

**CUMBRIA WIND ENERGY SUPPLEMENTARY PLANNING
DOCUMENT**

SUSTAINABILITY APPRAISAL STAGE D:

DRAFT CONSULTATION REPORT

March 2007

Executive Summary

This report represents Stage D of the five stage sustainability appraisal process. It is the final formal stage of reporting and is designed to provide feedback on the consultation process.

Sustainability appraisal is iterative and transparent and is designed to integrate with the plan making process. It provides a method of testing a plan or guidance document to ascertain to what extent principles of sustainable development are woven into that document.

This report continues this iterative process by reporting on the changes made as a result of comments received during the consultation phase and sets out where re-appraisal of the document may be required. The report also documents where changes have been made to the Cumbria Wind Energy Supplementary Planning Document as a result of recommendation provided in the main sustainability appraisal report (Stage C).

A summary of the main appraisal report is also contained as part of this report.

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1.0 Introduction – Purpose of this document

1.1 This consultation report forms part of Stage D of the sustainability appraisal process. According to Government Guidance¹ on sustainability appraisal the report should:

- show the ways in which responses to the consultation have been taken into account;
- provide sufficient information as to show how the SPD has changed as a result of the SA process and responses to consultation, or why no changes were made, or why options were rejected; and
- provide details on future monitoring procedures.

1.2 The sustainability appraisal comprises 5 key stages:

A: Stage A of the sustainability appraisal process involves ‘setting the context and objectives, establishing the baseline and deciding on the scope’. In more detail, this involves:

- Identifying other relevant plans and policies programmes and sustainability objectives;
- Collecting baseline information;
- Identifying sustainability issues and problems;
- Developing the sustainability appraisal framework; and
- Consulting on the scope of the sustainability appraisal.

B: Developing and refining options and assessing effects. This stage involves testing the SPD objectives against the SA framework that was developed in Stage A. It also requires predictive analysis and evaluation of the likely effects of the SPD, mitigation measures for any adverse effects predicted, proposals to maximise positive effects and proposals for monitoring the significant likely effects of the SPD.

C: Preparing the sustainability appraisal report.

D: Consultation on the preferred options of the SPD and the SA report. This stage involves the final SA report that was developed in Stage C. Any significant changes that need to be made as a result of consultations will be appraised before the Supplementary Planning Document is adopted as policy.

E: Monitoring the significant effects of implementation of the SPD. This involves finalising the monitoring programme and responding to any significant adverse effects of the SPDs at an early stage.

1.3 The consultation report can be used to provide a summary of the main sustainability appraisal report and remind readers of the key recommendations. Guidance also suggests that the report be used to meet the SEA Directive’s requirements to make information available to the public on how monitoring will be carried out during implementation. The main appraisal report has already detailed the draft arrangements for monitoring and it is not the intention of this report to make additional comments regarding monitoring at this stage. Stage E of the appraisal process which deals specifically with monitoring will provide confirmation of monitoring procedures to be put in place once there is stakeholder agreement.

2.0 Summary of the full Sustainability Report

- 2.1 Government guidance issued in November 2005 means that certain plans and guidance documents require an assessment of their socio-economic and environmental impacts (the sustainability appraisal).
- 2.2 The sustainability appraisal of the Cumbria Draft Wind Energy Supplementary Planning Document (WE SPD)² must meet the requirements of the Strategic Environmental Assessment Directive (2001/42/EC)³. This Directive, commonly referred to as the SEA Directive requires the assessment to be centred around and measured against a clear set of evidence or baseline data.
- 2.3 The purpose of sustainability appraisal (SA) is to promote more sustainable development by checking and testing a plan for the quality and robustness of its environmental, social and economic content. The SA informs the plan of how it can improve its 'sustainability score' by providing a series of recommendations based on the performance of the plan when measured against a series of predetermined sustainability objectives.
- 2.4 Sustainability appraisal must be closely linked with the plan making process, be iterative and help shape the plan to be more sustainable. The idea behind sustainability appraisal and strategic environmental assessment is that if a plan or guidance document can provide more sustainable policy direction or advice the development that the plan is guiding should inherently become more sustainable. Project level environmental assessment has existed for a long time but with sustainability appraisal much of the unsustainable development that previously 'slipped through the net' might be avoided altogether through more sustainable policy making.
- 2.5 This sustainability appraisal has been carried out using the Cumbria Sustainability Framework. The framework tests the WE SPD against 16 sustainable development objectives relating to potential effects of the guidance on environmental, social, economic and resource issues. The SA does this by comparing the WE SPD objectives with that of the SA, assessing the likely effects of the guidance against the 16 objectives, predicting the effects against the baseline and measuring performance against a series of indicators. The guidance will then be monitored against these indicators to keep a check on performance of the WE SPD and to assess any impacts.

Summary of the likely significant effects of the WE SPD

- 2.7 One of the key roles of the sustainability appraisal is to establish what impacts the WE SPD might have on the environment, society and the economy in Cumbria. To do this the document is assessed and appraised against the Cumbria Sustainability Framework. This framework essentially consists of 16 sustainability led objectives.
- 2.8 The initial scope of the WE SPD was guided by the recommendations of the Cumbria Joint Structure Plan Examination in Public (EIP) and the scope of the original wind energy SPG (1997). The result was a focus on the landscape and visual impacts of wind energy development.
- 2.9 The clear but narrow focus of the WE SPD affected how well the guidance performed against the 16 varied sustainability objectives. In summary these are the key findings:
 - The WE SPD performs most strongly against objectives relating to landscape and visual impact.
 - The WE SPD performed relatively well against objectives relating to air quality and climate change.

- The WE SPD performed relatively well against objectives relating to public participation.
- The WE SPD performed less well against objectives related to the water environment.
- The WE SPD performed less well against objectives related to biodiversity.
- The WE SPD performed less well against objectives related to soil quality and sustainable resources and waste management.
- The WE SPD generally performed less well against the social objectives.

2.10 Due to the interrelationship and integrated nature of many of the factors being assessed under the 16 SA objectives a key recommendation of the sustainability appraisal is that the scope of WE SPD be broadened to include a wider range of topic areas. In particular it was recommended that the guidance should seek to provide a more robust direction on biodiversity, the water environment, the impact on the local economy, skills education and training, and natural resource management.

