
Development Management Policies Development Plan Document (DPD) Sustainability Appraisal / SEA Adoption Statement

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Contents

1. Introduction	3
Background	3
Sustainability Appraisal.....	3
Habitat Regulations	5
Purpose of this Adoption Statement	5
2. How environmental considerations have been integrated into the plan or programme and how the environmental report has been taken into account.....	6
Development of DPD in parallel with key outputs of SA	6
Stage 1 Scoping Report.....	8
Stage 2 Assessment of Reasonable Alternatives	10
Stage 3 Assessment of the Draft Plan (preparation of the Sustainability Appraisal Report).....	11
3. Assessment of Draft Plan including consultation / representations on SA from consultation bodies and the public (Stage 3 / Stage D)	16
Consultation on the DPD	16
Consultation on the SA reports	18
Draft SA Scoping Report	18
Interim SA Report	21
Final SA Main Report.....	21
SA Addendum.....	21
Engagement with statutory bodies.....	21
Engagement with public and other bodies	22
Cross-boundary issues and effects.....	22
4. Stage 4 Finalising of the Plan and post adoption reporting and monitoring (including reasons for choosing the plan or programme as adopted, in the light of the other reasonable alternatives dealt with).....	22
Habitats Regulations Assessment	23
Monitoring Framework / Identification of Measures	23
5. Conclusion	24
Appendix 1: Documents referred to in this Statement	25

1. Introduction

Background

- 1.1 The Development Management Policies DPD was submitted to the Secretary of State for public examination in February 2018. The planning Inspector held hearings on 12 and 13 June 2018. The Inspector's Report of the examination into the DPD was received on 30 January 2019, which found the DPD to be sound subject to a number of modifications, and these have been incorporated into the DPD.
- 1.2 South Lakeland District Council adopted the Development Management Policies Development Plan Document (DPD) with effect from 28 March 2019. The DPD forms part of the South Lakeland Local Plan and sets out detailed policies to guide decisions on development in the district, and is part of the statutory Development Plan for the district outside of the Lake District and the Yorkshire Dales National park boundaries.
- 1.3 A Sustainability Appraisal (SA) incorporating Strategic Environment Assessment (SEA), of the DPD was undertaken. This Adoption statement is the final output of the SA/SEA process. It describes the way in which the Council has taken environmental and sustainability considerations and the views of consultees into account in the adopted DPD and fulfils the DPD and programme adoption requirements of Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment (the SEA Directive¹) and the Environmental Assessment of Plans and Programmes Regulations 2004 (the SEA Regulations²).

Sustainability Appraisal

- 1.4 Sustainability Appraisal (SA) of development plan documents is a requirement of the European Strategic Environmental Assessment (SEA) Directive 2001/42/EC which requires that the environmental effects of particular plans and programmes, including Local Plan documents, are fully assessed and taken into account. This Directive has been adopted into UK law as Environmental Assessment of Plans and Programmes Regulations 2004. SA incorporates the SEA requirements, assessing social and economic as well as environmental effects.

¹ Available from <http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32001L0042&from=EN> [Accessed October 2018]

² SI 2004 No. 1633 The Environmental Assessment of Plans and Programmes Regulations 2004.

- 1.5 Under Section 19(5) of the Planning and Compulsory Purchase Act 2004, local planning authorities are required to carry out a SA of their local plans in order to help guide the selection and development of policies and proposals in terms of their potential social, environmental and economic effects. In undertaking this requirement, local planning authorities must also incorporate the requirements of the SEA Directive, and its transposing regulations the SEA Regulations.
- 1.6 The SEA Directive and transposing regulations seek to provide a high level of protection of the environment by integrating environmental considerations into the process of preparing certain plans and programmes. The aim of the Directive is “to contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes with a view to promoting sustainable development, by ensuring that, in accordance with this Directive, an environmental assessment is carried out of certain plans and programmes which are likely to have significant effects on the environment”.
- 1.7 The National Planning Policy Framework (NPPF) states that “Local plans and spatial development strategies should be informed throughout their preparation by a sustainability appraisal that meets the relevant legal requirements. This should demonstrate how the plan has addressed relevant economic, social and environmental objectives”.
- 1.8 National Planning Practice Guidance advises that the SA can include the Strategic Environmental Assessment (SEA) as required by the European Union Directive 2001/42/EC (SEA Directive), which covers only the environmental considerations relating to plan-making, and this was the approach used in the assessment of the DPD. Sustainability Appraisal should meet all of the requirements of the Environmental Assessment of Plans and Programmes Regulations 2004. Therefore, throughout the remainder of this statement reference to “SA” implies both SA and SEA.
- 1.9 The guidance specifies five stages to the Sustainability Appraisal Process as follows:
- Stage A: Setting the context and objectives, establishing the baseline and deciding on the scope
 - Stage B: Developing and refining alternatives and assessing effects
 - Stage C: Prepare the sustainability appraisal report
 - Stage D: Seek representations on the sustainability appraisal report from consultation bodies and the public (iterative process running through Stage A-D)
 - Stage E: Post adoption reporting and monitoring
- 1.10 The SA for the DMDPD has been based on a similar set of stages as follows:
- Stage 1: Scoping Report
 - Stage 2: Assessment of Reasonable Alternatives

Stage 3: Assessment of the Draft Plan (preparation of the Sustainability Appraisal Report) – this has been an iterative process throughout the DPD production, with consultation undertaken with key bodies and the public at all stages

Stage 4: Finalising of the Plan and post adoption reporting and monitoring

- 1.11 The SA work undertaken in support of the development of the DPD to date can be viewed on the Council's website: www.southlakeland.gov.uk/dm-dpd.

