

# Strategic Environmental Assessment of the Revocation of the West Midlands Regional Strategy

## Environmental Report



AMEC Environment & Infrastructure UK Limited

November 2012

This Environmental Report is a consultation document on the likely significant environmental effects of revocation of the West Midlands Regional Spatial Strategy and the Regional Economic Strategy (which together form the Regional Strategy in force for the West Midlands). **Responses on any aspect of the report are invited by Thursday 24 January 2013.**

This report succeeds the previous Environmental Report for the revocation of the West Midlands Regional Strategy which was consulted on between October 2011 and January 2012. It is a stand alone document the intention of which is to provide the reader with an up-to-date comprehensive assessment of the environmental effects of the revocation of the West Midlands Regional Spatial Strategy and the Regional Economic Strategy without the need to refer back to the previous Environmental Report. Any reader who has also read the previous Environmental Report should note that, insofar as there is any difference between the two documents, this Environmental Report is to be preferred.

A summary of responses to this consultation will be published on the DCLG website in due course. Unless you specifically state that your response, or any part of it, is confidential, we shall assume that you have no objection to it being made available to the public and identified on the DCLG website. Confidential responses will be included in any numerical summary or analysis of responses.

Responses and comments about this consultation may be sent by email to:

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# Non Technical Summary

This **Non-Technical Summary** presents the findings of the **Strategic Environmental Assessment (SEA) of the plan to revoke the West Midlands Regional Strategy** contained in the accompanying Environmental Report. The assessment, Environmental Report and NTS have been completed by AMEC E&I UK Ltd on behalf of DCLG. The following sections:

- explain what the plan is and its implications for the West Midlands Region by revoking the West Midlands Regional Strategy;
- provide a summary of the environment within the region;
- outline the likely significant environmental effects of the plan, along with the reasonable alternatives;
- propose mitigating measures for likely significant environmental effects identified;
- propose monitoring measures; and
- provide an indication of the next steps.

## The plan to revoke Regional Strategies

The Government announced in the Coalition Agreement its intention to “*rapidly abolish regional spatial strategies and return decision-making powers on housing and planning to local councils*”. The objective was to make local plans, and where desired neighbourhood plans, the basis for local planning decisions.

The Localism Act 2011 repealed Part 5 of the Local Democracy, Economic Development and Construction Act 2009, thereby removing the legal framework for the review of Regional Strategies or the adoption of new or revised Regional Strategies, and gave the Secretary of State powers to revoke in full or in part the existing strategies by order.

The Government’s proposal is to replace the eight Regional Strategies outside London with a more localist planning system, together with incentives such as the New Homes Bonus, to encourage local authorities and communities to increase their aspirations for housing and economic growth.

## The West Midlands Regional Strategy

The West Midlands Regional Strategy combines the contents of the **West Midlands Regional Spatial Strategy** and the **West Midlands Regional Economic Strategy**.

The **West Midlands Regional Spatial Strategy** (January 2008) was introduced under the Planning and Compulsory Purchase Act 2004 and, in accordance with Government policy at the time, to provide a broad development strategy for the region for 15 to 20 years. In particular, it has sought to reduce the region's impact on, and exposure to, the effects of climate change and to put in place a development strategy with the potential to support continued sustainable growth up to and beyond 2021. It includes policies to address housing, urban and rural regeneration, environmental protection, transport and other infrastructure, economic development, agriculture, minerals, energy and waste (**Appendix A**).

**NTS Figure 1 Area covered by the West Midlands Regional Strategy**



This diagram represents key elements of policy in diagrammatic form only. It should not be used to determine detailed land use boundaries or potential scheme alignments.

