3.5 Screening Findings

The HRA Stage 1: Screening has identified no potential impact pathways which could lead to LSEs for the following European and Ramsar sites:

Gang Mine SAC, Bees Nest and Green Clay Pits SAC, Peak District Dales SAC, South Pennine Moors SAC, and Peak District Moors (South Pennine Moors Phase 1) SPA

4.0 Conclusion

Following a review of the DCLP, potential impact pathways have not been identified which could undermine the COs of the European sites identified in Section 3.5 and therefore LSEs can be excluded. The next step in the HRA process, AA, is not required.





Appendix A Derby City and Designated Sites Map (Figure 1)

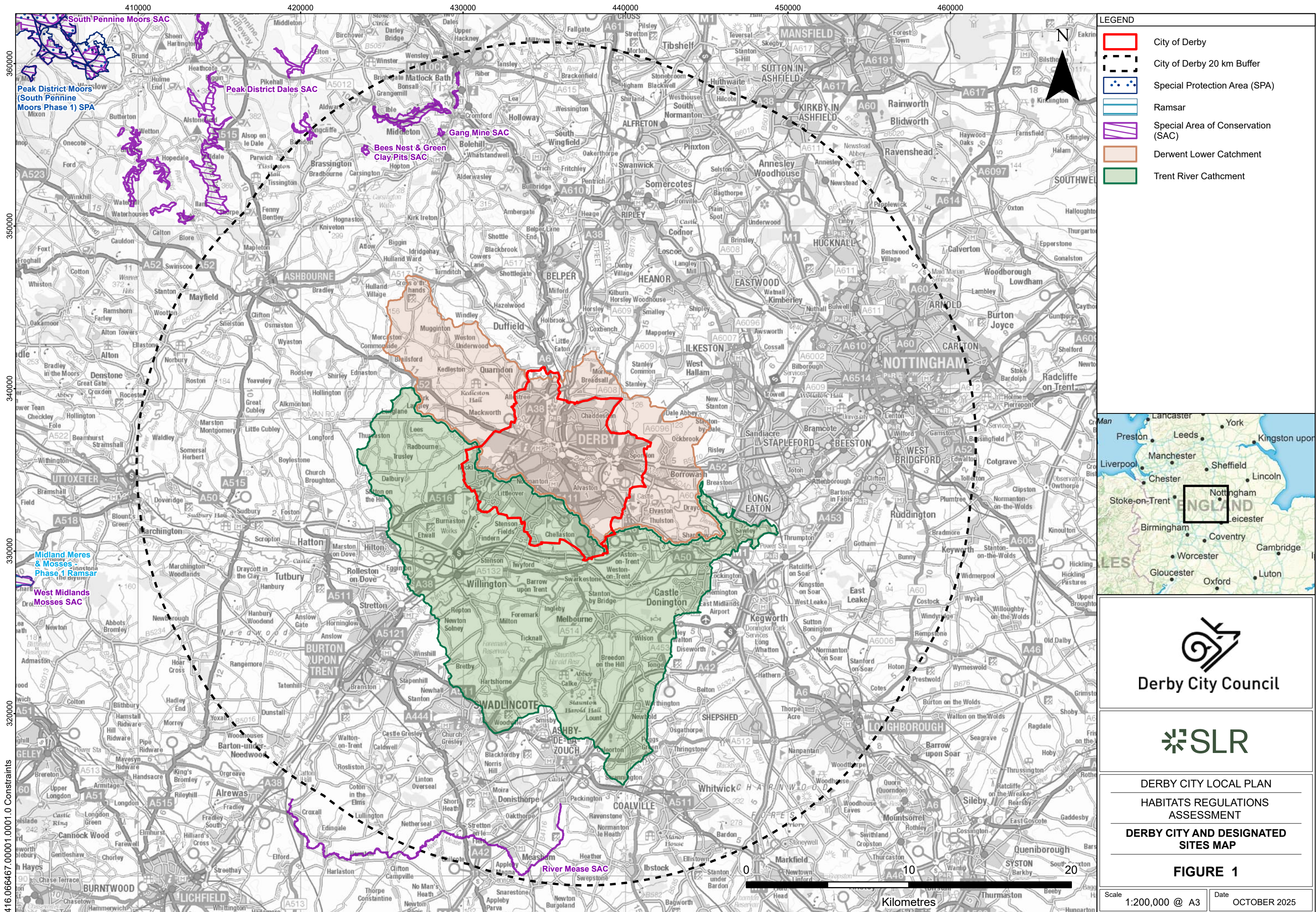
Derby City Local Plan

Habitats Regulations Assessment

Derby City Council

SLR Project No.: 416.066467.00001

26 November 2025





Appendix B Relevant Legislation, Policy, Case Law and Guidance

Derby City Local Plan

Habitats Regulations Assessment

Derby City Council

SLR Project No.: 416.066467.00001

26 November 2025

B.1 Legislation

B.1.1 The Habitats Regulations

The requirement for the HRA is set out within Article 6 of the Habitats Directive 92/43/European Economic Community (EEC) of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora. This has been transposed into British law by the Conservation of Habitats & Species Regulations 2017 (as amended), also known as the 'Habitats Regulations'.

The Habitats Regulations afford protection to European sites and their interest features. Part 6 of the Conservation of Habitats and Species Regulations 2017 (as amended) sets out the requirements for screening assessments, the circumstances under which an Appropriate Assessment (AA) is required and the further implementation of Article 6(3) and 6(4) of the Habitats Directive.

The UK left the European Union (Brexit) on Exit Day, 31st January 2020, followed by Completion Day on 31st December 2020. The EU Exit Regulations (2019) establish any EU Exit-related changes to the Habitats Regulations (2017), with these considered to have no material implications on the requirement or process for a HRA of a Plan. After Brexit, UK sites designated under the Habitats Regulations became part of the National Site Network (as defined in the interpretation sections of the Habitat Regulations (2017)), with a focus on maintaining ecological coherence throughout the UK.

B.1.2 The Environment Act (2021)