Habitat Regulations

- 1.12 Additionally, the Conservation of Habitats and Species Regulations 2010 transpose the EC Habitats Directive 92/43/EEC into English national law. They require competent authorities to decide whether or not a plan or project can proceed having determined whether a plan or project may have a significant effect on a European site; if required, undertaken an appropriate assessment of the plan or project; decided whether there may be an adverse effect on the integrity of the European site in light of the appropriate assessment. The outcome of this process is identified in the Habitats Regulations Assessment (HRA).
- 1.13 HRA Screening has been undertaken to determine if the DPD (either in isolation and/or in combination with other plans or projects) would generate an adverse impact upon the integrity of a Natura 2000 site, in terms of its conservation objectives and qualifying interests. Its findings have been used to influence this SA where appropriate. The HRA concluded that the DPD will not have any likely significant effects on the European sites, either alone or in combination. See Section 4 for further information about the HRA.

Purpose of this Adoption Statement

- 1.14 This Statement represents the conclusion of the SA process. It has been prepared in order to meet the requirements of Article 9 of the Strategic Environmental Assessment Directive (SEA) 2001 and Environmental Assessment of Plans and Programmes Regulations 2004 (16) (4). It sets out:
- How environmental considerations have been integrated into the plan or programme (Section 2);
 - How the environmental report has been taken into account (Section 2);
 - The reasons for choosing the plan or programme as adopted, in the light of the other reasonable alternatives dealt with (Section 2);
 - How opinions expressed and results of public consultation have been taken into account (Section 3);
 - The measures that are taken to monitor the significant environmental effects of the implementation of the plan or programme (Section 4).

2. How environmental considerations have been integrated into the plan or programme and how the environmental report has been taken into account

Development of DPD in parallel with key outputs of SA

2.1 The DPD has been informed by the key outputs of the SA throughout the course of its preparation as follows:

DPD Stage	Role of the Accompanying SA Report
Evidence Gathering 2015	Draft SA Scoping Report Stage 1 / Stage A This set the scope and approach of the SA process taking into consideration the review of other relevant programmes, plans and policies, relevant baseline information, and the key sustainability issues and opportunities of the DPD
Issues and Options Consultation November 2015	Draft SA Scoping report refined following consultation with three statutory bodies and published alongside Issues and options document
Testing of options for different types of policies to be included in the DPD 2016	Assessment of reasonable alternatives Stage 2 / Stage B An assessment of reasonable alternatives was undertaken, comparing different approaches that could be taken to achieve the objectives of the DPD. It was used to determine whether there are different options for policies that should be included within the DPD

DPD Stage	Role of the Accompanying SA Report
Consultation on the Draft DPD October 2016	<p>Interim SA Report Stage 3A / Stage C</p> <p>This included an assessment of the emerging/draft policies in order to determine likely effects. Recommendations were also identified, and clarity how these have been addressed were documented. The report provided a summary of the SA process and documented the findings of the appraisal work undertaken. The findings were used to inform the Draft DPD published for consultation. The Interim SA report was also published for consultation.</p>
Publication of the DPD November 2017	<p>Final SA Report Publication Version Stage 3B / Stage C</p> <p>A further appraisal was undertaken of revised emerging policies following consultations undertaken in October 2016 and Summer of 2017. This provided a comprehensive review of all SA work undertaken previously and identified further recommendations to the emerging policies as well as updates in response to previous recommendations.</p> <p>The Interim SA report was amended and a Final SA Main Report was published alongside the publication of the DPD for formal representations.</p>
Main Modifications to Publication DPD October 2018	<p>SA Addendum Main Modifications Stage 3C / Stage C</p> <p>The SA Addendum provided an update to the SA of the Publication Version of the DPD taking into account the Main Modifications made in response to the Examination hearings.</p>
Adoption March 2019	<p>Stage 4 / Stage E</p> <p>This SEA/SA Post Adoption Statement brings the process to a close by reflecting on how sustainability has been integrated into the Local Plan development through the SA process. It also identifies how the DPD will be monitored.</p>

2.2 Running throughout the course of the DPD has been Stage D seeking representations on the sustainability appraisal report from consultation bodies and the public (see Section 3).

Stage 1 Scoping Report

2.3 The Scoping stage of SA/SEA involves the following key tasks, which are undertaken to identify the environmental, social and economic issues that should be a focus of the SA/SEA and how the assessments will be undertaken.