Summary of the key recommendations of the Sustainability Appraisal

Table 1: Summary Recommendations

| SA Objective | Recommendation from the sustainability appraisal |
|--|---|
| SP1: To increase the level of participation in democratic processes (SEA: Population) | Include within the WE SPD a section on participation with links to District Authorities SCI's and include a section on how the SCI works and how members of the public and other interested stakeholders can participate in the WE SPD process. There should be some reference made to the history of consultation on the WE SPD to demonstrate how the document has been 'shaped'. |
| SP2: To improve access to services, facilities, the countryside and open spaces (SEA: Population) | Include a short section in the WE SPD guiding developers on access issues. The guidance should help developers understand the likely consequences of siting a wind energy development in the open countryside. Links should be made to the relationship to accessing the countryside and health and well-being and how this relates to achieving more sustainable wind energy developments. |
| SP3: To provide everyone with a decent home (SEA: Material Assets) | No direct recommendations relating to this objective. Housing falls outside the remit of the WE SPD. |
| SP4: To improve the level of skills, education and training (SEA: Population) | The WE SPD should include guidance on maximising the benefits to the local economy through improving education, skills and training both to schools, the wider community and the local workforce. Developers should be able to demonstrate some commitment to achieving this objective – there may be scope for this to be a requirement for granting planning permission in some instances though this may be difficult to implement – positive impacts on the local economy may be a planning consideration but not grounds enough for refusal. It should be made clear that whilst there will be a benefit to the Cumbrian economy through skills improvement and training programmes, developers will benefit by giving something back to the community. Links could also be made to economic and regeneration strategies and how developers might contribute to the aims of these. |
| SP5: To improve the health and sense of well-being of people (SEA: Human Health) | The WE SPD should include a section on the importance of well-being and how poorly planned, poorly sited and managed wind energy development might impact on this. Links should be made to health both physically in terms of possible construction impacts such as increased dust and pollution from vehicles but also mental health through maintaining people's well being and avoiding the impacts of noise pollution and visual disturbance/loss of amenity. The WE SPD already seeks to find the most appropriate sites for wind energy development but this is currently focussed on landscape issues. |
| SP6: To create vibrant, active, inclusive and open-minded communities with a strong sense local history (SEA: Population) | Communities close to wind farm developments will only remain open minded and inclusive places in which to live if the developers approach a wind energy project in the right manner. Excessive blight to an area from poorly planned, poorly sited and poorly managed wind energy developments will affect community spirit, cohesion leading to more divisive communities. Developers should be advised on how to avoid or minimise such impacts through careful and considerate liaison with town/village committees, interest groups and the wider public. |

| | |
|---|---|
| EN1: To protect and enhance biodiversity (SEA: Biodiversity, flora and fauna) | The WE SPD should contain a more specific section on biodiversity. This might take the form of a separate biodiversity chapter in which developers are encouraged to minimise their impact on biodiversity when designing, locating and constructing wind energy development. It may be appropriate to include maps which detail the most sensitive sites, habitats and species in the County. Objective EN1 also seeks some enhancement to biodiversity. Developers should be made aware that some mitigation measures may be required as a result of the EIA process. |
| EN2: To preserve, enhance and manage landscape quality and character for future generations (SEA: Landscape) | The WE SPD in its current form already provides robust guidance on landscape and visual impacts but more links could be made to the EIA process and landscape. Part 3 looks at the landscape and visual impacts and what's expected for the EIA but again this is centred around landscape/visual considerations of EIA. |
| EN3: To improve the quality of the built environment (SEA: Cultural Heritage) | Include a section on the built environment as part of the WE SPD, guiding developers on minimising the impact of their developments on archaeology and other built cultural assets in Cumbria. This might include maps detailing the areas most constrained by built heritage and advising developers on what will be required as part of the EIA process. |
| NR1: To improve local air quality and reduce greenhouse gas emissions (SEA: Air) (SEA: Climatic Factors) | Include a section on air quality and climate change. This section should make clear links to the requirements of the EIA process but there might also be scope to include a more contextual background section on wind energy and climate change and make links to regional targets for renewables and our responsibility to reduce greenhouse gases on the national and global scale. More specific guidance could be included on sustainable design and construction and sourcing local materials and minimising pollution from construction traffic and making links with local air quality and human health – sustainable construction/traffic planning. |
| NR2: To improve water quality and water resources (SEA: Water) | Broaden the scope of the WE SPD to take greater account of wind energy's relationship with the water environment. Links could be made with the requirements of the EIA process relating to water with a focus on the likely sources of pollution and demands on abstraction from the construction phases. Information and guidance could be in the form of illustrated maps (Environment Agency) detailing groundwater protection zones and areas of high pollution incidence and the most sensitive environments providing developers with knowledge of the most constrained areas. |
| NR3: To restore and protect land and soil (SEA: Soil) | Broaden the scope of the WE SPD to take account of soil pollution and resource issues. Developers should be guided and encouraged to take the necessary mitigation measures to avoid soil pollution incidents as a result of the manufacturing, construction and operational phases of wind farm development. Links can again be made to the requirements of the EIA process. It may be appropriate to provide developers with maps detailing where the most vulnerable environments are located in terms of soil degradation, PH levels and environments that include flora and fauna that are particularly sensitive to soil loss/pollution/damage. |
| NR4: To manage mineral resources sustainably and minimise waste (SEA: Air) (SEA: Climatic Factors) (SEA: Soil) (SEA: Water) | The WE SPD should take account of minerals and waste issues and guide developers on how to take a sustainable approach to the management of mineral resources and the minimisation of waste. Whilst energy from waste is outside the remit of the WE SPD, waste issues can still be addressed by guiding and encouraging developers to adopt practices that seek to minimise waste and use recycled material through the manufacturing, construction and operational phases of wind farm development. There are opportunities to make links to sustainable design and construction techniques, using local materials and reducing the demand for primary aggregates. The environmental, social and health benefits of this approach should be made clear and links made to the appropriate sections of the guidance. Links can also be made to the requirements of the EIA process. |
| EC1: To retain existing jobs and create new employment opportunities (SEA Population) (SEA Material Assets) | The WE SPD could make the links between the local economy and potential positive impacts of the wind energy sector much clearer. Links could be made to regeneration initiatives and strategies in place in Cumbria to help create a 'joined-up approach'. Developers should be encouraged to sustain the local economy through employing local contractors. Opportunities should be explored to link planning conditions/obligations for wind energy development consent and demonstrating a positive impact on the local economy through job creation. |
| EC2: To improve access to jobs (SEA Population) (SEA Material Assets) | Developers should be made aware of the need to diversify the Cumbrian economy and the role they can play in helping to achieve this. Renewable energy represents a new and growing industry that could increase the access to new employment opportunities in Cumbria. Developers should be encouraged through the WE SPD to improve the sustainability of their development by maximising their positive impacts on local economies. It should be made clear that this is part of 'committing to Cumbria' and creating good links and relationships with local communities. |
| EC3: To diversify and strengthen the local economy (SEA Population) (SEA Material Assets) | In order to influence this indicator a specific section could be included in the WE SPD guiding developers on maximising their influence on the local economy by employing local people both in designing and manufacturing and constructing/decommissioning wind energy development. There is an opportunity to guide developers to ensure that the variety and quality of employment in Cumbria's energy sector is improved. On top of this developers should be encouraged to support and help develop existing local businesses and companies. |

3.0 Consultation - Implications for the Sustainability Appraisal

The requirement for consultation

- 3.1 The SEA Directive requires consultation to be carried out on the sustainability appraisal report (Stage C) of the sustainability appraisal process. The Directive says:

"The authorities [with relevant environmental responsibilities] and the public... shall be given an early and effective opportunity within appropriate time frames to express their opinion on the draft plan or programme and the accompanying environmental report before the adoption of the plan or programme" **(Article 6(2))**.

