



Integrated Assessment of Copeland Local Plan 2021-2038 Addendum Document: Amended Policy H9 (Gypsy and Traveller Sites) and Amended Policy N5 (Water Resources)

(Incorporating Sustainability Appraisal, Strategic Environmental
Assessment and Health Impact Assessment)

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List of Abbreviations

CBC: Copeland Borough Council
DOH: Department of Health
G&T: Gypsy and Traveller
HIA: Health Impact Assessment
HeIA: Heritage Impact Assessment
HRA: Habitats Regulations Assessment
IA: Integrated Assessment
NDHA: Non Designated Heritage Asset

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NPPF: National Planning Policy Framework
NPPG: National Planning Policy Guidance
OSA: Open Space Assessment
PINS: Planning Inspectorate
SA: Sustainability Appraisal
SEA: Strategic Environmental Assessment
SLCA: Settlement Landscape Character Assessment

1 Non-Technical Summary

- 1.1.1 The Integrated Assessment (IA) incorporates a Sustainability Appraisal, Strategic Environmental Assessment, and Health Impact Assessment. It assesses the social, environmental and economic effects of policies and proposals by considering them against a list of sustainability objectives.
- 1.1.2 The IA process is an iterative one and where negative effects are identified, mitigation is recommended and this is then factored into the Local Plan. Where positive effects are identified the IA considers whether these can be enhanced or increased.
- 1.1.3 Copeland Borough Council is producing a new Local Plan; this will replace and supersede the Copeland Local Plan (Core Strategy and Development Management Policies) document 2013-2028. The Local Plan covers the parts of Copeland outside the Lake District National Park.
- 1.1.4 An IA has been carried out of the policies and sites within the Local Plan at previous draft stages. The IA Report supporting and informing the Local Plan Publication Draft was produced in December 2021.
- 1.1.5 Since the consultation on the Publication Draft, which ended on 18th March 2022, new information has emerged which requires two significant changes to be made to the Local Plan. These relate to:
- An update to Policy H9 to include a site allocation in Whitehaven (site GTW5, Sneckyeat) to meet identified needs in the Cumbria Gypsy and Traveller Accommodation Assessment (January 2022) and
 - An update to Policy N5 to address the issue of nutrient neutrality raised by Natural England in March 2022
- 1.1.6 These changes are covered in the Publication Draft Addendum document. Following a public consultation, the Addendum document will be submitted to the Planning Inspectorate alongside the Publication Draft for consideration during a Public Examination.
- 1.1.7 This IA document provides an integrated assessment of the Addendum document and any alternative reasonable options. It sits alongside, and updates, the IA of the Local Plan Publication Draft and uses the same methodology.
- 1.1.8 The first draft of this report was produced in May 2022 and was made available to statutory bodies for comment. No responses were received which required changes to the IA. Comments were however received on the HRA which has resulted in some additional wording changes to the Publication Draft version of Policy N5. These wording changes do not affect the results of the IA.
- 1.1.9 A full IA, which pulls both documents together for ease of reference, will be submitted at the same time as the Local Plan.

1.1.10 This IA:

- Identifies positive, negative and neutral effects that could arise from allocating land at Sneckyeat, Whitehaven (site GTW5) as a Gypsy and Traveller site. It notes where any positive effects can be enhanced and recommends mitigation measures where negative effects are found. It also assesses an alternative site at Greenbank, Whitehaven (Site GTW3) for this use and explains why other sites across the borough were not considered to be reasonable options.
- Identifies positive, negative and neutral effects that could arise from amended Policy N5 (water resources). It notes where positive effects can be enhanced and recommends mitigation measures where negative effects are found.

2 Introduction

2.1 Purpose of this report

2.1.1 The Council is in the process of developing a new Copeland Local Plan which will cover the period 2021-2038. Once adopted, this will supersede and replace the *Copeland Local Plan 2013-2028 Core Strategy and Development Management Policies*.

2.1.2 This Report discusses the Integrated Assessment (IA) of the Copeland Local Plan Publication Draft Addendum document. The document identifies two changes to the Publication Draft that will be submitted to the Planning Inspectorate to consider:

- Amendments to Policy H9 to incorporate the addition of a Gypsy and Traveller allocation at Sneckyeat, Whitehaven and
- Amendments to Policy N5 (water resources) to include reference to nutrient neutrality

2.1.3 The IA incorporates a Sustainability Appraisal, Strategic Environmental Assessment and Health Impact Assessment.

2.1.4 The report is broken down into two main parts; part one (section 1-4) contains an overview of the IA methodology used and part two (sections 5-7) includes the results of the assessment. The results identify the key social, economic, environmental effects which are likely if the above changes are taken forward into the Local Plan.

2.1.5 The report sits alongside, and is informed by, a Habitats Regulations Assessment which considers the effects of the

amendments on National Site Network sites (formerly known as Natura 2000 sites).

2.1.6 Statutory bodies were consulted on both the May 2022 draft of this IA and the HRA between 16th May and 27th June. Comments on the HRA from Natural England have resulted in further amendments to the wording of Policy N5.

2.1.7 Responses from Statutory Consultees are included in Appendix A.

2.2 Defining sustainability

2.2.1 In 1987, the “Brundtland Report”, Our Common Future, was prepared by the World Council on the Environment and Development. This defined sustainable development as that which:

“Meets the needs of the present without compromising the ability of future generations to meet their own needs”

2.2.2 The National Planning Policy Framework (NPPF) states that “*the purpose of the planning system is to contribute to the achievement of sustainable development*”. This covers three overarching development objectives: economic, social and environmental.

2.2.3 Copeland Borough Council (The Council) is committed to ensuring any adverse effects of development are minimised and mitigated and positive effects are enhanced where possible.

2.3 The Copeland Local Plan 2021-2038

2.3.1 The new Local Plan includes a vision for Copeland and outlines how key issues and challenges will be addressed throughout the

plan period. It also allocates sites for development, protects particular areas from development and contains a number of strategic and development management policies.

2.3.2 All development requiring planning permission must accord with the Local Plan following its adoption unless material considerations indicate otherwise.