- Reviewing the policy content
- Establishing the current and projected baseline position for a range of environmental factors
- Identifying the key environmental issues

2.4 The initial scoping stages also include establishing a methodological framework that will be used as a basis for undertaking assessments (referred to as a SEA Framework). The SA methodology set out was based on the agreed Cumbria-wide SA approach and the approach taken to SA for the Core Strategy and Land Allocations DPD. An initial draft of the SA scoping report was produced in September 2015.

2.5 The statutory bodies Environment Agency, English Heritage and Natural England were consulted on the initial draft of the SA Scoping Report and their comments were incorporated into the document and SA approach (see further details of consultation undertaken on the scoping report in Section 3 and feedback received).

2.6 The draft of the SA scoping report included an exercise reviewing the plans and programmes that have implications for the DMDPD as well as identifying sustainability objectives with relevance for the plan. It then included an assessment of the current state of the area, and its characteristics (economic, social, and environmental) and context of locations likely to be significantly affected by the DPD. A range of sustainability issues were then identified, including the following:

- Housing affordability
- Lack of appropriate mix and amount of housing types, sizes and tenures
- Cultural heritage and character is vulnerable to unsympathetic alterations and development and requires protection and enhancement
- Identified risk of flooding to significant areas, including parts of main towns
- High and increasing proportion of the population is over 60 – implications for services
- Enable people to choose other modes of transport than private vehicles, including safer, active sustainable travel

2.7 The agreed Sustainability Appraisal Objectives set out in the Cumbria-wide SA approach are set out in full below. Each objective is also supported by a series of sub-questions to help guide the appraisal process and ensure the key issues are considered. These are contained in Table 2.1 of the Final SA Main Report.

Objective SP1 To increase the level of participation in democratic processes

Objective SP2 To improve access to services and facilities, the countryside and open spaces

Objective SP3 To provide everyone with a decent home

Objective SP4 To improve the level of skills, education and training

Objective SP5 To improve people's health and sense of wellbeing

Objective SP6 To create vibrant, active, inclusive and open-minded communities with a strong sense of local history

Objective EN1 To protect and enhance biodiversity and geodiversity

Objective EN2 To conserve and enhance landscape quality and character for future generations

Objective EN3 To improve the quality of the built environment

Objective NR1 To improve local air quality, reduce greenhouse gas emissions, promote renewable energy and energy efficiency and reduce need to travel

Objective NR2 To improve and manage water quality and water resources and services

Objective NR3 To restore and protect land and soil

Objective NR4 To manage mineral resources sustainably, minimise waste and encourage recycling

Objective EC1 To retain existing jobs and create new employment opportunities

Objective EC2 To improve access to jobs

Objective EC3 To diversify and strengthen the local economy

2.8 A set of indicators was identified against relevant appraisal objectives, taking account of national guidance and advice from the statutory agencies, existing indicators recommended by Cumbria County Council or at a local level and those used in the SA frameworks of comparable local authorities.

- 2.9 Following on from the above, all policy options needed to be assessed against the SA objectives in order to determine which options best support the sustainability objectives. A scoring system was identified in the Scoping Report in order to measure the degree to which options support the objectives. The scoring system is set out in Section 2 (Figure 2.1) of the Final SA Main Report. A policy appraisal template as set out in Section 2 (Figure 2.2) of the Final SA Main Report was also produced to aid the appraisal of options against the SA objectives using the scoring system identified.
- 2.10 The information and methods outlined in the Scoping Report were used in the appraisal of issues and options and draft policies. The scope of the SA constantly evolves as new evidence and information becomes available. Therefore, the scope has been refreshed throughout the plan making process to ensure that it remains focused on the correct issues. A full update to the Scoping Report is presented in Appendix III of the Final SA Main report. It sets out the most recent baseline information, policy context/review and the methodology behind the development of the SA Framework; which is key to appraising the DPD. The baseline update and refresh to the contextual review did not lead to substantial changes to the key issues identified.

Stage 2 Assessment of Reasonable Alternatives

- 2.11 This stage involves identification and assessment of 'reasonable alternatives'. This means comparing different approaches that could be taken to achieve the objectives of the DPD. In this case, this relates to whether there are different options for policies that will be included within the DPD. Chapter 3 of the Final SA Main Report explains the process that the Council undertook with regards to the identification and appraisal of alternatives (options). Appendix II of the report includes a full record of the outcome of the appraisal of all options. It evidences the preferred option and alternative options, and provides a reasoned justification for the preferred option, taking account of how each option performed in Sustainability Appraisal terms. The information was also presented in Appendix 1 to the Draft Development Management Policies DPD.
- 2.12 Alternatives should only be tested in the SA that are 'reasonable', which is largely at the discretion of the Plan making authority (and aided by stakeholders and public consultation). To be reasonable and to inform a meaningful appraisal process, alternatives therefore need to possess the following characteristics:
- They relate to the objectives of the Plan being prepared – i.e. they are a potential way of achieving the Plans objectives
 - They are discrete ways of delivering a policy and not part of a 'menu' of different policy measures that could be included in a range of policy approaches
 - They are not unrealistic or undeliverable
 - They provide sufficient detail to allow for an objective appraisal to be undertaken