The Environment Act passed into UK law in 2021 to protect and enhance the environment for future generations. The Act sets legally binding targets to halt the decline in species by 2030, require new developments to improve or create habitats and deliver interim Environmental Improvement Plans, including interim targets. In 2018, the 25 Year Environment Plan¹⁰ set out government actions to help the natural world regain and retain good health through ten goals. This plan was reviewed and refreshed in 2023, in line with the Environment Act 2021, to produce the Environmental Improvement Plan¹¹ and reinforces the vision and sets out the plan to deliver against the ten goals. The apex goal, **Goal 1**: Thriving plants and wildlife, is supported by the other nine goals:

- **Goal 2**: Clean air;
- **Goal 3**: Clean and plentiful water;
- **Goal 4**: Managing exposure to chemicals and pesticides;
- **Goal 5**: Maximise our resources, minimise our waste;
- **Goal 6**: Using resources from nature sustainably;
- **Goal 7**: Mitigating and adapting to climate change;
- **Goal 8**: Reduced risk of harm from environmental hazards;

¹⁰ HM Government (2018) A Green Future: Our 25 Year Plan to Improve the Environment. Available at: <https://assets.publishing.service.gov.uk/media/5ab3a67840f0b65bb584297e/25-year-environment-plan.pdf> [Accessed: 20/10/25].

¹¹ HM Government (2023) Environmental Improvement Plan 2023 First revision of the 25 Year Environment Plan. Available at: <https://assets.publishing.service.gov.uk/media/64a6d9c1c531eb000c64fffa/environmental-improvement-plan-2023.pdf> [Accessed: 20/10/25].



- **Goal 9:** Enhancing biosecurity; and
- **Goal 10:** Enhanced beauty, heritage, and engagement with the natural environment.

B.2 Policy

B.2.1 National Planning Policy Framework (2024)

In addition to the Habitats Regulations, UK Government policy (Office of the Deputy Prime Minister Circular 06/2005) states that internationally important wetlands designated under the Convention on Wetlands 1971, called the Ramsar Convention (Ramsar sites) are afforded the same protection as SPAs and SACs for the purpose of considering development proposals that may affect them. The Government also affords the same level of protection to potential SPAs (pSPAs), possible SACs (pSACs) and proposed Ramsar sites and to sites identified, or required, as compensatory measures for adverse effects on any of the above sites, through planning policy such as the National Planning Policy Framework¹².