2.3.3 The Council has produced several drafts of the Local Plan so far. The policies and sites within each draft have been assessed through the IA process along with any reasonable alternatives. The results of these assessments are contained in previous versions of the IA Report. The key stages undertaken are:

- Issues and Options (2019). The Issues and Options Draft identifies the key issues within the Borough and the options for addressing these.
- Preferred Options (2020). The Preferred Options Draft was the Council's first formal draft of the Local Plan, produced under Regulation 18 of the Town and Country Planning Act. This identifies the preferred policies and sites for delivering the objectives for the Plan.
- Pre-Publication Focussed Changes (2021). A focussed consultation was carried out in September 2021 on a number of significant changes that the Council was considering making to the Local Plan in light of responses received during the Preferred Options consultation. Significant changes included new or significantly amended policies, new sites and

deleted policies and sites and responses helped determine which were taken forward.

- Publication (January 2022). A Publication Draft which represents the Council's final draft of the Local Plan was produced under Regulation 19 of the Town and Country Planning Act.

2.3.4 Since the Publication Draft was produced new information has emerged which requires changes to the Local Plan Publication Draft:

- Evidence¹ has been produced which demonstrates a need for a site within the Copeland Local Plan area to accommodate 12 Gypsy and Traveller pitches. The Council therefore proposes to allocate a specific site in the Local Plan (under Policy H9) to meet that need.
- The Government has produced new Guidance relating to nutrient neutrality and in April 2022 identified an affected area within the north of Copeland. The Council therefore proposes to amend Policy N5 (water resources) to address this issue.

2.3.5 Both these changes to policy have been incorporated into a Local Plan Addendum document which will be submitted to the Planning Inspectorate alongside the Publication Draft.

2.3.6 There was therefore a need to assess these proposed changes (and any alternative reasonable options) through the IA process to ensure negative effects are minimised and positive effects are maximised.

¹ Cumbria Gypsy and Traveller Accommodation Assessment 2022

3 The Integrated Assessment

3.1 Sustainability Appraisal and Strategic Environmental Assessment

- 3.1.1 The Sustainability Appraisal process determines the potential social, economic and environmental effects which might arise as a result of a policy or proposal, whether these can be avoided and where mitigation could overcome the effect.
- 3.1.2 Strategic Environmental Assessment (SEA) is a process which ensures that environmental impacts are considered throughout the formation of Local Plans. Sustainability Appraisal (SA) is similar, except it takes into account a broader scope of development impacts, including the economy, the environment and local communities. These form a key part of the evidence base for a Local Plan, helping to appraise the implications of development at every stage of plan production.
- 3.1.3 Copeland Borough Council has produced a combined SA and SEA due to the similarities between the two pieces of work. This is known as an Integrated Assessment. The document will be referred to hereinafter as IA for ease of understanding. The IA aids decision making and ensures that the plan is robust, with all appropriate alternatives considered.
- 3.1.4 SA in the UK is mandatory under section 19 (5) of the Planning and Compulsory Purchase Act 2004, which requires a Local Planning Authority to carry out a sustainability appraisal of each of the proposals in a Local Plan during its preparation. SEA is mandatory under the Environmental Assessment of Plans and Regulations 2004. Schedule 2 of these regulations describes “Information for Environmental reports”. Schedule 2 can be viewed in Figure 1.

Figure 1: Schedule 2 of the Environmental Assessment of Plans and Programmes Regulations 2004, information for inclusion in environmental (SEA) reports

SCHEDULE 2	Regulation 12(3)
INFORMATION FOR ENVIRONMENTAL REPORTS	
<p>1. An outline of the contents and main objectives of the plan or programme, and of its relationship with other relevant plans and programmes.</p> <p>2. The relevant aspects of the current state of the environment and the likely evolution thereof without implementation of the plan or programme.</p> <p>3. The environmental characteristics of areas likely to be significantly affected.</p> <p>4. Any existing environmental problems which are relevant to the plan or programme including, in particular, those relating to any areas of a particular environmental importance, such as areas designated pursuant to Council Directive 79/409/EEC on the conservation of wild birds(a) and the Habitats Directive.</p> <p>5. The environmental protection objectives, established at international, Community or Member State level, which are relevant to the plan or programme and the way those objectives and any environmental considerations have been taken into account during its preparation.</p> <p>6. The likely significant effects on the environment, including short, medium and long-term effects, permanent and temporary effects, positive and negative effects, and secondary, cumulative and synergistic effects, on issues such as—</p> <p>(a) biodiversity;</p> <p>(b) population;</p> <p>(c) human health;</p> <p>(d) fauna;</p> <p>(e) flora;</p> <p>(f) soil;</p> <p>(g) water;</p> <p>(h) air;</p> <p>(i) climatic factors;</p> <p>(j) material assets;</p> <p>(k) cultural heritage, including architectural and archaeological heritage;</p> <p>(l) landscape; and</p> <p>(m) the inter-relationship between the issues referred to in sub-paragraphs (a) to (l).</p> <p>7. The measures envisaged to prevent, reduce and as fully as possible offset any significant adverse effects on the environment of implementing the plan or programme.</p> <p>8. An outline of the reasons for selecting the alternatives dealt with, and a description of how the assessment was undertaken including any difficulties (such as technical deficiencies or lack of know-how) encountered in compiling the required information.</p> <p>9. A description of the measures envisaged concerning monitoring in accordance with regulation 17.</p> <p>10. A non-technical summary of the information provided under paragraphs 1 to 9.</p>	