- 2.13 The Council identified different policy options for the issues set out within the Issues and Options document which was consulted on in November 2015. A high level appraisal of these broad options was undertaken by the Council against the SA framework using the methodology described in Chapter 2 of the Final SA Main Report. This helped to identify the key advantages and disadvantages relating to the overall approach to policy development. Given the limited level of detail, the appraisals were necessarily broader in nature, and intended to help influence the principles for policy development.
- 2.14 Chapter 3 of the Final SA Main Report provides a summary of how each option performed against the SA objectives as presented in the Issues and Options document. The appraisal process involved assessing the impact of each option and identifying a score for each. Mitigation measures were identified as necessary in order to enhance the performance of the option. An overall impact score was then identified for each of the four groupings (social progress, environment, natural resources and economy). Through the appraisal process a preferred option was identified with an explanation of why it is the preferred option. A rationale for why the alternative options were not preferred was also included.

Stage 3 Assessment of the Draft Plan (preparation of the Sustainability Appraisal Report)

Stage 3A Draft DPD

- 2.15 Following consultation on the Draft SA Scoping Report and recommendations being incorporated into the SA Framework and the outcome of Stage 2, the Council produced a first draft of the DPD. The assessment process was undertaken in accordance with the National Planning Policy Framework (2012), which emphasized that ‘assessments should be proportionate, and should not repeat policy assessment that has already been undertaken. Where possible the local planning authority should consider how the preparation of any assessment will contribute to the plan’s evidence base’. The SA of the DPD was carried out in this context, recognizing that the parent strategic policies and objectives that they seek to deliver had already been comprehensively assessed during the SA of the Core Strategy (2010) and Land Allocations DPD (2013). The SA report of the Core Strategy and the SA of the Land Allocations can be found on the Council’s website.
- 2.16 An important stage in the SA process is the identification of measures to minimise negative effects and enhance the positives. Section 5 of the Final SA Main Report discusses the approach taken to identification of recommendations throughout the plan-making process and how these were taken into account. It describes whether the Council decided not to take any action, amend policy, or resolve to consider recommendations further as the plan was being finalised.

2.17 Listed below is a summary of recommendations made on the emerging draft policies that were taken into account in the formalising of draft policies. The full list of the recommendations is documented in Table 5.1 of the Final SA Main Report, including a summary of the Councils response.

SA Topic: Sustainable use and management of natural resources

Policy and recommendation	How taken into account in the DPD
<p>Policy DM4 Clarity whether ‘replacement trees’ would need to be provided on site or not.</p> <p>Clarity ‘wider diversity’. Perhaps more beneficial to require that new trees promote a ‘diversity of species and heights in keeping with local character and GI networks</p>	<p>Text added to draft policy with reference to new tree planting being on-site with qualification of exceptions.</p> <p>Text added to policy as follows ‘Promote diversity of species, including diversity of height’. It is considered the next bullet point refers to being appropriate to location and function, covers the need for the species and heights to be in-keeping with the local area.</p>
<p>Policy DM9 Could be cross referenced with Policy DM6 encouraging the provision of permeable parking spaces; or other forms of Sustainable Drainage Systems to ensure that surface water run-off is not increased with new parking spaces. This would help to better manage water quality and resources and contribute to a more attractive public realm</p>	<p>Additional text added at the end of last paragraph of policy to say including incorporation of measures such as permeable surfaces and sustainable drainage systems.</p>
<p>Policy DM22 Alternative locations than out of town should be explored first. Suggestions made about avoiding over concentration.</p>	<p>Additional reference added to policy to say ensure there remains a proportionate mixture of shopping uses within the immediate locality</p>

SA Topic: Effective protection of the environment

Policy and recommendation	How taken into account in the DPD
<p>Policy DM4</p> <p>Policy should clarify what constitutes ‘net gains’; and that this could include a higher quality of Green Infrastructure / open space compared to the existing site. Also be beneficial to establish the importance of joining-up ecological networks, to promote resilience to climate change.</p>	<p>Text added to policy which makes explicit that net gains could be quantitative or qualitative</p> <p>Text added to policy covering connectivity in this context</p>

SA Topic: Building a sustainable economy in which all can prosper

Policy and recommendation	How taken into account in the DPD
<p>Policy DM3</p> <p>Any restriction on the use of funds generated through improvement measures to historic features ought to be more flexible. It would be sufficient to state that proposals that bring about public enjoyment of heritage assets will be supported, provided there is ongoing upkeep and maintenance of the assets (rather than requiring all funds generated to be directed towards upkeep)</p>	<p>Changes made since the previous version of the DPD are more positive and address previous recommendations</p>