Paragraphs 194 and 195 relate to habitats sites and state:

“The following should be given the same protection as habitats sites:

- a) potential Special Protection Areas and possible Special Areas of Conservation;*
- b) listed or proposed Ramsar sites; and*
- c) sites identified, or required, as compensatory measures for adverse effects on habitats sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.*

The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in-combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.”

B.3 Case Law

B.3.1 C-323/17 People Over Wind

In April 2018, the judgement for this case clarified that mitigation measures to avoid or reduce harmful effects on a listed or proposed European and Ramsar site(s) cannot be taken into account during the screening stage for the purposes of decision making and must instead progress through to the AA stage. This is relevant for HRAs undertaken at both the plan and project level.

B.3.2 C-164/17 Grace and Sweetman

In July 2018, the judgement for this case clarified the distinction between mitigation and compensation in relation to HRA. *“It is only when it is sufficiently certain that a measure will make an effective contribution to avoiding harm, guaranteeing beyond all reasonable doubt that the project will not adversely affect the integrity of the area, that such a measure may be taken into consideration when the appropriate assessment is carried out. ...As a general rule, any positive effects of the future creation of a new habitat, which is aimed at compensating for the loss of area and quality of that habitat type in a protected area, are*

¹² Department for Levelling Up, Housing & Communities (2024) National Planning Policy Framework. Available at: https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf [Accessed: 20/10/25].



highly difficult to forecast with any degree of certainty or will be visible only in the future.” Therefore, they can only be taken into account following the AA stage and passing of the three tests at the Derogations stage.

B.3.3 C-293/17 and C-294/17 Dutch Nitrogen cases

In November 2018, the judgement for these joined cases clarified that *“it is only when it is sufficiently certain that a measure will make an effective contribution to avoiding harm to the integrity of the site concerned, by guaranteeing beyond all reasonable doubt that the plan or project at issue will not adversely affect the integrity of that site, that such a measure may be taken into consideration in the ‘appropriate assessment’”* and *“The appropriate assessment of the implications of a plan or project for the sites concerned is not to take into account the future benefits of such ‘measures’ if those benefits are uncertain, inter alia because the procedures needed to accomplish them have not yet been carried out or because the level of scientific knowledge does not allow them to be identified or quantified with certainty.”*

B.3.4 C-461/17 Holohan v An Bord Pleanála

In November 2018, the judgement for this case clarified that an AA must consider the listed or proposed European and Ramsar site and its qualifying features as well as the implications of the proposed project *“for habitat types and species to be found outside the boundaries of that site, provided that those implications are liable to affect the conservation objectives of the site.”* It also clarified that *“where the competent authority rejects the findings in a scientific expert opinion recommending that additional information be obtained, the ‘appropriate assessment’ must include an explicit and detailed statement of reasons capable of dispelling all reasonable scientific doubt concerning the effects of the work envisaged on the site concerned.”*

B.3.5 EWHC 351 Wealden District Council v Secretary of State for Communities And Local Government & Ors 2017 (Admin)

In March 2017, the judgement for this case clarified that it requires an in-combination assessment considering the effects of other projects, which in this case resulted in an exceedance of the 1,000 Annual Average Daily Traffic threshold.

B.4 Guidance

B.4.1 Managing Natura 2000 Sites – the Provisions of Article 6 of the ‘Habitats’ Directive 92/43/EEC (2018)¹³

The European Commission has produced a document which aims at providing guidelines to the Member States on the interpretation of certain key concepts used in Article 6 of the Habitats Directive.