"The environmental report,... the opinions expressed [in responses to consultation] ... and the results of any transboundary consultations ... shall be taken into account during the preparation of the plan or programme and before its adoption..." **(Article 8)**.

"...when a plan or programme is adopted, the [environmental] authorities [and] the public... are informed and the following items [shall be] made available to those so informed: (a) the plan or programme as adopted, (b) a statement summarising how environmental considerations have been integrated into the plan or programme...[including] the reasons for choosing the plan or programme as adopted, in light of other reasonable alternatives dealt with, and (c) the measures decided concerning monitoring" **(Article 9(1))**.

- 3.2 The SEA Directive is clear in its requirement for the sustainability report to be consulted on at the same time as the plan being assessed. In this case the sustainability report was consulted on at the same time as the Draft WE SPD and accords with the Directive and Government guidance on ensuring the appraisal process is integrated and iterative.
- 3.3 In addition to the requirements of the SEA Directive there is also planning legislation and guidance which governs how consultation should be conducted on the SPD and Sustainability Appraisal Report.
- 3.4 The WE SPD is being prepared to support the LDFs across the county. The process by which consultation should be carried out on the SPD is guided by Regulation 16 of the Town and Country Planning (Local Development) (England) Regulations 2004⁴ and the details of each Statement of Community Involvement of the local planning authorities. Consultation in the case of the WE SPD sustainability appraisal is carried out in accordance with Regulation 16.
- 3.5 Regulation 16 makes it clear that the Sustainability Report that accompanies the SPD should also be subject to a formal consultation period. Also, through PPS12⁵ and the SEA Directive itself, there is a requirement to consult on the sustainability appraisal report at various stages of its production. Reg 16 prescribes that the duration of a consultation period should be no shorter than 4 weeks and no longer than 6 weeks. In the case of the Scoping Report the consultation period lasted for 5 weeks. Consultation on the full sustainability report will last for six weeks. The consultation period on the draft Scoping Report was held between 13th February and 20th March 2006.

Consultation Responses to the Wind Energy SPD and Sustainability Appraisal

- 3.6 The draft WE SPD and Sustainability Report was available for consultation with the public and other interested parties for a period of six weeks between 30th October and 8th December 2006. 128 responses were received with 62 from members of the public and 66 from professionals and groups.
- 3.7 Respondents were asked to state whether they were either commenting on the WE SPD, the Sustainability Appraisal Report (SAR) or both documents. There were 13 direct responses to the SA. These responses are summarised in Appendix 1 along with comments. The feedback came from developers, statutory bodies and members of the public.
- 3.8 Generally the comments were positive regarding the need for sustainability appraisal. Some points were made regarding the need for a supplementary planning document to undergo such an in depth assessment against the broad set of criteria. Guidance is clear on this. SPD's must be subject to sustainability appraisal which tests against social and economic as well as environmental objectives.
- 3.9 The comments have not raised any issues that bring about the need for significant material changes to the SAR. Several respondents raised concerns over the accessibility of the SAR saying it was too complex and detailed for a public document and a summary version should be produced. The full version was considered better suited for the needs and requirements of developers. As a result a summary version of the SAR can be found in Appendix 2.
- 3.10 The purpose of Stage D of the Sustainability Appraisal is to review these responses and make a judgement on whether changes made to the WE SPD as a result are significant enough to warrant further appraisal. The following paragraphs set out the key issues that have been drawn out of the comments made on the WE SPD.

1. Habitats Regulation Assessment – Sustainability Appraisal does not provide a specific assessment of habitats. The consultation raised this issue of the need to carry out such an assessment of the SPD. An assessment will be carried out. The WE SPD currently identifies the relevant policies that seek to prevent unacceptable harm on European sites and features. It is likely to be amended to include a caveat that ensures that unacceptable harm does not arise from the SPD and the consideration of wind energy schemes. It will request that a Habitats Regulation Assessment be carried out at a detailed application stage.

2. Scope of the WE SPD - Many people support the principle of the SPD, although very few support it as it is. More respondents would like to see the scope expanded to provide more comprehensive/integrated guidance on: Technical constraints, Biodiversity, Noise restrictions, Effects on tourist economy and issues around the Historic Environment.

The Joint Local Planning Authority Wind Energy Officers Group agreed the WE SPD should not fundamentally change to include the same amount of information on the above issues as there is currently for the landscape and visual aspects. It is not considered appropriate to include more detailed information as much of it either has statutory weight (e.g. biodiversity concerns), is more factual or would be contrary to national planning guidance. Many other aspects such as those mentioned above are covered in detail in other guidance and legislation – the WE SPD will provide clearer sign posting to this information. It has been acknowledged that the WE SDP is skewed in its information with a bias on landscape impacts.

The redrafted WE SPD will be restructured to reflect this with clearer guidance on why wind energy is needed, what needs to be considered by any application and why the SPD provides detailed guidance on landscape and visual issues. The landscape information will sit clearly in one place after the general guidance.

3. **Biodiversity/Baseline Data** – The Wind Energy Officers Group will work closely with conservation groups to determine what evidence base and mapping information they have and how it can be used in the WE SPD. Greater reference will be made to the WE SPD to some of the areas that may be sensitive in biodiversity terms. The same can apply to historic environment. There is scope within the guidance to be more explicit on issues such as cumulative effect and siting and design and make it clear that these are not just landscape led. The nature conservation text will be reviewed in line with PPS22⁶ and PPS9⁷ to strike the right balance.
4. **Reference to other renewables** - Many respondents referred to the potential of other renewable sources, typically hydro, wave and tidal. It has been agreed that the SPD will not be extended to cover detailed development guidance on other renewables. The nature of such development will either take place offshore and be beyond the decision making remit of the local authorities, or, in the case of hydro, be very small scale and not be considered strategic, or be so large scale that it would be unique and be dealt with on its own merits. Although people hadn't referred to biomass, photovoltaics or geothermal, the arguments above were considered to apply.