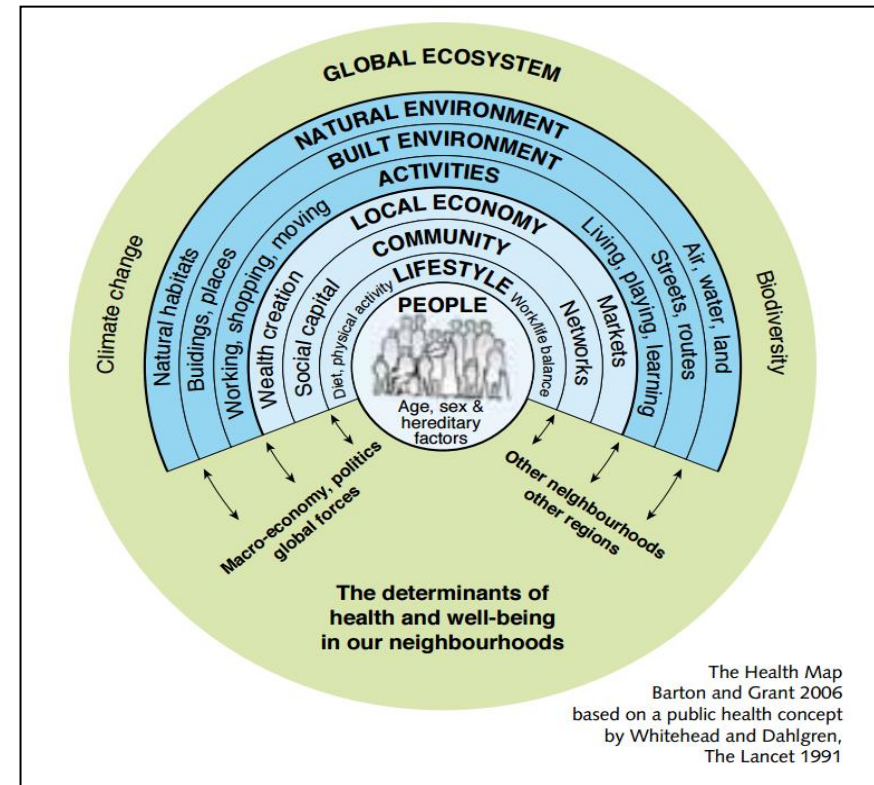
3.2 Sustainability Appraisal Health Impact Assessment

- 3.2.1 Health Impact Assessment (HIA) has one overarching aim: to ensure that plans and policies minimise negative and maximise positive health impacts. There is no statutory requirement to undertake HIA as part of the plan-making process. However, it

has been included to ensure a wider definition of potential impacts is considered.

- 3.2.2 Consideration of the determinants of health and the broad requirements of the Department of Health HIA screening questions have been integrated into the IA Framework. Subsequent HIA stages align with those of the IA. As such, by including consideration of health, alongside the other environmental and sustainability considerations, the IA will cover the scope of a HIA
- 3.2.3 The Department of Health (DOH) guidance states that “*the determinants of health are the focus of HIA. They are the social, economic, environmental and cultural factors that indirectly influence health and wellbeing. They include what we eat and drink; where we live and work; and the social relationships and connections we have with other people and organisations*”.
- 3.2.4 The IA uses the DoH *determinants of health*, as set out in Figure 2 below, to help guide the framework for assessing how the Local Plan may affect health (i.e. by affecting the determinants of health). This has been incorporated into the IA objectives.

Figure 2: The determinants of Health (Source: Department of Health)



3.3 Sustainability Appraisal and Habitats Regulations Assessment

- 3.3.1 The Conservation of Habitats and Species Regulations 2010 (as amended) states a requirement for a Habitats Regulation Assessment (HRA) to be carried out where the Plan is likely to have significant negative impacts on former Natura 2000 sites (now known as National Site Network Sites). The Regulations are transposed from the European Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora (The Habitats Directive).
- 3.3.2 A HRA of the policies and allocations within each draft of the Local Plan process has been carried out. The HRA of the changes set out in the Local Plan Addendum document has been carried out alongside the IA and informed its findings.

4 Integrated Assessment Methodology

4.1 Overview

- 4.1.1 The methodology for assessing the two amended policies (and reasonable alternatives) is the same as that previously used to assess the rest of the policies and allocations in the Local Plan, along with any reasonable alternatives.
- 4.1.2 A full description of the methodology can be found in the IA of the Local Plan Publication Draft available here: <https://www.copeland.gov.uk/attachments/sa-integrated->

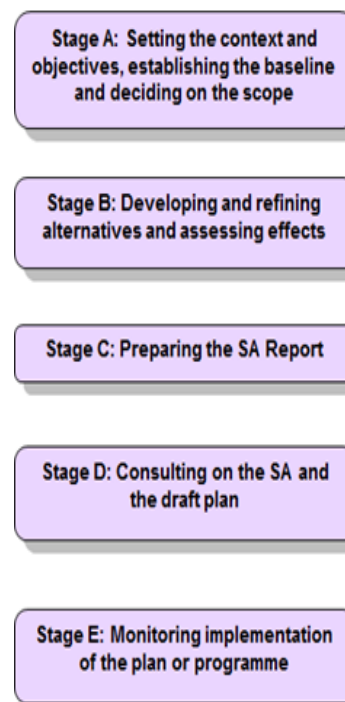
² A Practical Guide to the Strategic Environmental Assessment Directive (ODPM September 2005)

³ HM Government (2015) Planning Practice Guidance: Strategic Environmental Assessment and Sustainability Appraisal. Available at:

[assessment-report](#). A brief summary is included in the following paragraphs.

- 4.1.3 The structure of the IA process is based upon the process contained in the ODPM best practice guidance from 2005 on Strategic Environmental Assessment² and Planning Practice Guidance on SEA and SA, updated in 2015 by DCLG³. This process is outlined in Figure 3:

Figure 3: Integrated Assessment Process



<http://planningguidance.planningportal.gov.uk/blog/guidance/strategic-environmental-assessment-and-sustainability-appraisal/>

- 4.1.4 To ensure the assessment takes in the scope of HIA, health issues/characteristics have been considered at the appropriate points in the assessment, alongside other sustainable development objectives, impacts and considerations.

4.2 Stage A: Scoping

- 4.2.1 The first stage in the IA process is the scoping stage. An IA scoping report was produced in 2018 that was subsequently updated in 2019. This can be found at the following link: <https://www.copeland.gov.uk/attachments/integrated-assessment-scoping-report-2019>
- 4.2.2 The Scoping Report:
- Identified and reviewed relevant plans, programmes and strategies
 - Described the baseline, namely the current and likely future social, economic and environmental characteristics (if current trends continue) of Copeland
 - Summarised the key issues for the Local Plan to address
 - Presented the assessment framework (methodology)
- 4.2.3 The Council consulted several statutory bodies on their views surrounding the Scoping Report, and the document was then amended in light of responses received.
- 4.2.4 The Scoping assessment resulted in the development of a set of social, economic and environmental objectives, which have been used throughout the IA assessment. These can be seen in Table 1.

