

Sustainability Appraisal Adoption Statement for the Copeland Local Plan 2021-2039

November 2024

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Introduction

- 1.1. This document is the Sustainability Appraisal (SA) Post Adoption Statement for the Copeland Local Plan (the 'Local Plan') which was adopted on 5th November 2024.
- 1.2. The Local Plan contains planning policies and site allocations for the growth and regeneration of Copeland over the next 15 years and has been prepared by the Strategic Planning team. The former-Copeland Borough Council began work on the Local Plan in 2019.
- 1.3. All future planning applications must be determined on the basis of the policies and allocations in the adopted Local Plan. The Local Plan and all adoption documentation can be viewed online on the Cumberland Council website.
- 1.4. In accordance with the Planning and Compulsory Purchase Act 2004, Section 19 (5)2, the Local Plan has been subject to SA, which integrates the requirements of SA and Strategic Environmental Assessment (SEA). SA provides an integrated and ongoing assessment of the likely significant effects of implementing a plan and recommends ways to avoid or minimise negative effects and maximise positive impacts. National Planning Practice Guidance (PPG) advises that the requirements for both SA and SEA can be met through a single appraisal process.
- 1.5. The Copeland Local Plan has been subject to public Examination by an independent Planning Inspector appointed by the Secretary of State. The Local Plan was submitted in September 2022 and the examination Hearing sessions were held between January and March 2023. Following the Hearing sessions, the Inspector published a schedule of recommended Main Modifications to the Local Plan, which she considered necessary for the Local Plan to be found sound. Cumberland Council consulted on these recommended modifications to the Local Plan for a period of 6 weeks during February and March 2024. The Inspector's Final Report was published on 23rd September 2024 and concluded that, subject to modifications being made, the Copeland Local Plan satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework (NPPF).
- 1.6. As the responsible authority for the Copeland Local Plan, Cumberland Council has prepared this SA Post Adoption Statement in accordance with Regulation 16 (4) of the Environmental Assessment of Plans and Programmes Regulations 2004¹ (the 'Regulations'). The Regulations require that, as soon as reasonably practicable after the adoption of a plan for which an environmental assessment has been carried out, the responsible authority must make a copy of the plan publicly available at its principal office alongside the environmental report and post adoption statement and inform the public and statutory consultation bodies about the availability of these documents.
- 1.7. The statement must explain the following:
 - How environmental considerations have been integrated into the plan (Section 2)

- How the environmental report has been considered during the preparation of the plan (Section 2)
- How consultation responses have been considered (Section 3)
- The reasons for choosing the plan as adopted, in light of other reasonable alternatives dealt with (Section 5)
- The measures to be taken to monitor the significant environmental effects of the implementation of the plan. (Section 6)

1.8. The remainder of this statement responds to the above requirements in turn. It should be read alongside the Copeland Local Plan (as adopted) the Final SA Integrated Assessment published in December 2021 and the SA Integrated Assessment for the Addendum Document published in July 2022, together with the SA Integrated Assessment for the Inspector's Main Modifications published in February 2024.

2. How environmental and sustainability considerations have been integrated into the Local Plan and how the environmental report has been taken into account

- 2.1 The Local Plan has undergone several draft consultation stages since work begun preparing the plan in 2019. Sustainability and environmental considerations have been integrated into the Local Plan through each of these stages. The integration of environmental and sustainability considerations into the plan making process has been achieved through:
- The preparation of a comprehensive evidence based for the Local Plan, on a broad range of topics covering the three arms of sustainability (i.e. social, economic and environmental issues);
 - Continuous engagement with key stakeholders and the public on the emerging Local Plan and related environmental and sustainability issues;
 - The consideration of national planning policy and the objectives of other relevant plans and programmes,
 - The Duty to Cooperate;
 - Ongoing appraisal of the Local Plan through the SA Integrated Assessment (incorporating SEA and Health Impact Assessment) and the HRA. This has been iterative and through each public consultation stage, and also while developing and considering any Main Modifications during the Examination.
- 2.2 The Local Plan sets out a vision for Copeland in 2039, and contains a set of 19 objectives to achieve the vision and a suite of 92 policies covering a range of topics to ensure new development is delivered in the most sustainable way.
- 2.3 The SA Report (the ‘environmental report’) has been updated and published with each iteration of the Local Plan published, describing the methodology used, the negative and positive effects identified including cumulative effects, and recommendations to avoid or minimise negative effects and maximise positive effects.
- 2.4 The SA used a framework of objectives and decision-making questions to describe, analyse and compare the potential environmental and sustainability effects of the Local Plan. This framework is known as the “SA Framework” was initially based upon the SA framework for the Copeland Local Plan Core Strategy (adopted 2013), and was developed and refined through public consultation with statutory consultation bodies, key stakeholders, and the public.
- 2.5 The objectives were derived from the sustainability issues which were identified from a review of relevant plans and programmes and the sustainability baseline. Care was taken to ensure that the issues listed in Schedule 2 of the Regulations were covered by at least one SA objective. The Local Plan Vision, objectives, policies, sites and