B.4.2 Government guidance – Appropriate assessment: Guidance on the use of Habitats Regulations Assessment (2019)¹⁴

UK government guidance has been published on the use of HRA and AA. It provides further agreement in light of the People Over Wind Case (Section B.3.1) and clarification on

¹³ European Commission (2018) Managing Natura 2000 sites – The provisions of Article 6 of the Habitats Directive 92/43/EEC. Available at: <https://op.europa.eu/en/publication-detail/-/publication/caf47cb6-207a-11e9-8d04-01aa75ed71a1/language-en> [Accessed: 20/10/25].

¹⁴ Ministry of Housing, Communities and Local Government, Ministry of Housing, Communities & Local Government (2018 to 2021) and Department for Levelling Up, Housing and Communities (2019) Guidance



features that are integral to the design or physical characteristics of the project that is being assessed. These may include the layout, timing and location of a scheme, which may be considered at the screening stage.

B.4.3 European Commission guidance – Assessment of plans and projects in relation to Natura 2000 sites – Methodological Guidance on the Provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC (2021)¹⁵

The European Commission has provided a methodological guidance document on the application of Article 6(3) and (4) of the Habitats Directive to assist authorities and national agencies in the Member States and in candidate countries, as well as developers, consultants, site managers, practitioners and other stakeholders in the application of obligations stemming from these provisions.

B.4.4 Assessment of plans and projects in relation to Natura 2000 sites (2022)¹⁶

The European Commission supports a broad interpretation of the terms 'plan' and 'project' in the implementation of Article 6(3). The term 'plan' includes land-use or spatial plans and sectoral plans (e. g. for transport, energy, water management) and includes National Policy Statements. Implicit in the Habitats Directive is the application of the precautionary principle, i.e. that absence of scientific evidence on the significant negative effect of an action cannot be used as justification for approval of this action. The emphasis of the assessment should thus be on objectively demonstrating, with supporting evidence, following the three stages.

B.4.5 Government guidance – Habitats regulations assessments: Protecting a European site (2023)¹⁷

This guidance outlines how a competent authority must decide if a plan or a project that affects a European site can go ahead. The HRA principles and process is outlined in full detail.

B.4.6 Government guidance – Nationally Significant Infrastructure Projects: Advice on Habitats Regulations Assessments (2024)¹⁸

Guidance has been published online to summarise the applicant and decision maker obligations under the Habitats Regulations in the context of NSIPs. This refers to the guidance and the stages outlined in Appendix B.4.3.

Appropriate assessment Guidance on the use of Habitats Regulations Assessment. Available at: <https://www.gov.uk/guidance/appropriate-assessment> [Accessed: 20/10/25].

¹⁵ European Commission: Directorate-General for Environment (2021) Assessment of plans and projects in relation to Natura 2000 sites – Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC. Available at: <https://op.europa.eu/en/publication-detail/-/publication/99a99e59-3789-11ec-8daf-01aa75ed71a1/language-en> [Accessed 20/10/25].

¹⁶ European Commission: Directorate-General for Environment (2022) Guidance document on assessment of plans and projects in relation to Natura 2000 sites – A summary. Available at: <https://data.europa.eu/doi/10.2779/086397> [Accessed 20/10/25].

¹⁷ Department for Environment, Food & Rural Affairs, Natural England, Welsh Government, and Natural Resources Wales (2023) Guidance Habitats regulations assessments: protecting a European site. Available at: <https://www.gov.uk/guidance/habitats-regulations-assessments-protecting-a-european-site> [Accessed: 20/10/25].

¹⁸ Planning Inspectorate (2025) Guidance Nationally Significant Infrastructure Projects: Advice on Habitats Regulations Assessments. Available at: <https://www.gov.uk/guidance/nationally-significant-infrastructure-projects-advice-on-habitats-regulations-assessments> [Accessed: 20/10/25].



B.4.7 The Habitats Regulations Assessments Handbook (2024)¹⁹

The Handbook has two principal objectives to:

- Improve the understanding and interpretation of the Habitats Regulations; and
- Aid consistency in applying their requirements in respect of plans and projects.

Part F in particular has been referred to in the preparation of this HRA as it provides practical guidance for the assessment of plans under the Regulations.

¹⁹ Tyldesley, D. and Chapman, C. (2013) The Habitats Regulations Handbook, November 2024 edition UK: DTA Publications Limited.