Table 1: Integrated Assessment Objectives

Number	Name	IA Objective
Environmental objectives		
ENV1	Biodiversity	To conserve and enhance biodiversity in Copeland
ENV2	Landscape and heritage	To protect and enhance places, landscape and buildings of historic, cultural and archaeological value
ENV3	Water resources	To maintain and enhance the water quality of Copeland's inland and coastal water and coasts and to sustainably manage water resources
ENV4	Climate change	To promote adaptation to Climate Change
ENV5	Flood risk	To reduce flood risk in Copeland from surface water, rivers, estuaries and sea level change
ENV6	Energy	Increase energy efficiency in the built environment, and promote the use of energy from renewable sources
ENV7	Land Quality	To protect and improve land quality in Copeland
ENV8	Air Quality	To improve air quality In Copeland
ENV9	Waste and recycling	To minimise waste production and increase reuse, recycling and recovery rates
Social Objectives		
SOC1	Accessibility	To improve access to services and facilities in Copeland
SOC2	Health and Wellbeing	To improve physical and mental health and well-being of people and reduce health inequalities in Copeland
SOC3	Education	To improve education, skills and qualifications in the Borough
Economic Objectives		
ECO1	Sustainable economy	To support a strong, diverse, vibrant and sustainable local economy to foster inclusive local economic growth
ECO2	Leisure and Tourism	Support the sustainable development of the sustainable leisure and tourism industry
ECO3	Housing	To improve access to a range of good quality housing that meets the needs of the Copeland community
ECO4	Retail	To maintain, enhance and develop a diversity of retail services in the Borough
ECO5	Transport	To enhance and develop sustainable transport networks in Copeland

4.3 Stage B: Developing and refining alternatives and assessment of effects

- 4.3.1 Stage B of the IA process involves identifying policy or site options and assessing their effects, using the framework developed during Stage A. Where the assessment identified likely significant effects, a series of measures have been identified that could be implemented to avoid, or reduce their magnitude.

Identifying Options – Policy H9

- 4.3.2 The Council has a duty under the Housing and Planning Act 2016 to meet the needs of those who identify as gypsies and travellers. Allocating a site to meet such needs can also reduce the amount of unauthorised encampments in the borough. Given this, the only reasonable way to meet identified needs at this stage in the Local Plan process is to allocate a suitable site.
- 4.3.3 A number of potential sites were identified but only two sites are considered to be reasonable. All other sites have been ruled out for a range of reasons and have therefore not been taken forward or assessed through the IA. Further information regarding these sites can be found in the Gypsy and Traveller Site Assessment document available here: <https://www.copeland.gov.uk/content/local-plan-publication-draft-addendum-consultation>
- 4.3.4 When determining which site is the most preferable of the two reasonable options, the findings of the March draft of the IA were considered along with a number of evidence documents. Further evidence has since become available and the assessment results have been updated in light of this where appropriate (see tables 3-5)

Identifying Options – Policy N5

- 4.3.5 In terms of nutrient neutrality, the Council has sought advice from the Planning Inspectorate and Natural England and considers the only reasonable option is to include a policy to address the issue in the Local Plan.
- 4.3.6 The Council did consider whether the issue could be dealt with through a wider Biodiversity SPD (which the Council has committed to produce to cover other ecology issues in the borough), but Local Government Reorganisation may lead to potential delays in the production of such a document. Nutrient pollution is an issue facing the borough now and it could potentially lead to delays in the determination of planning applications if not addressed at an early stage.
- 4.3.7 Rather than producing a new policy to address the issue of nutrient neutrality, it was felt that amending policy N5, which is concerned with the protection of water resources, was the most preferable option and this has been taken forward.

Assessing Effects

- 4.3.8 An IA has been carried out on the options discussed above. During the IA assessment, a number of factors were taken into account to determine whether a predicted effect has the potential to be significant. These factors are listed in Table 2.

Table 2: Considerations to be used during the Integrated Assessment

Issues for consideration	Details
Type of Effect	Positive, negative or unknown

Issues for consideration	Details
	Direct or indirect
	Cumulative
	Temporary or permanent
Magnitude and Spatial Extent	Where will it impact? Will it be within Copeland Local Plan boundary or outside it?
	Will it cause trans-boundary issues and impact on adjacent areas or regionally, nationally or internationally?
	What is the geographical area and size of population likely to be affected?
Vulnerability of Receptor	Sensitivity of receptors
	Special natural characteristics/areas or cultural heritage
	Protected areas
	Relative importance of the site, whether it is a nationally or internationally important feature or of local significance.
Timing and Duration of the Effect	Short term – 0 – 4 years
	Medium – 5 – 9 years
	Long term -10+ years

- 4.3.9 The Assessment stage takes into account the findings of the Habitats Regulations Assessment (HRA) which is being carried out alongside the IA. It also considers the Health Impact Assessment (HIA) by making use of the Health Objective (SOC2) listed in the table above to ascertain the impact of a policy or site on the health and wellbeing of our communities.
- 4.3.10 Where adverse effects are identified, the IA proposes measures to mitigate or reduce those effects. Any recommended

mitigation will be integrated into the Local Plan, where appropriate, so that this information can be taken into account during the Local Plan examination process and by CBC during planning application stage.

- 4.3.11 Opportunities to enhance positive effects will also be identified.

- 4.3.12 Please note that in HIA, if potential significant effects are identified, these are termed ‘recommendations’. These are equivalent to ‘mitigation measures’ highlighted in SA/SEA.

4.4 Stage C: Reporting

- 4.4.1 Stage C of the process involves the preparation of the IA Report, which is presented here in relation to amended policies H9 and N5. A draft of the report was produced in May 2022 for consideration by the statutory bodies.