reasonable alternatives have all been subject to appraisal against the SA Framework throughout the Plan's production. The SA objectives are shown in Table 2.1 below.

Table 2.1: SA Objectives used to test sustainability of the Local Plan

Name	IA Objective
Biodiversity	To conserve and enhance biodiversity in Copeland
Landscape/Heritage	To protect and enhance places, landscapes and buildings of historic, cultural, and archaeological value
Water Resources	To maintain and enhance the water quality of Copeland's inland and coastal water and coasts and to sustainably manage water resources
Climate Change	To promote adaptation to Climate Change
Flood Risk	To reduce flood risk in Copeland from surface water, rivers, estuaries, and sea level change
Energy	Increase energy efficiency in the built environment, and promote the use of energy from renewable sources
Land Quality	To protect and improve land quality in Copeland
Air Quality	To improve air quality in Copeland
Waste and Recycling	To minimise waste production and increase reuse, recycling, and recovery rates
Accessibility	To improve access to services and facilities in Copeland
Health/Well Being	To improve physical and mental health and well-being of people and reduce health inequalities in Copeland
Education	To improve education, skills and qualifications in Copeland
Sustainable Economy	To support a strong, diverse, vibrant, and sustainable local economy to foster inclusive local economic growth
Leisure/Tourism	Support the sustainable development of the sustainable leisure and tourism industry
Housing	To improve access to a range of good quality housing that meets the needs of the Copeland community
Retail	To maintain, enhance, and develop a diversity of retail services in Copeland
Transport	To enhance and develop sustainable transport networks in Copeland

- 2.6 By undertaking the SA in parallel with the preparation of the Local Plan, the findings of the SA have been integrated into the Local Plan prior to the publication of each consultation stage. Views on the SA Report were invited through each public consultation and where appropriate, further changes were made to the SA Report or Local Plan to reflect consultation comments. The Environment Agency, Historic England and Natural England were consulted at each stage as statutory consultees, and this ensured the SA addressed key environmental considerations for the area.

- 2.7 Table 2.2 below shows how the stages of preparing the Local Plan and the SA stages aligned and summarises how the SA Report (which satisfies the Environmental Report requirements) has been considered at each Local Plan stage in revising the Copeland Local Plan.

Table 2.2: Stages of Local Plan preparation and how the SA was considered in preparing the Local Plan

Local Plan Stage	SA Stage	How SA Report was Taken into Account
<p>Issues and Options</p> <p>Between 25th November 2019 and 20th January 2020</p>	<p>Integrated Assessment of the Copeland Local Plan 2017-2035; Scoping Report</p>	<p>The responses from the statutory SEA bodies were considered in finalising the SA Framework and methodology for the SA of the Local Plan.</p> <p>The Scoping Report helped to identify the key social, economic, and environmental issues in the Copeland area for the Local Plan to address.</p> <p>The sustainability issues and SA objectives tested and informed the strategic vision and objectives of the Local Plan.</p>
<p>Preferred Options</p> <p>Between 20th September and 30th November 2020</p>	<p>Copeland Local Plan 2017-2035: Integrated Assessment of the Preferred Options and Issues and Options Drafts</p>	<p>Provided a sustainability assessment of Preferred Options policies and allocations</p> <p>Informed suggested amendments to the Preferred Options policies and allocations.</p> <p>Provided a sustainability assessment of “Reasonable Alternatives” through assessment of the Issues and Options policies and allocations, and alternatives proposed.</p>