Appendix C Information on European and Ramsar Sites

Derby City Local Plan

Habitats Regulations Assessment

Derby City Council

SLR Project No.: 416.066467.00001

26 November 2025

C.1 European and Ramsar Sites within 20 km of the WBLP Area

Gang Mine SAC (UK0012817)	
Location in relation to plan area	15km north of the Local Plan Area.
Reason(s) for designation ²⁰ :	
Habitats:	
<ul style="list-style-type: none"> H6130: Calaminarian grasslands of the <i>Violetalia calaminariae</i> 	
SSSI component sites	Gang Mine SSSI
Key current and predicted issues ²¹	<ul style="list-style-type: none"> Air pollution, air-borne pollutants
Conservation Objectives ²²	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> <ul style="list-style-type: none"> The extent and distribution of qualifying natural habitats The structure and function (including typical species) of qualifying natural habitats, and The supporting processes on which qualifying natural habitats rely

River Mease SAC (UK0030258)	
Location in relation to plan area	The closest site is 15km south of the Local Plan Area.
Reason(s) for designation ²³ :	
Habitats:	
<ul style="list-style-type: none"> H3260: Water courses of plain to montane levels with the <i>Ranunculus fluitantis</i> and <i>Callitriche-Batrachion</i> vegetation; Rivers with floating vegetation often dominated by water-crowfoot 	
Species:	
<ul style="list-style-type: none"> S1092 White-clawed (or Atlantic stream) crayfish (<i>Austropotamobius pallipes</i>) S1149 Spined loach (<i>Cobitis taenia</i>) S1163 Bullhead (<i>Cottus gobio</i>) S1355 Otter (<i>Lutra lutra</i>) 	
SSSI component sites	River Mease SSSI

²⁰ Natural England (2016) European Site Conservation Objectives: Supplementary advice on conserving and restoring site features for Gang Mine Special Area of Conservation [UK0012817_Gang Mine SAC_Published 10 Jul 2024](#) (Accessed 17/10/25)

²¹ JNCC (2015) NATURA 2000 - Standard Data Form Gang Mine Special Area of Conservation [UK0012817.pdf](#) (Accessed 17/10/25)

²² Natural England (2018) Gang Mine SAC Objectives [UK0012817 GangMine SACv2018.pdf](#) (Accessed 17/10/2025)

²³ Natural England (2022) European Site Conservation Objectives: Supplementary advice on conserving and restoring site features for River Mease Special Area of Conservation [UK0030258 River Mease SAC_Published 10 Jul 2024](#) (Accessed 17/10/25)



Key current and predicted issues ²⁴	<ul style="list-style-type: none"> • Pollution to groundwater (point sources and diffuse sources); • Human induced changes in hydraulic conditions; • Fire and fire suppression; and • Invasive Non-Native Species (INNS).
Conservation Objectives ²⁵	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by <u><i>maintaining or restoring</i></u>:</p> <ul style="list-style-type: none"> • The extent and distribution of qualifying natural habitats and habitats of qualifying species; • The structure and function (including typical species) of qualifying natural habitats; • The structure and function of the habitats of qualifying species; • The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely; • The populations of qualifying species; and • The distribution of qualifying species within the site.

Peak District Dales SAC (UK0019859)	
Location in relation to plan area	The closest site is 17km northeast of the Local Plan Area.
Reason(s) for designation ²⁶ :	
<p>Habitats:</p> <ul style="list-style-type: none"> • H4030 European dry heaths • H6130 Calaminarian grasslands of the <i>Violetalia calaminariae</i> • H6210 Semi-natural dry grasslands and scrubland facies: on calcareous substrates (<i>Festuco-Brometalia</i>), (note that this includes the priority feature important orchid rich sites') • H7230 Alkaline fens • H8120 Calcareous screes of the montane to alpine levels • H8210 Calcareous rocky slopes with chasmophytic vegetation • H9180 Tilio-Acerion forests of slopes, screes and ravines * <p>Species:</p> <ul style="list-style-type: none"> • S1092 White clawed crayfish, <i>Austropotamobius pallipes</i> • S1096 Brook lamprey, <i>Lampetra planeri</i> • S1163 Bullhead, <i>Cottus gobio</i> 	
SSSI component sites	Ballidon Dale SSSI, Coombs Dale SSSI, Cressbrook Dale SSSI, Dove Valley and Biggin Dale SSSI, Hamps and Manifold Valleys SSSI, Lathkill Dale SSSI, Long Dale & Gratton Dale SSSI, Long Dale, Hartington SSSI,