- 4.4.2 The IA Report is designed to meet the requirements of both the European SEA Directive 2001/42/EC and the Planning and Compulsory Purchase Act 2004.

- 4.4.3 When reporting effects, a key has been used to identify whether there will be a positive, negative or neutral impact on sustainability objectives. The key has been updated from that in the Scoping Report to include an additional score whereby it is recognised that the proposal could have a negative impact but this can be mitigated via criteria within the policy or other policies within the Plan. Also the ‘Neutral’ score has been broadened to recognise that the impact may be somewhat positive or negative depending on how the proposal is implemented; where this is the case it is noted within the commentary. The key for assessing the policies can be seen below in Figure 5:

Figure 4: Key for assessing Sustainability impacts

Key		
	++	The policy is likely to have a significant positive impact upon the objective
	+	The policy is likely to have a positive impact upon the objective
	~	The policy is likely to have a neutral impact upon the objective, or could be positive or negative impact depending on implementation
	*	There is potential for conflict with the SA objective, but there is scope for mitigation
	-	The policy is likely to have a negative impact upon the objective
	--	The policy is likely to have a significant negative impact upon the objective
	U	The impact is unknown/ depends on implementation

- 4.4.4 A full IA Report covering both the Local Plan Publication Draft and Addendum document will be submitted to the Planning Inspectorate; this will take into account any responses received during the previous Publication Draft consultation.

4.5 Stage D: Consultation

- 4.5.1 The Council consulted the relevant statutory bodies on the May 2022 draft of the IA and the accompanying HRA for a 6 week period between 16th May and 27th June. Appendix A lists the responses received. In light of the consultation; further amendments were made to the wording of Policy N5 and site GTW5 (land at Sneckyeat) was chosen as the most appropriate site to allocate as a Gypsy and Traveller site. The IA has been updated on this basis.

4.6 Stage E: Monitoring

- 4.6.1 The final stage of the IA process involves monitoring the implementation of the plan that has been assessed. In addition to proposing monitoring measures in the IA report, it is proposed that a final IA statement is produced once the Local Plan has been adopted.
- 4.6.2 This statement will identify how significant effects should be monitored and how the Local Plan has taken the findings from the IA into account. Additionally, it will document how the development of the Local Plan has responded to the comments made by consultees on the draft Local Plan.

5 IA of Gypsy and Traveller Site Options

5.1 What are Gypsy and Traveller Sites?

5.1.1 Gypsies and Travellers are defined as “*Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family’s or dependants’ educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.*”

5.1.2 Gypsy and Traveller sites contain Gypsy and Traveller pitches, with each pitch usually accommodating a mobile home and space for a touring caravan. Sites also contain open space and landscaping and some shared facilities such as toilet or shower blocks.

5.2 The Need for Gypsy and Traveller Sites in Copeland

5.2.1 Government guidance requires local planning authorities to make a robust assessment of need for Gypsy and Traveller sites.

5.2.2 Since the Publication Draft was produced, evidence⁴ has become available which identifies a need for 12 Gypsy and Traveller pitches in Copeland over the plan period. The Council has a duty to meet the needs of Gypsy and Travellers.

⁴ Cumbria Gypsy and Traveller Accommodation Assessment 2022

⁵ The Council issued a Call for Sites from landowners (for housing, employment, retail/town centre, Gypsy and Traveller uses) at the Issues and Options and Preferred Options consultation stages of the Local Plan production process. In addition to this a specific call for sites for land to be considered as a Gypsy and Traveller site was issued during April and May 2021.

5.3 Identifying Reasonable Options

5.3.1 The Council has carried out a number of calls for sites in recent years⁵, however no privately or publicly owned sites were put forward for use as a Gypsy and Traveller site. Given this, the Council has considered its own landholdings across the Copeland Local Plan area.

5.3.2 A total of 11 potential sites were identified within the Local Plan area, 6 in Whitehaven, 1 in Egremont, 2 in Cleator Moor and 2 in Distington. Four of the sites were subsequently discounted due to their small size⁶ and the 7 sites considered to be large enough to accommodate the need were assessed in January 2022.

5.3.3 The assessments were carried out by Council Planning Officers using professional judgement. The assessments involved considering the sites against the criteria in the Gypsy and Traveller Windfall Policy in the emerging Local Plan (Policy H10PU) taking into account evidence available at the time such as the Settlement Landscape Character Assessment and Open Space Assessment. The views of Cumbria County Council (particularly in terms of highways and flood risk) were also sought and taken into account. Policy H10PU is copied below for reference.

⁶ The Council considered that a site of at least 0.5 hectares would be necessary to accommodate the 12 pitches, associated developments such as toilet blocks etc and appropriate landscaping and open space. The size was informed by previous government guidance (Designing Gypsy and Traveller Sites: Good Practice Guide DCLG May 2008) withdrawn in 2015

Policy H10PU: Gypsies, Travellers and Travelling Showpeople Sites

Planning applications for the development of new or extension of existing Gypsy and Traveller sites will be supported where it accords with the Development Plan and meets the following criteria:

- a) There is a demonstrated need;
- b) The site would not lead to the unacceptable loss, or significant adverse impact upon landscape character and value, heritage assets and their settings, nature conservation or biodiversity sites;
- c) The site is well related to an existing sustainable settlement, with safe and convenient access to the main highway network, and a range of basic and everyday community services and facilities including education, health, shopping facilities and transport provision;
- d) The site would offer a suitable level of residential amenity to any proposed occupiers, and will not have an unacceptable adverse impact on the amenity of nearby residents;
- e) The site is capable of being designed to ensure that appropriate landscaping and planting would provide and maintain visual amenity in perpetuity;
- f) Pitch size, type and parking will be designed in accordance with national guidance; and
- g) The site can be adequately drained.

- 5.3.4 From this assessment, two reasonable alternative sites were identified, both of which are located in Whitehaven.