Local Plan Stage	SA Stage	How SA Report was Taken into Account
<p>Publication Draft</p> <p>Between 10th January 2022 and 18th March 2022</p>	<p>Full Integrated Assessment (Incorporating Sustainability Appraisal, Strategic Environment Assessment and Health Impact Assessments)</p>	<p>Outlined and finalised the sustainability objectives which have been developed over the Local Plan production process.</p> <p>Identifies any policies or sites that may have negative effects on the sustainability objectives.</p> <p>Considers the significance and scale of such effects by assessing the duration, permanence, and impact, of any negative effects.</p> <p>Proposes monitoring criteria for any such negative effects.</p>
<p>Local Plan Gypsy and Traveller Site Consultation</p> <p>Between March and May 2022.</p>	<p>Consultation considering different site options to provide a Gypsy and Traveller site allocation in Copeland</p>	<p>Whilst not a full SA this consultation was supported by a site assessment document (January 2022) which considered all of the reasonable alternatives.</p>
<p>Local Plan Addendum Document</p> <p>Between 13th July 2022 and 24th August 2022</p>	<p>Integrated Assessment of Copeland Local Plan 2021-2038 Addendum Document: Amended Policy H9 (Gypsy and Traveller Sites) and Amended Policy N5 (Water Resources)</p>	<p>Provided a focused analysis of any relevant concerns for the sustainability objectives for the Addendum document that was to be submitted alongside the Local Plan (and contained updates to 2 policies within the Publication Draft, including a final Gypsy and Traveller allocation).</p>
<p>Main Modifications Consultation</p> <p>Between 14th February and 28th March 2024</p>	<p>Sustainability Appraisal (SA) of Proposed Main Modifications</p>	<p>Considers the proposed Main Modifications to determine whether they have affected the sustainability of the Local Plan</p>

Local Plan Stage	SA Stage	How SA Report was Taken into Account
		Outlines changes to SA objective scores in accordance with proposed Main Modifications

Habitats Regulations Assessment

- 2.8 In addition to the SA, environmental considerations have been integrated into the Local Plan through undertaking a Habitats Regulations Assessment (HRA). The HRA looked at the impact of the Local Plan on internationally designated sites that form part of the National Site Network (Special Areas of Protection, Special Areas of Conservation) and Ramsar Sites.
- 2.9 Four HRA Reports were published as follows:
- Habitats Regulations Evidence Gathering Report
 - Habitats Regulations Assessment 2020
 - Habitats Regulations Assessment for the Publication Draft – January 2022
 - Habitats Regulations Assessment for the Local plan Addendum Document (updates to Policy H9 and N5) – July 2022
- 2.10 There was also an update to the HRA of the submitted documents during the Examination to update the Air Quality Assessment and consider air quality impacts on three NSN sites in further detail.
- 2.11 A HRA of the Inspector's Main Modifications was also undertaken and published as one of the supporting documents during their consultation in February and March 2024.
- 2.12 Whilst the HRA and SA Reports have been prepared separately to satisfy their respective legislative requirements, the findings of the HRA have informed the appraisal of the Local Plan policies and site allocations, especially in relation to potential effects against SA Objective 4 Biodiversity and Green Infrastructure.