²⁴ JNCC (2015) NATURA 2000 - Standard Data Form River Mease Special Area of Conservation [UK0030258.pdf](#) (Accessed 17/10/25)

²⁵ Natural England (2018) River Mease SAC Conservation Objectives [UK0030258 RiverMease SACV2018 \(1\).pdf](#) (Accessed 17/10/25)

²⁶ Natural England (2022) European Site Conservation Objectives: Supplementary advice on conserving and restoring site features Peak District Dales Special Area of Conservation [UK0019859 Peak District Dales SAC Published 10 Jul 2024](#) (Accessed 17/10/25)



	Matlock Woods SSSI, Monk's Dale SSSI, The Wye Valley SSSI, Topley Pike & Deep Dale SSSI, and Via Gellia Woodlands SSSI
Key current and predicted issues ²⁷	<ul style="list-style-type: none"> Human induced changes in hydraulic conditions Biocenotic evolution, succession Grazing Fertilisation Pollution to groundwater (point sources and diffuse sources)
Conservation Objectives ²⁸	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> <ul style="list-style-type: none"> The extent and distribution of qualifying natural habitats and habitats of qualifying species The structure and function (including typical species) of qualifying natural habitats The structure and function of the habitats of qualifying species The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely The populations of qualifying species, and, The distribution of qualifying species within the site.

Bee's Nest and Green Clay Pits SAC (UK0030087)	
Location in relation to plan area	The closest site is 17km northeast of the Local Plan Area.
Reason(s) for designation ²⁹ :	
<p>Habitats:</p> <ul style="list-style-type: none"> H6210 Semi-natural dry grasslands and scrubland facies: on calcareous substrates (<i>Festuco-Brometalia</i>), (note that this includes the priority feature important orchid rich sites') <p>Species:</p> <ul style="list-style-type: none"> S1166 Great crested newt, <i>Triturus cristatus</i> 	
SSSI component sites	Bee's Nest and Green Clay Pits SSSI
Key current and predicted issues ³⁰	<ul style="list-style-type: none"> Air pollution, air-borne pollutants
Conservation Objectives ³¹	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p>

²⁷ ²⁷ JNCC (2015) NATURA 2000 - Standard Data Form Peak District Dales Special Area of Conservation [UK0019859.pdf](#) (Accessed 17/10/25)

²⁸ Natural England (2018) Peak District Dales (SAC) Conservation Objectives [UK0019859 PeakDistrictDales SACV2018.pdf](#) (Accessed 17/10/25)

²⁹ Natural England (2016) European Site Conservation Objectives: Supplementary advice on conserving and restoring site features Bee's Nest & Green Clay Pits Special Area of Conservation [UK0030087_Bee's Nest & Green Clay Pits SAC Published 10 Jul 2024](#) (Accessed 17/10/25)

³⁰ JNCC (2015) NATURA 2000 - Standard Data Form Bee's Nest and Green Clay Pits Special Area of Conservation [UK0030087.pdf](#) (Accessed 17/10/25)

³¹ Natural England (2018) Bee's Nest and Green Clay Pits (SAC) Conservation Objectives [UK0030087 BeesNestandGreenClayPits SACV2018.pdf](#) (Accessed 17/10/25)



	<ul style="list-style-type: none"> • The extent and distribution of qualifying natural habitats and habitats of qualifying species • The structure and function (including typical species) of qualifying natural habitats • The structure and function of the habitats of qualifying species • The supporting processes on which qualifying natural habitats and habitats of qualifying species rely • The populations of qualifying species, and, • The distribution of qualifying species within the site.
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C.2 European and Ramsar Sites over 20 km away but connected to the WBLP Area