SA Topic: Social progress that recognizes the needs of everyone

Policy and recommendation	How taken into account in the DPD
<p>Policy DM6</p> <p>The policy could seek to ensure that there is no net increase in surface water run-off. This ought to ensure that flood risk is not increased on or off-site; helping to protect human health and material assets (homes and businesses)</p>	<p>Changes made to the policy to reflect recommendations – leading to a more positive effect.</p>
<p>Policy DM13</p> <p>In order to safeguard the small scale social nature of villages and hamlets, the policy wording could be strengthened to ensure that potential cumulative effects upon the character of the settlement do not occur in the long term.</p>	<p>Text added to criterion 1 to refer to “taking account of the cumulative impact of incremental development” (on the scale, form and character of the settlement)</p>

- 2.18 An individual assessment was undertaken for each of the proposed Plan policies, each being recorded in a policy assessment (see Appendix I Final SA Main Report). The scoring matrix identified in the SA framework was used to determine the performance of each policy against the four strands of sustainability. A summary of the policy appraisal matrix is provided in Table 4.1 of the Final SA Main Report.
- 2.19 A positive score of +1 is not significant, but nevertheless beneficial. Significant effects are recorded as +2 or +4 for major significance. No significant negative effects have been identified, but there are possible negative implications, recorded by a -1 score. A neutral score is recorded as a '0'.
- 2.20 The draft DPD was published for consultation in October 2016. The outcome of the appraisal of draft policies is evidenced in Chapter 4 of the Interim SA Report October 2016.

Stage 3B Publication DPD

- 2.21 As stated SA is an iterative process, and more than one 'round' of appraisal has been undertaken. Following consultation on the draft DPD and interim SA Report, the Council revisited the draft policies and proposed a number of changes, whilst introducing additional policies. A further consultation took place in the Summer of 2017 on a Main Changes document; and the outcome of this was used to determine the preparation of final policies to be included in the Publication DPD. Consequently, the policies in the Publication DPD were reappraised through the SA using the same methodologies employed at earlier stages.

2.22 Listed below is a summary of recommendations made on the draft final policies that were taken into account in the formalizing of the final policies. The full list of the recommendations is documented in Table 5.1 of the Final SA Main Report, including a summary of the Councils response. Few recommendations were made at this stage.

SA Topic: Building a sustainable economy in which all can prosper

Policy and recommendation	How taken into account in the DPD
<p>Policy DM8</p> <p>The policy could be strengthened by making reference to support by community-led broadband infrastructure in areas that may not benefit from the roll out of superfast broadband.</p>	<p>The supporting text includes a stronger reference to community led broadband schemes, recognizing their importance particularly in areas that won't be served by the fibre rollout.</p>

SA Topic: Sustainable Use and Management of Natural Resources

Policy and recommendation	How taken into account in the DPD
<p>Policy DM26</p> <p>The policy could be strengthened by adding flood risk to the locational criteria. In addition, criteria concerned with appropriate waste storage facilities would have a positive impact.</p>	<p>Additional criteria added to policy to say 'waste and water disposal facilities' and footnote to explain including foul and surface water.</p>

2.23 The DPD needs to be read 'as a whole' to understand how the different policies relate to one another and how they may combine to have synergistic or cumulative effects. Section 4 of the Final SA Main Report identifies the cumulative effects.

2.24 Overall it is concluded the DPD is predicted to have a :

- Significant positive effect on social progress, mainly relating to housing (SP3), health (SP5), improved recreation and environments (SP2). No significant negative effects are identified.
- Significant positive effect upon the environment, including the protection and enhancement of green infrastructure (EN4), biodiversity conservation (EN1) and the protection and enhancement of the built environment (EN2, EN3). There are no significant negative effects predicted.
- Significant positive effect upon natural resources, though the effects would likely only accrue in the longer term. The positive effects are likely to be 'spread thinly' across

the district, rather than being notable in any particular location or against any particular receptors (i.e. air, water or soil).

- Significant positive effect upon the economy by helping to retain workers, encourage rural diversification, and support the vitality of town centres.

2.25 The DPD and SA report were submitted to the Secretary of State on 28 February 2018, and examination hearings took place in June 2018.

Stage 3C Addendum to SA

2.26 Following the hearings, the Council proposed a number of main modifications to the DPD, and these were consulted on for six weeks at the end of 2018. The Council undertook a further SA reappraisal of the policies affected by the main modifications. The outcome of this appraisal is contained within the Addendum to the SA of the DMDPD October 2018 Proposed Main Modifications. It was concluded following the screening and re-appraisals of the modified policies that the main modifications do not significantly affect the findings of the previous SA reports, nor do they give rise to significant environmental effects.

3. Assessment of Draft Plan including consultation / representations on SA from consultation bodies and the public (Stage 3 / Stage D)

Consultation on the DPD

- 3.1 Development of the DPD has been informed by ongoing public engagement and consultation, in accordance with the Town and Country Planning Regulations. Consultation on the DPD was undertaken at a number of stages. The Issues and Options Discussion Paper was consulted on between 6 November 2015 and 8 January 2016. This identified a range of possible topics for inclusion in the DPD and presented a number of options for how to consider these.
- 3.2 Consultation on the Draft DPD took place between 10 November 2016 and 5 January 2017. Following the outcome of the consultation, a number of changes were proposed to the draft policies including the inclusion of new policies; these were subject to a further consultation between 19 June and 17 July 2017. The DPD was published on 2 November 2017 with a six week period for formal representations to be made.
- 3.3 The DPD was then submitted to the Secretary of State via the Planning Inspectorate for examination on 28 February 2018. Following the examination hearing in June the Council welcomed comments on a schedule of proposed Main Modifications to the DPD.