3. How the opinions raised during the consultation have been considered

- 3.1 Regulation 16 of the SEA Regulations requires that the SA Adoption Statement includes a description of how the opinions expressed by the public and consultation bodies during consultation on the plan and SA Report were considered. Consultation on the SA of the Local Plan was carried out with the three statutory bodies for SEA (Natural England, Historic England, and the Environment Agency), other key stakeholders and the general public during the main consultation stages:
- Integrated Assessment of the Copeland Local Plan 2017-2035; Scoping Report
 - Copeland Local Plan 2017-2035: Integrated Assessment of the Preferred Options and Issues and Options Drafts
 - Full Integrated Assessment (Incorporating Sustainability Appraisal, Strategic Environment Assessment and Health Impact Assessments) of the Local Plan Publication Draft
 - Integrated Assessment of Copeland Local Plan 2021-2038 Addendum Document: Amended Policy H9 (Gypsy and Traveller Sites) and Amended Policy N5 (Water Resources)
 - Sustainability Appraisal (SA) of Proposed Main Modifications
- 3.2 On submission of the Local Plan to the Secretary of State, the former Copeland Borough Council published a Consultation Statement which sets out which organisations and member of the public were invited to make representations on the Local Plan, a summary of the main issues raised and how the main issues raised have been addressed in the Local Plan.
- 3.3 The Scoping Report consultation sought views from the statutory environmental consultees (Natural England, Historic England, and the Environment Agency).
- 3.4 Feedback from the consultees was considered in finalising the scope of the SA, including identifying the social, economic and environmental issues that need to be addressed in the Local Plan, the relevant plans and programmes, baseline information and the SA Framework of objectives and decision-making questions.
- 3.5 At the SA Scoping Report stage there were several responses to the consultation on the SA Scoping Report. A summary of the consultation responses and how they were considered can be viewed in the Consultation Report.
- 3.6 The Integrated Assessment of the Preferred Options and Issues and Options Drafts provide a focused consultation from statutory consultees and the public. It provided greater depth to the sustainability objectives in accordance with the emerging policies and allocations.

- 3.7 There were several respondents to the consultation on the Integrated Assessment of the Preferred Options and Issues and Options Draft. A summary of the consultation responses and how they were considered can be viewed in can be viewed in the Consultation Statement.
- 3.8 Consultation on the SA Reports accompanying each version of the Local Plan invited all statutory consultees, other key stakeholders and organisations and residents to comment on the appraisal methodology and the appraisals themselves.
- 3.9 The Publication Draft Local Plan represented the Council's final draft of the Local Plan and included a range of policies and allocations for guiding and managing growth in Copeland. The Publication Draft Local Plan was accompanied by a Full Integrated Assessment (Incorporating Sustainability Appraisal, Strategic Environment Assessment and Health Impact Assessments) which presented the appraisal of the planning policies and allocations. The SA Report proposed a number of recommendations and proposed mitigation measures with respect to policies and allocations. At this final stage it was recognised that a particular policy or site may have a negative impact to an SA objective or indicator. Where this could be the case the commentary identifies how this could be improved or mitigated against, including consideration of other policies in the Plan.
- 3.10 At the Publication Draft Local Plan stage there were a couple of responses to the SA Report. The main comments came from Historic England, who objected to a number of assessments regarding the Landscape/Heritage objective. Following discussion with Historic England a number of modifications were agreed, together with an update to the Heritage Impact Assessment, which alleviated their concerns and objection. This is outlined in the Statement of Common Ground between the Council and Historic England.
- 3.11 Before Submission, the Council conducted an additional consultation on an Addendum to the Publication Draft to incorporate a Gypsy and Traveller site allocation and changes to Policy N5 to take better account of Nutrient Neutrality issues. These changes were considered through the Sustainability Appraisal process and there were no comments raised with regards to the Addendum SA.
- 3.12 The Submission Draft Local Plan was the final version of the Local Plan published for consultation before the Local Plan was submitted to the Secretary of State for independent examination.
- 3.13 During the Examination of the Local Plan, the Council requested the Inspectors to recommend "Main Modifications" under Section 20(7) (2c) of the Planning and Compulsory Purchase Act 2004. The recommended Main Modifications were reviewed to check whether they had any implications for the findings of the SA as submitted and the results were published alongside the Schedule of Recommended Main Modifications for a 6-week period of public consultation between February 14th and 28th March 2024.

- 3.14 Some of the recommended Main Modifications were identified as resulting in a change to the SA scoring, and where this was the case the result was a more positive effect than was identified in the submitted Sustainability Appraisal.
- 3.15 All comments on the Main Modifications and accompanying SA were sent to the independent Inspectors appointed to examine the Local Plan, to consider in finalising their report.
- 3.16 The Inspectors' Report, published on 23rd September 2024, discussed the various iterations of the SA throughout the Plan production process, and how its findings have been reflected in the Local Plan, and concluded that the SA process has been a genuinely iterative one.