- 5.3.5 The results of the assessments and the Cumbria Gypsy and Traveller Accommodation Assessment that identifies the need can be found here:

<https://www.copeland.gov.uk/content/local-plan-publication-draft-addendum-consultation>

5.4 IA of Reasonable Options

- 5.4.1 The only two sites that were found to be reasonable options were the following. Both sites have been assessed through the IA process using the same methodology used previously for other site allocations and reasonable options:

- GTW3: Land north of Greenbank, Whitehaven
- GTW5: Land at Sneckyeat Industrial Estate, Whitehaven

- 5.4.2 The Council has recently carried out a public consultation to seek comments on both sites; this ended on 3rd May 2022. All comments received will be considered when determining which site to take forward as an allocation, alongside the following evidence documents which have also helped inform the IA process:


- Habitats Regulations Assessment
- Ecological Assessments
- Site Access Assessments
- Landscape and Visual Impact Assessments

- 5.0.1 The results of the IA of the two sites are set out in Tables 3 and 4. The top row lists the IA objectives and the rows beneath show and describe the anticipated effects on each objective. Given the findings of the IA and the evidence available, site

GTW5, land at Sneckyeat, is being taken forward as the Gypsy and Traveller site allocation through the Local Plan Addendum document.

Figure 5: Amended Policy H9 (Additional text shown in bold)

Strategic Policy H9: Allocated Site for Gypsies, and Travellers



The following site is allocated for **12** pitches for Gypsy or traveller mobile homes:

Site GTW5: Land at Sneckyeat, Whitehaven

The site must be retained for this purpose and the site must be designed in accordance with criteria b-g of Policy H10PU.

Table 3: IA of Addendum document – Policy H9

	Biodiversity	Landscape/ heritage	Water resources	Climate change	Flood risk	Energy	Land quality	Air quality	Waste and recycling	Accessibility	Health/ wellbeing	Education	Sustainable economy	Leisure/ tourism	Housing	Retail	Transport
GTW5: Land at Sneckyeat, Whitehaven	-	-	*	~	~	~	+	~	*	~	+	~	~	~	++	~	~
Comments and Mitigation																	
<p>Biodiversity: The ecology assessment has identified that the site is suitable for a number of habitats and species, although no priority habitats or species have been identified. Development would need to provide a net gain in biodiversity under Policy N3 which would help mitigate the loss of any habitat or species on site. As it would take time for new replacement habitats to establish, development is likely to have a short to medium negative impact on biodiversity.</p>																	
<p>Landscape/heritage: The site forms part of a wider area of landscape scale Green Infrastructure identified in the SLCA. It is also identified as protected open space (semi/natural greenspace) in OSA. The OSA notes that Whitehaven has no under provision of this type of open space however any future developer would have to identify replacement open space provision as part of any planning application. The LVIA states that development of the site for G&T pitches would cause limited harm to the current landscape and presents the opportunity to enhance the existing landscape with tree and hedgerow planting to provide significant landscape structure and connectivity with retained existing vegetation.</p> <p>In terms of heritage, the HeIA identifies that there is a Grade II Listed building and a Grade II* Listed Building in the proximity of the site, however development would have a negligible impact upon their significance. The HeIA proposes a number of measures to ensure harm is minimised.</p>																	
<p>Water resources: There are no water courses on the site. Any waste water from the development would be required to meet the criteria set out in Policy N5 which will mitigate any negative effects. United Utilities have raised some concern regarding allocation of the site, however any negative impacts can be mitigated. The HRA of the site identifies likely significant effects on the River Ehen SAC but proposes mitigation to overcome negative effects.</p>																	

<p>Climate Change: Whilst the use of the site as a Gypsy and Traveller site may increase the number of vehicular movements within the area, as set out in the Site Access Assessment, the site is located close to amenities and services which will minimise the need to travel. There is also a bus service in proximity to the site which stops on Homewood Road. Given this and the relatively small scale of the site, it is likely that its development for Gypsy and Traveller pitches will only have a negligible impact upon climate change.</p>
<p>Flood Risk: The site is located in Flood Zone 1 and there are no water courses which cross it, it is therefore at low risk of flooding. In order to ensure the development does not increase the risk of flooding elsewhere i.e. through an increase in hard surfacing, it would need to demonstrate compliance with Policy DS8 and DS9 at planning application stage.</p>
<p>Land Quality: The site is a greenfield, former quarry site with a history of tipping. A Ground Investigation would be required as part of any future planning application to determine whether there are known contaminants and remediation would be required if necessary. Development of the site would also require the removal of invasive plant species and areas of fly tipping identified through the ecology assessments. This results in short term positive effects.</p>
<p>Air Quality: See comments on climate change above. The HRA has indicated that development of the site would not have an adverse impact on air quality within former Natura 2000 sites.</p>
<p>Waste and Recycling: Whilst any future development would create waste, developers would have to demonstrate appropriate waste and recycling facilities can be provided on site as part of any future planning application which will reduce harm.</p>
<p>Health/well-being: The provision of a site to meet the housing needs of the Gypsy and Traveller community will have positive effects on the health and well-being of that particular community. Any future development would need to comply with the criteria within Policy DS6 which will protect the health and well-being of existing neighbouring residents in terms of their amenity, along with appropriate management procedures (which fall outside the planning remit). The provision of a permanent, serviced Gypsy and Traveller site also reduces the likelihood of unauthorised encampments in the borough which, as these are unplanned, can lead to a number of problems.</p>
<p>Sustainable Economy: Development of the site would bring additional residents into the area which would help support local businesses, several of which are within walking distance of the site. Given the small number of residents this positive impact is likely to be minimal.</p>
<p>Housing: The site will help meet the identified housing needs of the Gypsy and Traveller community over the full plan period.</p>
<p>The development of the site as a Gypsy and Traveller site will have a neutral impact upon energy, leisure and tourism, accessibility, retail, education and transport objectives.</p>