3.4 Representations received on all the consultations outlined above were taken into account in producing the Adopted Version of the DPD. A summary of the consultations responses at each stage of the DPD's development is contained in the DPD Publication Consultation Statement September 2017 and the Representations Statement February 2018. These documents also specify the procedures and methods used to engage.

3.5 Table to show timelines of consultation on the DPD and SA.

DPD Preparation Stage	DPD and SA Stage at which Consultation Responses taken into Account	Date of consultation
Early Engagement plan – production	Initial Draft SA Scoping Report for DPD – with three bodies Natural England, Historic England and Environment Agency	18 September – 23 October 2015
Issues and Options Discussion Paper	Issues and Options Discussion Paper and Draft SA Scoping Report	6 November 2015 – 8 January 2016
Regulation 18 Draft DPD (emerging options)	Draft DPD and Interim SA Report	10 November 2016 – 5 January 2017
Draft Development Management Policies Main Changes Document - Pre-Publication Consultation and updated Optional Housing Standards Evidence Paper	Draft Development Management Policies Main Changes document	19 June – 17 July 2017
Regulation 19 Proposed Submission DPD	Publication DPD and Final Main SA Report	2 November – 14 December 2017
Regulation 22 Submission DPD	Submission DPD and Final SA Main report any modifications including updated Scoping Report	February 2018
Regulation 24 Examination	Main Modifications to Publication DPD and Addendum to Final SA Report	October 25 2018 – December 6 2018
Regulation 26 Adoption	Final SA Report - Adoption	March 2019

Consultation on the SA reports

- 3.6 Consultation on the SA was undertaken at a number of stages. In accordance with the SEA Regulations, the SA was made available for consultation throughout the DPD preparation process. The SA process commenced with pre-scoping consultation. The Consultation Statement in Table 1 sets out which specific consultation bodies and which general consultation bodies the Council consulted, and the methods of engagement are contained in Table 2a, Table 2b and Table 2c leading up to publication of the DPD. The Representations Statement sets out methods used and who we consulted at publication stage.

Draft SA Scoping Report

- 3.7 The SA process commenced with pre-scoping consultation. A Draft SA Scoping Report was produced in September 2015, and the Council wrote to the three key stakeholders (Natural England, Historic England and Environment Agency) seeking their feedback. Feedback received and how it was taken into account is set out below (see Final SA Main Report Table 2.1 reference to SA objectives and questions, for example NR1 and EN3.1):

Consultee and Feedback	How taken into account
Historic England –should include importance of undesignated heritage assets and this should be included within the baseline data. Scoping report should include source of information, references made to them and recognize opportunities for their enhancement and contribution to other aspects of the Plan area.	<p>Reference added to key aims and / or objectives: non – designated assets, townscape, locally important heritage assets and archaeology (protection and enhancement).</p> <p>Reference added in Baseline Data – quality environment and quality design theme role of heritage assets to the area’s culture, character and distinctiveness and attractiveness to visitors.</p>

Consultee and Feedback	How taken into account
<p>Historic England – importance of local character and identity including the landscape and townscape of an area is an important consideration.</p>	<p>Reference added to key aims and / or objectives: enhance the distinctiveness and character of the area.</p> <p>Recognition that the character and distinctiveness of the historic and built environment, cultural heritage and character is vulnerable to unsympathetic alterations and development and requires protection and enhancement.</p> <p>Additions to Appraisal Questions EN3.1 with reference to character and distinctiveness.</p>
<p>Environment Agency – reference to the North West River Basin Management Plan within Policy Theme – Quality Environment and Quality Design.</p>	<p>Reference to this included within the Scoping Report.</p>
<p>Environment Agency – include reference to Environment Agency Flood Maps as supporting evidence/measure in respect to identified risk of flooding to significant areas, including parts of main towns.</p>	<p>Reference to EA Flood Maps added.</p>
<p>Environment Agency – include reference to Water Framework Directive monitoring results in sustainability and issues table section.</p>	<p>Reference to Water Framework Directive monitoring results added.</p>
<p>Natural England – suggest objective relating to protection and enhancement of biodiversity and geodiversity is broadened. Pressures of increased access associated with development should be recognized and mitigation recommendations identified.</p>	<p>An additional appraisal question added EN1.5 whether the policy ensures continuity and integrity of ecosystem services.</p>
<p>Natural England – lack of specific green infrastructure (GI) objective in the report. The environmental SA Objectives and some of the social and economic objectives could be improved by emphasizing the importance of GI and its multifunctional benefits, which would assist in the delivery of a range of SA topic areas e.g. biodiversity, landscape, health and wellbeing and climate change.</p>	<p>A new objective added EN4 to protect, enhance and maintain green infrastructure.</p> <p>Role of green infrastructure added and emphasized in a number of questions relating to EN1, NR1 and NR2.</p>