Some respondents want the guidance to include micro-generation and energy efficient building techniques. This was not supported by the Wind Energy Officers Group. Changes to permitted development rights may mean some micro-generation types will not need planning consent in the next few years, it was not considered to have a strategic nature, unlike wind, and each LDF will have specific policies on energy efficiency and micro-generation.

It was agreed that the SPD should be more explicit in recognising the importance of other renewables, micro-generation and energy efficiency and set out why it isn't covering such issues. New text that reflects the aims of Draft PPS1: Climate Change⁸ should help to achieve this.

5. **Tone of the WE SPD too negative** - Many respondents considered the tone of the WE SPD to be too negative. They also felt 'loaded language' is used and that it is contrary to PPS22 as it doesn't seem to encourage wind energy development. It has been agreed that the text should be revised to more closely reflect the aims of PPS22 and Draft PPS1: Climate Change. Reference could also be made to the Stern Report¹. The WE SPD will be more explicit about its role in enabling future development. The use of subjective terms will be reviewed, but where they are included in the landscape specific sections and arise from the landscape assessment (following usual landscape description conventions) the language will remain, but a note on why this language is being used will be added.
6. **Climate Change and the role of wind in the 'energy mix'** – Some respondents were concerned that the SPD underplays climate change and the role that wind energy has in delivering the Government's energy policy. It has been agreed to revise the section on climate change and national and regional context to ensure the text is more in line with national and regional guidance and strategies.

It was agreed to stress the Government's package approach to energy reduction and production, and demonstrate where wind energy sits within this package.

This should also clarify the situation for the respondents who believe that wind will never provide enough energy for all due to its intermittency or perceived inefficiency. This will also complement the issue discussed above, and help explain why there is a focus on wind and why other energy options are not covered in the WE SPD. In addition the official response to such issues could refer to PPS1 and the call for carbon trajectories to be developed in each region.

- 7. Regional Spatial Strategy (RSS) targets** - Some respondents commented that the targets for Cumbria are too great and others believe the SPD should be demonstrating how the draft RSSⁱⁱ targets would be achieved. It was agreed that the main aim of the SPD was to provide general guidance on wind with specific detail on landscape issues.

The Landscape Capacity Assessment does not seek to demonstrate that RSS targets can be met, but It was agreed that the text would be changed slightly with reference to draft RSS targets and that the SPD should not seek to demonstrate how the targets could be met. It would be stressed that the SPD seeks to facilitate future development to help achieve any regional renewable energy targets.

- 8. Local amenity and local economy** - There was a clear split in the responses received on these issues. Some want the information strengthened to reflect local concerns on the effect of wind on house prices, tourist economy and noise. Others want such references removed as they are not considered appropriate as planning issues or factually correct.

It was agreed that the SPD should be reviewed to identify the planning related issues clearly, but it was considered important to acknowledge local concerns. It was agreed to review the text to ensure it is in accordance with current UK guidance, but to acknowledge the types of concerns experienced by the community. It was also agreed to improve the text on economic benefits that could be derived from a specific wind energy scheme.

- 9. Visual Intrusion** – Some respondents consider wind turbines to be unsightly and incompatible with a rural environment. There was support for them being directed towards urban areas. It was agreed that the SPD needs to balance opposing views on this issue and that the response should highlight the fact that applications will continue to be submitted with or without the SPD, and that the Landscape Capacity Assessment (LCA) aims to highlight the issues that need to be considered to determine the whether or not visual effects are positive or negative.

- 10. Landscape Capacity Assessment** - Responses were received that challenge the methodology of the LCA, the sensitivity and value criteria, their weighting, the findings of certain areas and the scale being too broad. The aim of the LCA is to provide an indication of overall strategic capacity and not prescribe the level of detail that should be set out at the planning application stage. The LCA is indicative and allows flexibility of interpretation at the site specific scale. The LCA should not identify different capacities within landscape types. It was agreed review the LCA methodology in light of the respondents comments to determine if any changes are necessary

- 11. Community Issues** - Many respondents supported the section on community issues and suggested how it could be strengthened. Some respondents believe the Local Planning Authorities (LPAs) should be more proactive in engaging with communities and support community developments. It was agreed to review the text and highlight that LPAs are trying to be proactive on community issues and wind schemes at a variety of scales (commercial, community, microgeneration)

through policy guidance and support to other organisations such as (Cumbria and Lancashire Renewable Energy Initiative (CLAREN), Eden Local Agenda 21, and the Cumbria Energy Efficiency Advice Centre (CEEAC) etc.

- 12. Cumulative Effects** - Respondents consider that this should apply to other issues such as nature conservation. It was agreed to review the text and make it clear that cumulative effects are not isolated to landscape, but to reiterate that this issue will not be covered in detail for all aspects.
- 13. Siting and Design** - Respondents considered that this should apply to other issues such as nature conservation. It was agreed to add text to clarify why weight was given to landscape and the potential impact of poor siting and design on other issues, including technical constraints, nature conservation, historic environment, telecoms, etc.
- 14. EIA** - Respondents challenged the validity of the EIA text in the WE SPD. It was agreed to review this section to ensure the text is in accordance with EIA Regulations, and to highlight what would be expected from developers in order to fully meet the EIA regs.
- 15. Soils and Hydrology** - Respondents supported the SA's reference to a section on the above. It was considered that the issue is highlighted sufficiently and no significant change would be made, but that comments and information on peat would be reviewed.
- 16. Telecommunications** - It was agreed to add a reference on coastguards using radio masts on land, but not to identify any buffer zones around radio transmitters etc. Ofcom should pick such issues up at the application stage. This could link with text on technical constraints and keep in perspective the role of landscape considerations.

4.0 Conclusions

- 4.1 The sustainability appraisal has been consulted on alongside the WE SPD for the statutory period meeting all the requirements of the SEA Directive regarding consultation. There was an encouraging response from a wide variety of interested parties and the public both in terms of numbers and feedback.
- 4.2 The SEA Directive requires the sustainability appraisal to take account of comments and assess how they might impact the document being appraised and as a result assess the implications for the appraisal. If significant changes are made to the WE SPD and those changes have not already been assessed, the social, environmental and economic effects of those changes must be taken into account through reappraisal.
- 4.3 It is considered that the redrafting of the WE SPD will not trigger the need for further sustainability appraisal. Many changes are in response to original recommendations in the main Sustainability Appraisal Report (SAR) and others are minor and not likely to cause significant new social, environmental or economic effects.
- 4.4 The WE SPD will be re-shaped to include reference to wider sustainability issues and make clearer links to other guidance documents and statutory legislation that relate to wind energy development. The broadening out of the WE SPD will cover issues such as biodiversity and climate change but not in sufficient detail as to warrant further appraisal.
- 4.5 The inclusion of guidance and signposting on wider issues is welcomed. The WE SPD has acknowledged that wind energy development has the potential to cut across many issues outside of landscape matters. The WE SPD is not expected to and will not provide detailed guidance on other issues for reasons already discussed. What the WE SPD will provide developers with is a clear guidance document with a focus on siting, design and landscape but with clear reference to broader sustainability issues including appropriate advice.
- 4.6 The recommendations set out in the SAR will be monitored through the next stage of the sustainability appraisal (Monitoring, Stage E).