4. How the results of any trans-boundary consultations with other Member States have been taken into account

- 4.1 Trans-boundary consultations with other Member States were not deemed necessary for the preparation of the Copeland Local Plan as the Plan is not likely to have any significant environmental effects on another Member State.

5. The reasons for choosing the plan as adopted in the light of the other reasonable alternatives considered

- 5.1 Regulation 12(2) of the SEA Regulations require that “an environmental report shall be prepared in which the likely significant effects on the environment of implementing the plan or programme, and reasonable alternatives taking into account the objectives and the geographical scope of the plan or programme, are identified, described and evaluated” and Schedule 2(8) states that the information to be provided should include “an outline of the reasons for selecting the alternatives dealt with”.
- 5.2 The SA informed the selection of preferred options for policies and site allocations in the Local Plan through an appraisal of a range of reasonable alternatives against the SA Framework. Reasonable alternatives are the different realistic options considered by the plan-maker in developing the policies in the Local Plan. They need to be sufficiently distinct to highlight the different sustainability implications of each so that meaningful comparisons can be made. At each stage of the preparation of the Local Plan, reasonable alternatives were identified, (taking into account the evidence base and consultation responses) considered and appraised, as required by the Regulations. The types of alternatives considered when preparing the Local Plan included:
- Business as usual (continuation of the approach in the adopted Local Plan)
 - Do nothing (do not have a local policy in the Local Plan. Rely on national policy and guidance)
 - Alternatives to the settlement hierarchy and level of growth
 - Alternatives to the overall distribution of growth
 - Alternatives to the location of site allocations for housing
 - Alternative approaches to development management policies
- 5.3 The appraisal of each of the reasonable alternatives provided information on their sustainability and were reported in the SA Report at each stage of Local Plan preparation and subject to public consultation. the main assessment can be found in section 7 of the *Copeland Local Plan 2017-2035: Integrated Assessment of the Preferred Options and Issues and Options Drafts*.
- 5.4 Appendix 7 of the Integrated Assessment of Preferred Options and Issues and Options Drafts clearly set out the reasonable alternatives considered at each stage of the preparation of the Local Plan. It sets report sets out the alternatives considered, providing a brief summary of the justification for selecting the preferred policy approach and preferred sites above the reasonable alternatives.

6. The measures that will be taken to monitor the significant environmental effects of the implementation of the plan

- 6.1 The Regulations require that significant effects resulting from the implementation of the Local Plan should be monitored. This will enable any unforeseen adverse effects to be identified at an early stage and to enable appropriate remedial actions. Regulation 17 states that the “..responsible authority shall monitor the significant environmental effects of the implementation of each plan or programme with the purpose of identifying unforeseen adverse effects at an early stage and being able to undertake appropriate remedial action”.
- 6.2 Guidance on SEA monitoring highlights that it is not necessary to monitor everything or to monitor an effect indefinitely. Monitoring should focus on the significant environmental effects e.g. those:
- That indicate a likely breach of legislation, recognised guidelines or standards,
 - That may give rise to irreversible damage,
 - Where there was uncertainty over possible significant effects and where monitoring would enable mitigation measures to be taken
- 6.3 Best practice suggests that a monitoring framework reflects the implementation of the Local Plan and identifies where existing indicators can be used to track effects. National Planning Guidance advises that details of monitoring arrangements may be included in the sustainability appraisal report, the post-adoption statement or in the local plan itself. Monitoring the adopted Local Plan for sustainability effects can help to answer questions such as:
- Were the SA’s predictions of sustainability effects accurate?
 - Is the Local Plan contributing to the achievement of the SA and Local Plan objectives?
 - Are mitigation measures performing as well as expected?
 - Are there any adverse effects? Are these within acceptable limits or is remedial action required?
- 6.4 Table 17 in the Copeland Local Plan outlines the monitoring necessary to safeguard the objectives of the Sustainability Appraisal. It identifies the Target/Objective, and relevant indicator, of each planning policy. These policies are then connected to the relevant strategic objective of the Sustainability Appraisal (and any indicators associated with them). This section also identifies any necessary Contingency Actions should monitoring identify any risks to the sustainability objectives outlined for Copeland.

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