Table 4: IA of Alternative Site Option GTW3

	Biodiversity	Landscape/ heritage	Water resources	Climate change	Flood risk	Energy	Land quality	Air quality	Waste and recycling	Accessibility	Health/ wellbeing	Education	Sustainable economy	Leisure/ tourism	Housing	Retail	Transport
GTW3: Land North of Greenbank, Whitehaven	--	--	*	?	?	?	+	?	*	?	+	?	?	?	++	?	?
Comments and Mitigation																	
<p>Biodiversity: The ecology assessment has identified that the site is suitable for a number of habitats and species. An area of UK Priority Habitat has also been identified on site (Deciduous Woodland). Whilst development would need to provide a net gain in biodiversity under Policy N3, it would take a relatively long time to recreate the area of woodland therefore development of the site is likely to have a direct, medium to long term negative effect on this objective.</p>																	
<p>Landscape/heritage⁷: The site forms part of a wider area of Strategic Green Infrastructure and is located at the bottom of a Prominent Hillside identified in the SLCA. Development, particularly where it extends up the slope, is therefore likely to have a long-term negative effect on those local landscape features. The LVIA identifies a number of adverse landscape effects that would arise through development of the site as a G&T site.</p> <p>In terms of heritage, the HeIA identifies that there is a Grade II Listed building in the proximity of the site, however development would have a negligible impact upon its significance. The HeIA proposes a number of measures to ensure harm is minimised.</p>																	
<p>Water resources: There are no water courses on the site. Any waste-water from the development would be required to meet the criteria set out in Policy N5 which will mitigate any negative effects. United Utilities have raised some concern regarding allocation of the site, however any negative impacts can be mitigated.</p>																	
<p>Climate Change: Whilst the use of the site as a Gypsy and Traveller site may increase the number of vehicular movements within the area, as set out in the Site Access Assessment, the site is located close to amenities and services which will minimise the need to travel. There is also a bus service in proximity to the site which runs on Woodhouse Rd. Given this and the relatively small scale of the site, it is likely that its development for Gypsy and Traveller pitches will only have a negligible impact upon climate change.</p>																	

⁷ The effect has been changed from a negative effect identified in the May 2022 draft IA to a significant negative effect in light of the LVIA which has since become available.

	Biodiversity	Landscape/ heritage	Water resources	Climate change	Flood risk	Energy	Land quality	Air quality	Waste and recycling	Accessibility	Health/ wellbeing	Education	Sustainable economy	Leisure/ tourism	Housing	Retail	Transport
GTW3: Land North of Greenbank, Whitehaven	+	+	*	~	~	~	+	~	*	~	+	~	~	~	++	~	~
Flood Risk: The site is located in Flood Zone 1 and there are no water courses which cross it, it is therefore at low risk of flooding. In order to ensure the development does not increase the risk of flooding elsewhere i.e. through an increase in hard surfacing, it would need to demonstrate compliance with Policy DS8 and DS9 at planning application stage.																	
Land Quality: The site is a previously developed, former garage site. Given previous uses a ground assessment may be required and if this identifies contamination remediation measures will be necessary. Development of the site would also require the removal of invasive plant species identified through the ecology assessments. These factors result in both long and short term positive effects.																	
Air Quality: See comments on climate change above. The HRA has indicated that development of the site would not have an adverse impact on air quality within former Natura 2000 sites.																	
Waste and Recycling: Whilst any future development would create waste, developers would have to demonstrate appropriate waste and recycling facilities can be provided on site as part of any future planning application which will reduce harm.																	
Health/well-being: The provision of a site to meet the housing needs of the Gypsy and Traveller community will have positive effects on the health and well-being of that particular community. Any future development would need to comply with the criteria within Policy DS6 which will protect the health and well-being of existing neighbouring residents in terms of their amenity, along with appropriate management procedures (which fall outside the planning remit). The provision of a permanent, serviced Gypsy and Traveller site also reduces the likelihood of unauthorised encampments in the borough which, as these are unplanned, can lead to a number of problems.																	
Sustainable Economy: Development of the site would bring additional residents into the area which would help support local businesses, several of which are within walking distance of the site. Given the small number of residents this positive impact is likely to be minimal.																	
Housing: The site will help meet the identified housing needs of the Gypsy and Traveller community over the full plan period.																	
The development of the site as a Gypsy and Traveller site will have a neutral impact upon energy, leisure and tourism, accessibility, retail, education and transport objectives.																	

6 IA of Amendments to Policy N5: Water Resources (to address nutrient neutrality)

- 6.1.1 The Derwent and Bassenthwaite Lake SAC is a protected Habitat Site under the Conservation of Habitats and Species Regulations 2017 (the Habitats Regulations). The SAC supports a number of habitats and species. Part of the SAC catchment area is located within the north of the borough and covers around 3.6% of the Copeland Local Plan area. The Conservation Objectives for the SAC states there is a need to ‘restore stable nutrient levels appropriate for lake type’ and that ‘the natural nutrient regime of the river should be protected, and any anthropogenic enrichment above natural/background concentrations should be limited to levels at which adverse effects on characteristic biodiversity are unlikely’. Nitrogen and phosphorous levels are a particular problem within the catchment area.
- 6.1.2 Guidance was produced by the Government in March 2022 relating to nutrient neutrality. The guidance requires that local planning authorities carefully consider the nutrient impacts of any new plans or projects on Habitat Sites through the Habitats Regulations process. Where adverse impacts on the integrity of a Habitats Site are identified then mitigation must be considered. Nutrient neutrality is the term used for such mitigation.
- 6.1.3 Before granting any new planning permissions, the Council⁸ will need to be confident that the development in question does not require nutrient neutrality to be acceptable under the

regulations or that nutrient neutrality is secured, as part of the proposal.

- 6.1.4 The Council has sought advice from PINS and Natural England and believe that a policy is required to address the issue of nutrient neutrality in the borough. As the issue is essentially one of water quality, the Council proposes to amend Policy N5PU to include additional wording (shown in bold italics) relating to the issue. As this is a significant change to the policy an IA has been carried out and the results are shown in Table 5.
- 6.1.5 The production of an SPD as an alternative option for addressing the issue was also considered but ruled out. This is discussed further in paragraph 4.3.3.
- 6.1.6 The IA of the amended policy was sent to statutory consultees in May for their comments, along with the associated interim HRA. Responses are shown in Appendix A. In light of comments received from Natural England to the HRA the policy has been amended further and the updated Policy is shown below (with the additional amendments shown in red).