5.0 Stage E - Monitoring

- 5.1 In order to meet the requirements of the SEA Directive local authorities are specifically required to put in place a monitoring system to measure and assess significant environmental effects that may result from plan implementation. These effects are likely to be those that arise as a change in the implementation of the plan or effects that were not predicted through the Sustainability Appraisal process. The SEA Directive says:

“Member States shall monitor the significant environmental effects of the implementation of plans and programmes in order, *inter alia*, to identify at an early stage unforeseen adverse effects, and to be able to undertake appropriate remedial action” (Article 10.1).
The Environmental Report shall include “a description of the measures envisaged concerning monitoring” (Annex I (i)).

- 5.2 An example monitoring framework is set out below. The District and Lake District National Park planning authorities will assume the lead responsibility for monitoring the implementation of the SPD. A more detailed and bespoke monitoring framework will be drawn up as working arrangements are confirmed and put in place once the WE SPD is adopted as guidance.

Example Monitoring Framework

Step 1: Identifying what needs to be monitored

The first step is to consider exactly what needs to be monitored. Monitoring measures will be clearly linked to the SA process, for example:

- The objectives, targets and indicators that were developed for the SA (Stage A);
- Features of the baseline that will indicate the effects of the plan (Stage A);
- The likely significant effects that were identified during the effects assessment (Stage B); and
- The mitigation measures that were proposed to offset or reduce significant adverse effects (Stage B).

Monitoring procedures that could serve the monitoring requirements of several plans will be investigated to ensure information sharing is maximised and duplication of effort minimised. Monitoring will consider both beneficial and adverse effects. Effects relate to the plan as a whole, and monitoring will include consideration of secondary, cumulative and synergistic effects over and above the effects of the individual measures in the WE SPD, and effects over the lifespan of the guidance. Monitoring will focus on significant sustainability effects, e.g. those:

- that indicate a likely breach of international, national or local legislation, recognized guidelines or standards;
- that may give rise to irreversible damage, with a view to identifying trends before such damage is caused; and
- where there was uncertainty in the SA, and where monitoring would enable preventative or mitigation measures to be taken.

Step 2: What sort of information is required?

The type (e.g. quantitative or qualitative) and the level of detail of SA monitoring information required will depend on the characteristics and level of detail of the plan and its forecasted effects. SA monitoring involves measuring indicators which may establish a causal link between implementation of the plan and the likely significant effect being monitored. The monitoring framework may be established in a way that seeks to take account of external factors and focus upon the links between the plan implementation and

the effect. Where it is difficult to establish these links it might be necessary to collect further information on plan output indicators.

It may be appropriate to undertake more contextual monitoring of social, environmental or economic change. This could involve measuring effects or aspects of sustainability that were not identified in the appraisal, or identifying changes in the broader social, environmental or economic context.

When selecting indicators to monitor, consideration will be given to the best techniques for analysis. Analysis could follow all or some of the techniques below:

- **Change in indicators:** The effects of plans can be gauged by examining patterns of change in the indicators and the extent to which related indicators have changed. This can be achieved through analysing groups of indicators together to create a profile of the issue being measured.
- **Baselines and predicted effects:** Changes in the direction of indicators can be measured against the baseline position and predicted effects documented.
- **Benchmarking:** Changes in the direction of indicators can also be measured against other comparable locations or receptors to establish whether similar effects are occurring. Benchmarking may help in the assessment of relative performance by taking into account external forces of change, which emphasises the value of qualitative data. This is best achieved by establishing a common set of core indicators.
- **Use of qualitative and quantitative information:** Monitoring of most indicators will be based on the collection of quantitative data, but there may also be a need to incorporate some qualitative information in the analysis to enrich understanding.
- **Interpretative commentaries:** One task of analysis is providing a considered interpretation of the results. This may be presented via appropriate explanations and commentaries within monitoring reports. The Planning and Compulsory Purchase Act requires AMRs to highlight areas where implementation is not occurring, state the reasons, and set out the actions needed to secure delivery. This could include mitigation of adverse effects.

Step 3: What are the existing sources of monitoring information?

Statutory monitoring under the Planning and Compulsory Purchase Act should focus on the implementation of a plan against predefined plan objectives, targets and indicators. This type of performance monitoring does not necessarily include sustainability effects, unless the RPB/LPA has developed sustainability performance indicators or sustainability best value indicators. But plan performance monitoring can be helpful when considered together with SA monitoring. Other existing monitoring is typically focussed on what is required by regulations and legal requirements, but may provide information which is useful either directly or with some degree of analysis or manipulation.

Wherever possible, existing monitoring arrangements will be used to obtain the required information identified in Step 2. Consideration will be given to such issues as:

- What are the existing monitoring arrangements for the plan, and does this provide any of the required information?
- What are the existing monitoring arrangements for other plans, programmes or projects within the authority, and is there scope for aggregating or disaggregating data to obtain any of the required information?
- Is any of the required information available from other sources, e.g. higher or lower level authorities or data sources used for establishing the sustainability baseline?
- What organisational arrangements are needed to deliver the monitoring?

Step 4: Are there any gaps in the existing information, and how can these be filled?

Additional information may be required to monitor those aspects selected in Step 1. Some ways in which the required information can be obtained in a cost-effective and efficient way include:

- incorporate SA monitoring into existing performance monitoring for plans;
- expand other existing monitoring systems to include additional parameters; and
- where applicable, enter into agreements with other authorities to standardize monitoring methods and share information.

Step 5: What should be done if adverse effects are found?

The SEA Directive does not require a plan to be modified if monitoring reveals adverse effects on the environment. However, SA monitoring is intended to enable mitigating activities to be taken, and action may be required either by the Responsible Authority or other bodies. It may be necessary to establish a mechanism or framework to identify if and when remedial action is needed in response to adverse effects, including:

- criteria or thresholds for remedial action (e.g. what are the social, environmental or economic conditions that would be regarded as undesirable or unacceptable).
- potential remedial actions that could be taken if a significant effect was identified (e.g. review aspects of the plan that are causing the effects and make amendments, develop mitigation measures).
- those responsible for taking the remedial action (e.g. another authority or agency may be responsible for taking the remedial action and may need to be consulted). Documentation of monitoring programmes in tabular form may be used, and might include the following information:
 - What needs to be monitored (effects, other trends)?
 - What sort of information is required (indicator)?
 - Where can the information be obtained (sources of information)?
 - Are there any gaps in existing information and how can these be resolved?
 - When should remedial action be considered?
 - What remedial action could be taken?