South Pennine Moors SAC (UK0030280)	
Location in relation to plan area	The closest site is 32km north of the Local Plan Area.
Reason(s) for designation ³² :	
Habitats: <ul style="list-style-type: none"> • H4010 Northern Atlantic wet heaths with <i>Erica tetralix</i> • H4030 European dry heaths • H7130 Blanket bog * • H7140 Transition mires and quaking bogs • H91A0 Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles 	
SSSI component sites	Dark Peak SSSI, Eastern Peak District Moors SSSI, Goyt Valley SSSI, Leek Moors SSSI, and South Pennine Moors SSSI.
Key current and predicted issues ³³	<ul style="list-style-type: none"> • Air pollution, air-borne pollutants • Agriculture activities not referred to above • Human induced changes in hydraulic conditions • Fire and fire suppression • Outdoor sports and leisure activities, recreational activities
Conservation Objectives ³⁴	Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring; <ul style="list-style-type: none"> • The extent and distribution of the qualifying natural habitats

³² Natural England (2019) European Site Conservation Objectives: Supplementary advice on conserving and restoring site features South Pennine Moors SAC [UK0030280_South Pennine Moors SAC_Published 10 Jul 2024](#) (Accessed 20/10/2025)

³³ JNCC (2015) NATURA 2000 - Standard Data Form South Pennine Moors SAC [UK0030280.pdf](#) (Accessed 20/10/2025)

³⁴ Natural England (2018) South Pennine Moors SAC Conservation Objectives [UK0030280_SouthPennineMoors SACV2018.pdf](#) (Accessed 20/10/2025)



	<ul style="list-style-type: none"> • The structure and function (including typical species) of the qualifying natural habitats, and, • The supporting processes on which the qualifying natural habitats rely
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Peak District Moors (South Pennine Moors Phase 1) SPA (UK9007021)	
Location in relation to plan area	The closest site is 32km north of the Local Plan Area.
Reason(s) for designation ³⁵ :	
Species: <ul style="list-style-type: none"> • A098 Merlin, <i>Falco columbarius</i> (Breeding) • A140 European golden plover, <i>Pluvialis apricaria</i> (Breeding) • A222 Short-eared owl, <i>Asio flammeus</i> (Breeding) 	
SSSI component sites	Dark Peak SSSI, Eastern Peak District Moors SSSI, Goyt Valley SSSI, and Leek Moors SSSI.
Key current and predicted issues ³⁶	<ul style="list-style-type: none"> • Outdoor sports and leisure activities, recreational activities • Human induced changes in hydraulic conditions • Fire and fire suppression • Hunting and collection of wild animals (terrestrial), including damage caused by game (excessive density), and taking/removal of terrestrial animals (including collection of insects, reptiles, amphibians, birds of prey, etc., trapping, poisoning, poaching, predator control, accidental capture (e.g. due to fishing gear), etc.) • Reduced fecundity/ genetic depression
Conservation Objectives ³⁷	Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring; <ul style="list-style-type: none"> • The extent and distribution of the habitats of the qualifying features • The structure and function of the habitats of the qualifying features • The supporting processes on which the habitats of the qualifying features rely • The population of each of the qualifying features, and, • The distribution of the qualifying features within the site.

³⁵ Natural England (2019) European Site Conservation Objectives: Supplementary advice on conserving and restoring site features Peak District Moors (South Pennine Moors Phase 1) SPA [UK9007021 Peak District Moors \(South Pennine Moors Phase 1\) SPA Published 10 Jul 2024](#) (Accessed 20/10/2025)

³⁶ JNCC (2015) NATURA 2000 - Standard Data Form Peak District Moors (South Pennine Moors Phase 1) SPA [UK9007021.pdf](#) (Accessed 20/10/2025)

³⁷ Natural England (2019) Peak District Moors (South Pennine Moors Phase I) SPA Conservation Objectives [UK9007021-Peak-District-Moors-\(South-Pennine-Moors-Phase-1\)-SPA-V2019.pdf](#) (Accessed 20/10/2025)





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