3.8 Following the consultation, the Draft SA Scoping Report was amended and published for consultation in November 2015. A number of comments were made on the Draft SA Scoping Report, as identified in Table 35 of the Consultation Statement, which also records how these were taken into account. As evidenced, few changes were made to the Draft SA Scoping Report in light of the feedback received. The table below sets out comments made and how these were taken into account:

Summary of Main Issue	How Main Issues are addressed
A1 Context Review – Natural and Built environment should be covered under separate headings	Many of the issues under Quality Environment are relevant to both the built and natural environment and thus were covered together. Where a particular factor is specific to either the built or natural environment, an amendment has been made to split these into separate lists, although issues relevant to both could not be split out
A1 Context Review – Scoping report should identify strategic or cross-boundary heritage issues	A reference has been added to strategic or cross-boundary heritage issues, however, this is a Scoping report for Development Management Policies; strategic and cross-boundary issues are primarily addressed through the Core Strategy
A2 Establishing the Baseline – Housing – Reference to housing completions should be more expansive than just last two years	Agreed. The reference has been amended to acknowledge that completions have been below the target for several years
A3 Identifying Sustainability Issues and Problems – Vulnerability of urban species should be mentioned	Agreed. The vulnerability of urban species due to unsympathetic development and inadequate long term provision for certain species has been added as an issue
A4 Sustainability Appraisal Framework – no specific mention of Urban Diversity in EN section	Agreed. Specific references to urban biodiversity have been added.
SP3 To provide everyone with a decent home. Should ask whether the policy will limit the delivery of new housing	Agreed. A new question has been added – Will the policy support the efficient delivery of new housing and ensure that barriers to delivery can be addressed.

Summary of Main Issue	How Main Issues are addressed
Appendix 2 – Indicators and Baseline Date – Housing. No indicator that refers to housing target or net housing completions by settlement type	The indicators identified in the Scoping Report relate to monitoring sustainability impacts not whole plan delivery. Indicators for monitoring the whole plan are contained within our Annual Monitoring Report and include indicators for housing completions against the Core Strategy target and net housing completions by settlement type. No change.

Interim SA Report

- 3.9 In November 2016, the Council consulted on an Interim SA Report. The Consultation Statement in Table 1 sets out which specific consultation bodies and which general consultation bodies the Council consulted, and the methods of engagement are contained in Table 2b. There was no feedback directly on the SA report, with one reference to it in the context of Policy DM1.

Final SA Main Report

- 3.10 A final SA main report was consulted on in November 2017 as part of Regulation 19, inviting formal representations. The Representations Statement provides evidence of the nature of any comments made on the report. As can be seen, no representations were made on the Report.

SA Addendum

- 3.11 Following the examination hearings, an Addendum to the SA was produced in response to the need to assess potential impacts arising from proposed main modifications. The Addendum was subject to public consultation in October 2018. No comments were made on the Addendum.

Engagement with statutory bodies

- 3.12 Beyond the early stages of production of the DPD, the statutory bodies (Environment Agency, Natural England and Historic England) provided no written comments on the SA, confirming their general approval of the approach taken. The Council worked closely with these bodies in order to ensure the policies met the SA objectives. This was also the case with the Habitats Regulations Assessment, where continuous informal discussion took place between the Council's consultants Footprint Ecology and these bodies as evidenced in the HRA report.

Engagement with public and other bodies

- 3.13 Whilst very few comments were made by other bodies and the public with respect to the DPD, detailed comments were provided in respect to the effects of the policies for the environment, economy and social progress objectives. Some respondents offered support for the principle and purpose behind policies in terms of supporting wider environmental, economic and social objectives, whilst others raised concerns in this respect. Some respondents sought changes in order to enhance performance against such objectives, or in order to affect their performance in order to support a particular interest.

Cross-boundary issues and effects

- 3.14 It was established early in the SA process that the Development Management Policies DPD would not have any significant effects on any other neighbouring authorities and that there are no trans-boundary issues in this respect.

4. Stage 4 Finalising of the Plan and post adoption reporting and monitoring (including reasons for choosing the plan or programme as adopted, in the light of the other reasonable alternatives dealt with)

- 4.1 Following receipt of the Inspector's Report it is concluded that the Council and Inspector are satisfied that the Sustainability Appraisal achieves the central goal of striking a good balance between the environmental, economic and social implications of the Development Management policies. The SA process was carried out as integral part of the DPD preparation, providing an independent review (except at proposed main modifications to policies following hearings) of emerging policy content to ensure that environmental, economic and social implications were addressed effectively.
- 4.2 Taking into account the findings of the appraisals and building in recommendations as suggested where relevant, it is concluded the overall cumulative effects of the Plan are positive in terms of ensuring it will contribute to meeting the objectives identified in the SA framework.