Step 6: Who is responsible for the various monitoring activities, when should these be carried out, and what is the appropriate format for presenting the monitoring results?

When documenting the monitoring strategy consider:

- the time, frequency and geographical extent of monitoring (e.g. link to timeframes for targets; and monitoring whether the effect is predicted to be short, medium or long-term);
- who is responsible for the different monitoring tasks, including the collection, processing and evaluation of social, environmental and economic information; and
- how to present the monitoring information with regard to its purpose and the expertise of those who will have to act upon the information (e.g. information may have to be presented in a form accessible to non-environmental specialists).
- A table might be a useful format for documenting how the monitoring process could be managed, and might include information on:
 - monitoring activity to be undertaken;
 - responsibility for undertaking the monitoring;
 - when the monitoring needs to be carried out (dates and frequency);
 - how results should be presented and in what format; and
 - status of monitoring and any problems encountered.

| Respondent | Respondent Comment Relating | Sustainability Appraisal Response |
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| Baywind Energy Cooperative Ltd | Agree with the objectives used in the Sustainability Appraisal and wide ranging analysis provided by the Sustainability Appraisal. | Comment noted. No material change required for the SA |
| | Baywind Energy Cooperative Ltd state that there is no evidence that wind turbines deter tourists and claim that examples exist where turbine developments have enabled areas to be opened up to walkers and cyclists. | The Sustainability Appraisal highlights issues relating to wind energy development around the economy both potentially positive and potentially negative. The SA takes a balanced viewpoint. Just as potential benefits to the Cumbrian economy are noted in the SA from new wind energy development it also points out the possible negative impacts on tourism as an aspect to be managed through careful siting design. No material change required for the SA |
| | Baywind Energy Cooperative Ltd do not accept that any of the claimed effects such as noise, flicker or electromagnetic radiation have any bearing on human or animal health. | This is a technical matter. It is not the role of the SA to make a judgement on these issues. No material change required for the SA |
| | Baywind Energy Cooperative Ltd state that the Cumbrian landscape is a litany of change and does not accept that preserving the 19 th century landscape of the central Lake District should be to the detriment of wind energy development around the periphery and offshore. | The SA highlights through objective EN2 the need to address landscape and a key issue in siting new wind energy development. The SA concluded that the WESPD was strong on landscape issues and provided clear and robust guidance to developers on carrying out landscape capacity assessments. No material change required for the SA |
| | The consultation should have encompassed the whole issue of energy supply, infrastructure and the balance between the different sources of energy for electricity, domestic heat, industry processes and the potential for Cumbria to encourage energy exporting enterprises. | No implications for the SA. No material change required for the SA |
| Environment Agency | The Environment Agency consider that Sustainability Appraisal Objective NR2 To improve water quality and water resources would be better placed under EN3 built development. The EA would also like to see | Sustainability Objective NR2 provide a specific water objective as part of the framework and is too broad to become part of objective EN3. The framework is continually updated and reviewed and alternative wording may be more appropriate for NR2. For the purposes of the |

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| | additional wording, 'contrary to the Environment Agency's objections on flood risk grounds'. | appraisal of the WE SPD the framework will remain the same. No material change required for the SA |
| Natural England | Appendix 3 - Under the Birds and Habitats Directive the SPD will need to ensure that wind energy development will not adversely affect Special Protection Areas (SPA), Special Areas of Conservation (SPC) and Ramsar sites, directly or indirectly and lone or in combination with any other developments – this will require a Habitats Regulations Assessment of the SPD and of wind energy proposals that may effect on these sites and areas. | Sustainability Appraisal is a process designed specifically to test policies plans and programmes. It is a strategic level assessment tool and the process does not operate or apply at project level. Sustainability objective EN1 of the sustainability framework provides a 'test' of a plans environmental consideration. Project level Environmental Impact Assessment (EIA) is the process used to ensure a development does not adversely affect the environment and it is this process that will take account of such designations as SPAs, SPCs, Ramsar sites and SSSIs. No material change required for the SA |
| | The NERC 2006 biodiversity duty should be referred to in the Sustainability Appraisal. | The Natural Environment and Rural Communities Act is reviewed in Appendix 3 of this report and complements Appendix 3 of the main sustainability appraisal report. SA Appendix 3 amended as part of this report |
| | Appendix 4 – Climate change increases the pressure to reverse fragmentation of habitats and restore ecological integrity of habitats to increase the ability of biodiversity to adapt and contribute to mitigation of climate change. | Addition to Appendix 4 (Key Sustainability Issues in Cumbria) made as part of this report and complements Appendix 4 of the main sustainability appraisal report. SA Appendix 4 amended as part of this report |
| | Appendix 9 – Maps showing the extent and location of SACs and Site of Special Scientific Interest (SSSIs) in Cumbria and surrounding areas should be included. Map 3&4 should be similarly extended to show sites outwith Cumbria but which may need to be considered when considering potential impacts. | Maps are likely to be updated and reviewed in future iterations as baseline data becomes available. More detail on sites outwith Cumbria would be sought at project level EIA stage of specific developments but this is outside the scope of the Sustainability Appraisal. No immediate material change required for the SA |
| The National Trust | The Trust agrees that the WE SPD would benefit from a specific section on biodiversity and a broadened scope to include additional consideration of water and soils. The comments on using local and recycled materials accords with the Trust's assessment. | Comment noted. No material change required for the SA |
| RSPB | The RSPB agrees with section 1.2.4 of the | Comment noted. |