⁸ Taking into consideration advice from Natural England

Figure 6: Amended Policy N5 (Additional text shown in bold)

Policy N5: Protection of Water Resources

Water Quality

New development must seek to protect or improve the quality of surface and groundwater water resources, including designated coastal Bathing Waters and Shellfish Waters downstream. Proposals should follow the hierarchy for wastewater treatment with foul drainage connected to mains sewer wherever possible. New development should not be operational or occupied until such time as adequate waste water infrastructure has been provided.

Where an affected development within the catchment of the Derwent and Bassenthwaite Lake SAC (or any other catchment identified by the Government as being affected by nutrient neutrality in the future) this must not result in adverse impacts on the integrity of the SAC through the creation of nutrient pollution, unless suitable solutions are identified through an Appropriate Assessment to ensure no residual harm remains following mitigation. Mitigation will need to be deliverable, certain and provided in perpetuity.

The possibility of contamination from former uses on any application site and its effects on the water environment and human health needs to be considered and remediated where it is present.

Proposals will be required to support the objectives of the Water Framework Directive, including the objectives for Protected Areas (such as Bathing Waters and Shellfish Waters) as set out in the North-West River Basin Management Plan.

Water Supply

New development should ensure there is sufficient water resource available to meet current and future needs, without putting the environment at risk. Wherever possible development should include water efficiency and saving measures.

Table 5: IA of Addendum Document - Policy N5

	Biodiversity	Landscape/ heritage	Water resources	Climate change	Flood risk	Energy	Land quality	Air quality	Waste and recycling	Accessibility	Health/ wellbeing	Education	Sustainable economy	Leisure/ tourism	Housing	Retail	Transport
Amended Policy NU5PU	+	~	++	+	+	~	~	~	~	~	~	~	~	~	-	~	~
Comments and Mitigation																	
Biodiversity: The policy will help ensure there is no nutrient pollution from new development within the Derwent Water and Bassenthwaite Lake SAC catchment and any other affected catchments identified by Government in the future. This will have a positive effect on biodiversity within the area. Mitigation measures required by the policy such as the creation of new wetlands or woodlands would also have a wider positive effect on biodiversity. The policy will also have an indirect positive effect by protecting and improving surface water across the borough.																	
Landscape/heritage: It is unlikely that this policy, as amended, will have a direct effect on landscape, although any new wetlands or woodlands (or other mitigation measures) could potentially impact upon the landscape (the effect could be positive or negative depending upon the exact scheme and location). This will be mitigated by Policy N6 which protects the borough's landscapes. The policy will therefore have a neutral effect on heritage.																	
Water resources: The policy protects water quality and ensures adequate water supply for new developments.																	
Climate Change: This policy promotes water efficiency and saving measures.																	
Flood Risk: While not directly concerning flood risk, this policy should have an indirect positive effect by protecting and improving surface water.																	
Land Quality: It is unlikely this policy will have a direct effect on land quality, but should have an indirect positive effect by protecting and improving surface water.																	
Health/well-being: The policy will have indirect positive effects on health and well-being as it protects water courses and water bodies that people use for recreation and ensures that new developments have an adequate water supply.																	
Housing: The policy, as amended, will make it more difficult for developers to deliver housing within the Derwentwater and Bassenthwaite Lake SAC catchment area as mitigation will need to be identified before development can go ahead. This is likely to lead to delays in the planning process and may require land outside the application site which may affect development viability. The Council will try to minimise negative effects by working with developers at pre-application stage to identify mitigation measures at an early stage in the process.																	
In terms of all other objectives, the policy as amended is likely to have neutral effects.																	

Appendix A

Appendix A: Statutory Consultee Comments on the IA and HRA

Consultee	Comment on focussed IA (May 2022 draft)	Comment on focussed HRA (May 2022 draft)
Natural England	No comment	Natural England welcome the strengthening of policy wording set out in Section 4.2 but note that ‘hard solutions such as improvements to existing waste-water treatment works’ is not an appropriate mitigation method for Nutrient Neutrality and recommend this sentence is removed from the HRA. It is important to note that any further planning application in the catchment that results in a net increase in overnight accommodation will need a HRA that has been escalated to Appropriate Assessment stage if it is not found nutrient neutral by using the Natural England nutrient calculator. Appropriate mitigation needs to be upstream of where the nutrients are discharged and also within the nutrient neutrality catchment. ‘We appreciate that it may take time for applicants to secure mitigation, particularly where additional land outside the application site needs to be sourced’. Natural England recommend highlighting that mitigation needs to be secured and delivered before housing and overnight accommodation can be occupied. Natural England agrees that the policy includes the following sentence ‘Mitigation will need to be deliverable, certain and provided in perpetuity.’ Clarity is needed on how ‘policy N5PU were to be likely to contribute a small but insignificant negative effect on its own.’ As the conclusion of the Nutrient Neutrality HRA concludes no likely significant effects. Habitat Regulations Assessment, Gypsy & Traveller Natural England agree with the conclusion of adverse on integrity of the site as this HRA has been escalated to Appropriate Assessment stage
Environment Agency	No comment	We have reviewed: Report to Inform a Habitats Regulations Assessment for Publication Draft Local Plan Gypsy and Traveller Site Allocations, dated May 2022 produced by David Archer Associates. We agree with the conclusion that, subject to the inclusion of the proposed mitigation measures being included in the Local Plan, there will be no likely significant effect on any designated Natura 2000 sites, either alone or in combination with any other plans or projects.

Consultee	Comment on focussed IA (May 2022 draft)	Comment on focussed HRA (May 2022 draft)
		We have reviewed: Report to Inform a Habitats Regulations Assessment for Publication Draft Local Plan Amended Policy N5PU Water Resources, dated May 2022 produced by David Archer Associates. We agree with the conclusion that there will be no likely significant effect on designated Natura 2000 sites, either alone, or in combination with any other plans or projects.
Historic England	In view of our response to the potential Gypsy and Traveller Site consultation, we do not have any comments to make on the Integrated Assessment on this matter as we agreed with the Council's position on the impacts on the historic environment. We agree with the integrated assessment that the amendments to Policy N5 (Water Resources) is likely to have a neutral impact on the landscape/heritage objective or could be positive or negative impact depending on implementation.	<i>No requirement to consult</i>