Habitats Regulations Assessment

- 4.3 The DPD also required a Habitats Regulation Assessment, as set out in the Conservation of Habitats and Species Regulations 2010 (as amended), as it might have had significant effects on European Habitats or species located in the district or neighbouring districts. The district contains a number of European sites in and close to the plan area including the Morecambe Bay & Duddon Estuary Special Protection Area (SPA), the Morecambe Bay Special Area of Conservation (SAC), River Kent SAC, Duddon Mosses SAC and Morecambe Bay Pavements SAC.
- 4.4 A HRA Screening report was undertaken on the draft policies in October 2016. As with the SA, the HRA was subject to revision through the plan-making process. Further revisions were made in September 2017 and 2018, with a final version produced in October 2018 in order to assess the impacts of the proposed main modification post – hearings.
- 4.5 The Council used the services of Footprint Ecology to produce the HRA and regular dialogue was maintained with key bodies including Natural England and United Utilities in order to ensure updates were founded upon latest mitigation progression in relation to recreation and water quality.
- 4.6 The HRA concluded that the DPD is in accordance with the requirements of the Habitats Regulations, and adverse effects on European site integrity will continue to be prevented, with the measures set out within the DPD and other Local Plan Documents. Following the recent European Court of Justice Judgment in 2018 (Case C-323/17), elements of the HRA relating to assessing the nature and extent of potential impacts on European site interest features, and the robustness of mitigation options were categorized under an Appropriate Assessment section. Recommendations identified in the October 2018 version were incorporated into the proposed main modifications as appropriate.

Monitoring Framework / Identification of Measures

- 4.7 The SEA regulations require the Local Planning Authority to identify measures for monitoring the significant environmental effects of implementing the DPD. This section provides an outline framework for monitoring the significant effects of implementing the DPD. Monitoring is an ongoing process integral to the DPD's implementation and can be used to:
- Determine the performance of the DPD and its contribution to objectives and targets
 - Identify the performance of mitigation measures
 - Fill gaps identified earlier in the SA process
 - Identify undesirable sustainability effects; and
 - Confirm whether sustainability predictions were accurate

This process helps to ensure that any unforeseen, undesirable environmental effects are identified, and remedial action if implemented accordingly.

- 4.8 The Final SA Main report in Section 6, identifies an outline/proposed monitoring framework. It includes a set of indicators drawn from those identified in the Scoping Report and also the Land Allocations and Core Strategy DPDs as well as specific indicators to monitor the performance of the DM policies. In addition Section 7 of the Development Management Policies DPD includes a set of bespoke potential indicators and requirements which again could be included within the monitoring framework for the DPD. This approach has been used because whilst some indicators are most appropriate for assessing the sustainability impacts of the DPD, others are most appropriate for indicating the performance of policies in terms of achieving their primary intended purpose, there is significant overlap and therefore it is appropriate for some indicators to serve both purposes.
- 4.9 The Annual Monitoring Report (AMR) will be the main mechanism for assessing the performance of the Local Plan as a whole, including the Core Strategy and Land Allocations, and the Development Management Policies DPD. Holistically it will provide an indication of any significant environmental effects. This will help to ensure that objectives are being met and that policies are being implemented. Where, as a result of monitoring, indicators show that a policy is not working effectively or key targets and objectives are not being met, remedial action may be taken.
- 4.10 Indicators identified within Section 6 of the Final SA Main report, are currently monitored as specified in the AMR. It is likely a large number of indicators identified in Section 7 of the DPD will be included for future monitoring purposes, either as a quantitative or qualitative analysis. The AMR will be amended and updated to reflect changes in monitoring needs resulting from trends or other effects highlighted through monitoring. The monitoring period matches the financial year (1 April – 31 March), and is currently published around the end of the calendar year.

5. Conclusion

- 5.1 This Adoption Statement has been produced in accordance with the legal requirements set out in paragraph 1.4. The Statement sets out how both Sustainability Appraisal and Habitats Regulation Assessment have played an integral part in the preparation of the Development Management Policies DPD to ensure the DPD makes a meaningful and long-term positive contribution to achieving sustainable development in South Lakeland District.

Appendix 1: Documents referred to in this Statement

SA Documents

- Draft SA Scoping Report, September 2015
- Draft SA Scoping Report, November 2015
- Interim Sustainability Appraisal Report, October 2016
- Sustainability Appraisal Report, September 2017 (including Final SA Main report)
- SA Addendum, October 2018

Other relevant documents

- DM DPD Issues and Options Discussion Paper, November 2015
- Core Strategy SA Scoping Report, March 2008
- Land Allocations Sustainability Appraisal Report, May 2012
- DM DPD Publication Consultation Statement, September 2017
- Representations Statement, February 2018
- Natural England comments on the Draft SA Scoping Report
- Historic England comments on the Draft SA Scoping Report
- Environment Agency comments on the Draft SA Scoping Report

If you would like to view them please contact the Development Plans Team on development.plans@southlakeland.gov.uk or 01539 793388.