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| | Sustainability Appraisal which states that the WE SPD should seek to provide a more robust direction on biodiversity. | No material change required for the SA |
| Open Spaces Society | Map 5 of the Sustainability Appraisal Report should include areas of registered common land. | Maps are likely to be updated and reviewed in future iterations as baseline data becomes available. No immediate material change required for the SA |
| Mr. Mike Smith | Concern raised over unfair criticism of the WE SPD through the Sustainability Appraisal. The Sustainability Appraisal appears to be a strategy in its own right and the method does not seem appropriate to appraise the SPD. | The Sustainability Appraisal process is a prescribed process set out in UK Government guidance and is a product of the UK's interpretation of the Strategic Environmental Assessment Directive (SEA Directive 2001/42/EC). SPDs require Sustainability Appraisal under UK legislation (The Environmental Assessment of Plans and Programmes Regulations 2004 No.1633). No material change required for the SA |
| | The appraisal fails to make the link between the role of tourism as the mainstay of the Cumbrian economy and the need to conserve the unique landscape from damaging development. | Whilst it is the job of the Sustainability Appraisal to test and assess the WE SPD it is not appropriate for the appraisal to make judgements without foundation. In the absence of any clear evidence that wind energy development would harm the tourist sector in Cumbria it is not appropriate for the Appraisal to make recommendations based on assumptions. The siting of new wind energy development should be sensitively situated and will be controlled through the landscape and environmental assessment processes. No material change required for the SA |
| | Many of the 16 Sustainability Objectives are not pertinent and the WE SPD should not be judged on them. For example SP4, SP5, NR4, EC1, EC2 and EC3 are not relevant to the SPD. | The Sustainability Appraisal Framework is an agreed assessment tool in Cumbria. It is endorsed by the Statutory Consultees, English Heritage, Environment Agency and Natural England as well as the District Councils. In order to test a document across the required elements of sustainability social and economic considerations must be taken into account as well as environmental ones. Where an element of the framework has been deemed outside of the scope of the WE SPD this has been clearly stated – such as Sustainability Objective SP3 which specifically related to housing. No material change required for the SA |

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| | The WE SPD should not need to cover biodiversity as the subject is covered elsewhere such as in the structure plan. | Biodiversity, like landscape was felt to be a particularly sensitive issue in Cumbria and the WE SPD should be strengthened in this area. Guidance could take the form of signposting developers to areas of more detailed guidance on biodiversity matters and a possible indication of what the requirements of the EIA process would be. No material change required for the SA |
| Mr. George Cubiss | A summary of the full Sustainability Appraisal Report would be useful. | A summary of the SA is provided in Appendix 2 of this report. No material change required for the main SA report. |
| Mr. John R. Tyson | A summary of the full Sustainability Appraisal Report would be useful. | A summary of the SA is provided in Appendix 2 of this report. No material change required for the main SA report. |
| Mr. Gilbert Scurrah | Varied comments in support of wind energy and the opportunity to comment through the consultation exercise. | Comment noted. No material change required for the SA |

1.0 Background

- 1.1 Government guidance issued¹ in November 2005 means that certain plans and guidance documents will require an assessment of their socio-economic and environmental impacts (the sustainability appraisal).
- 1.2 The Sustainability Appraisal was carried out in accordance with guidelines issued by the Office of the Deputy Prime Minister (Now the Department for Communities and Local Government, DCLG), the SEA Directive and the requirements of the Strategic Environmental Assessment Regulations (2004)² which gave the SEA Directive legislative effect in the UK.
- 1.3 The Sustainability Appraisal process can be broken down into five stages:
- A:** Stage A of the sustainability appraisal process involves 'setting the context and objectives, establishing the baseline and deciding on the scope' In detail, this involves:
- Identifying other relevant plans and policies programmes and sustainability objectives;
 - Collecting baseline information;
 - Identifying sustainability issues and problems;
 - Developing the sustainability appraisal framework; and
 - Consulting on the scope of the sustainability appraisal.
- B:** Developing and refining options and assessing effects. This stage involves testing the SPD objectives against the SA framework that was developed in Stage A. It also requires predictive analysis and evaluation of the likely effects of the SPD, mitigation measures for any adverse effects predicted, proposals to maximise positive effects and proposals for monitoring the significant likely effects of the SPD.
- C:** Preparing the sustainability appraisal report.
- D:** Consultation on the preferred options of the SPD and the SA report. This stage involves the final SA report that was developed in Stage C. Any significant changes that need to be made as a result of consultations will be appraised before the Supplementary Planning Document is adopted as policy.
- E:** Monitoring the significant effects of implementation of the SPD. This involves finalising the monitoring programme and responding to any significant adverse effects of the SPDs at an early stage.
- 1.4 The sustainability appraisal of the Cumbria Draft Wind Energy Supplementary Planning Document (WE SPD)³ must meet the requirements of the Strategic Environmental Assessment Directive (2001/42/EC)⁴. This Directive, commonly referred to as the SEA Directive requires the assessment to be centred around and measured against a clear set of evidence or baseline data.
- 1.5 The purpose of sustainability appraisal (SA) is to promote more sustainable development by checking and testing a plan for the quality and robustness of its environmental, social and economic content. The SA informs the plan of how it can improve its 'sustainability score' by providing a series of recommendations based on the performance of the plan when measured against a series of predetermined sustainability objectives.
- 1.6 Sustainability appraisal must be closely linked with the plan making process, be iterative and help shape the plan to be more sustainable. The idea behind sustainability appraisal and strategic environmental assessment is that if a plan or

guidance document can provide more sustainable policy direction or advise the development that the plan is guiding should inherently become more sustainable. Project level environmental assessment has existed for a long time but with sustainability appraisal much of the unsustainable development that previously 'slipped through the net' might be avoided altogether through more sustainable policy making.

- 1.7 This sustainability appraisal was carried out using the Cumbria Sustainability Framework. The framework tests the WE SPD against 16 sustainable development objectives relating to potential effects of the guidance on environmental, social, economic and resource issues. The SA does this by comparing the WE SPD objectives with that of the SA, assessing the likely effects of the guidance against the 16 objectives, predicting the effects against the baseline and measuring performance against a series of indicators. The guidance will then be monitored against these indicators to keep a check on performance of the WE SPD and to assess any impacts.

2.0 Summary of the likely significant effects of the WE SPD

- 2.1 One of the key roles of the sustainability appraisal is to establish what impacts the WE SPD might have on the environment, society and the economy in Cumbria. To do this the document is assessed and appraised against the Cumbria Sustainability Framework. This framework essentially consists of 16 sustainability led objectives.
- 2.2 The initial scope of the WE SPD was guided by the recommendations of the Cumbria Joint Structure Plan Examination in Public (EIP) and the scope of the original wind energy SPG (1997). The result was a focus on the landscape and visual impacts of wind energy development.
- 2.3 The clear but narrow focus of the WE SPD obviously affected how well the guidance performed against the 16 varied sustainability objectives. Due to the interrelationship and integrated nature of many of the factors being assessed under the 16 SA objectives a key recommendation of the sustainability appraisal was that the scope of WE SPD be broadened to include a wider range of topic areas. In particular it was recommended that the guidance should seek to provide a more robust direction on biodiversity, the water environment, the impact on the local economy, skills education and training, and natural resource management.

3.0 Statement on the difference the process has made to date

- 3.1 Stage A (Scoping) of the sustainability appraisal provided an early indication of how well the WE SPD aligned with the sustainability framework. This compatibility test gave a direction on how the WE SPD could be redrafted to offer developers wider and more detailed guidance to allow them to design and plan for more sustainable wind energy developments.
- 3.2 Following the early recommendations set out in the Scoping Report the WE SPD was then redrafted whilst the sustainability appraisal of the original document continued. Changes to the WE SPD were reappraised during the next stage of the appraisal process and detailed recommendations provided. This re-testing of the guidance gave an indication of where the WE SPD could be improved to better accord with the sustainability objectives.
- 3.3 The reviewing and redrafting in response to the appraisal process demonstrates the function of the sustainability appraisal and shows how it can influence the documents content.

4.0 When was the SA carried out?

- 4.1 The appraisal began at the end of 2005 with initial meetings between the appraiser and the WE SPD planners. Between January and February 2006 the Scoping Report⁵ was written, consulted on internally and published as a draft document for consultation. The wider, statutory consultation period on the draft Scoping Report was held between 13th February and 20th March 2006. Comments received were then collated and assessed during the final week of March before the draft Scoping Report was reviewed in light of the representations and updated with a short supplementary report. The two documents read in conjunction effectively became the final Scoping Report and this was completed by the middle of April 2006.
- 4.2 Stage B of the appraisal process, developing and refining the options and predicting effects⁶ was written during May and June.
- 4.3 Stage C, this report was written throughout July 2006 and was consulted on for a statutory period of 6 weeks between 30th October and 8th December 2006.

5.0 Who carried out the SA?

- 5.1 The sustainability appraisal was carried out internally by Cumbria County Council's Sustainability Team. The Sustainability Team does not form part of the County Council's Environment or Strategic Planning Teams and therefore provides an impartial viewpoint and approach to the appraisal process.
- 5.2 The Sustainability Team is not directly involved with formulating planning policy or planning guidance for the county but is charged, as part of its remit to provide an internal consultancy service for carrying out sustainability appraisals on County Council plans, policies and programmes that require appraisal under the SEA Directive.
- 5.3 Within the Sustainability Team there is a depth of knowledge of the appraisal process having carried out sustainability appraisals of the Cumbria Joint Structure Plan, three Cumbria Community Strategies and managed the Strategic Environmental Assessment of the Local Transport Plan for Cumbria.
- 5.4 The Sustainability Team also devised the Sustainability Appraisal Framework and objectives for Cumbria that has been agreed by the four statutory consultees (Environment Agency, Countryside Agency, English Nature and English Heritage) as well as the District Authorities in the county and provides the basis for this appraisal.

6.0 Who was consulted, when and how?

- 6.1 Consultation in the case of the WE SPD sustainability appraisal is carried out in accordance with Regulation 16 of the Town and Country Planning (Local Development) (England) Regulations 2004⁷. Consultation should last 5-6 weeks.
- 6.2 The four statutory consultees as set out in government guidance were consulted – Environment Agency, English Heritage and the Countryside Agency/English Nature (now Natural England). In addition to the 4 statutory consultees, the planning regulations also list a number of specific consultation bodies that must be consulted. These include regional planning bodies and regional development agencies along with the Strategic Rail Authority, the Highways Agency, telecoms companies, the Strategic Health Authority, gas, electricity, water and sewage companies.
- 6.3 Additional bodies are identified as possible consultees. This could include government departments, voluntary organisations, environmental groups, and a myriad of social and industry related groups.
- 6.4 The following organisations were identified as specific consultation bodies:

- Carlisle City Council, Allerdale Borough Council, Copeland Borough Council, Eden District Council, South Lakeland District Council and Barrow Borough Council;
- The Yorkshire Dales National Park Authority and The Lake District National Park Authority;
- The North West Development Agency.
- The North West Regional Assembly.

6.5 Cumbria County Council's Sustainability Team compiled a list of environmental organisations to be consulted, along with wind energy professionals. Other companies and voluntary and social sector organisations which operate in Cumbria and may have an interest in the outcome were also identified for consultation.

7.0 Conclusions and Recommendations

7.1 This summary version of the sustainability appraisal does not go into the main reports recommendation in detail. For the full recommendations list refer to Table 1 of this report. These are the headline conclusions from the appraisal.

- The WE SPD performs most strongly against objectives relating to landscape and visual impact.
- The WE SPD performed relatively well against objectives relating to air quality and climate change.
- The WE SPD performed relatively well against objectives relating to public participation.
- The WE SPD performed less well against objectives related to the water environment.
- The WE SPD performed less well against objectives related to biodiversity.
- The WE SPD performed less well against objectives related to soil quality and sustainable resources and waste management.
- The WE SPD generally performed less well against the social objectives.

| Relevant Plan or Programme Identified | Brief overview and outline of policy | Issues arising for the Wind Energy Supplementary Planning Document (WE SPD) and Sustainability Appraisal (SA) |
|--|--|---|
| <p>The Natural Environment and Rural Communities (NERC) Act 2006</p> <p>New biodiversity duty.</p> | <p>The new duty comes under Section 40 of the Natural Environment and Rural Communities Act.</p> <p>The aim is to raise the profile of biodiversity in England and Wales, eventually to a point where biodiversity issues become second nature to everyone making decisions in the public sector.</p> <p>The public sector will be expected to take account of biodiversity issues both when policy making and during its day to day activities.</p> | <p>The sustainability appraisal will need to ensure that the biodiversity duty of care element of the NERC Act is taken into account by thoroughly testing the WE SPD for its regard to biodiversity issues.</p> <p>(The appraisal tested the WE SPD against sustainability objective EN1 biodiversity and appropriate recommendation were made).</p> |

References

- 1) Sustainability Appraisal of Regional Spatial Strategies and Local Development Documents, ODPM, London. November 2005.
 - (2) Draft Cumbria Wind Energy Supplementary Planning Document 2006.
 - (3) SEA Directive – European Directive 2001/42/EC “on the assessment of the effects of certain plans and programmes on the environment”.
 - (4) The Environmental Assessment of Plans and Programmes Regulations 2004 (Statutory Instrument 2004 No.1633).
 - (5) Planning Policy Statement 12: Local Development Frameworks. ODPM, London, 2004.
 - (6) Planning Policy Statement 22: Renewable Energy. ODPM, London, 2004.
 - (7) Planning Policy Statement 9: Biodiversity and Geological Conservation. ODPM, London, 2005.
 - (8) Planning Policy Statement 1: Delivering Sustainable Development. ODPM, London, 2005.
 - (9) The Stern Report on the economics of Climate Change, HM Treasury, 2006.
 - (10) Regional Spatial Strategy for the North West, NWRA, 2003.
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