Based on Ordnance Survey mapping with permission of Ordnance Survey and West Midlands Local Government Association.  
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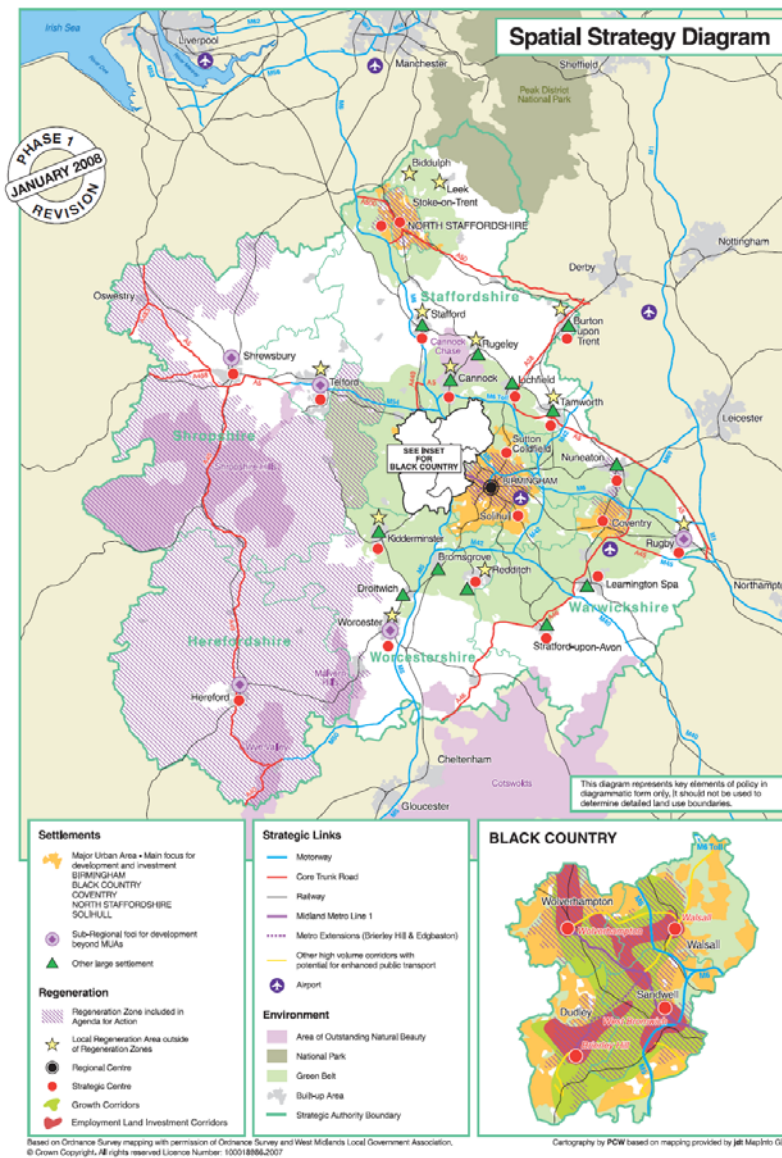
Motorway	Urban Area
A Road	Green Belt
Railway	County Boundary
Major Airport	Regional Boundary

The aspiration for the West Midlands Regional Spatial Strategy is to develop an “economically successful, outward looking and adaptable region, which is rich in culture and environment, where all people, working together, are able to meet their aspirations and needs without prejudicing the quality of life of future generations” by:

- a) adopting positive measures to address the relative decline in the regional economy in both urban and rural areas;
- b) reversing the movement of people and jobs away from the Major Urban Areas (MUAs) and ensuring there is a greater equality of opportunity for all;
- c) tackling road and rail congestion; and
- d) achieving a more balanced and sustainable pattern of development, across the region, including rural areas.

The key challenge for the region is seen as addressing the outward movement of people and jobs from the MUAs, which if left unchecked will increase “the pressures on the environment, encouraging development of greenfield sites, increasing the need for car-based travel and creating dangers of abandonment and greater social polarisation within the region.”

NTS Figure 2 West Midlands Regional Spatial Strategy





The **West Midlands Regional Economic Strategy (RES)** (December 2007) was produced in compliance with the Section 7 of the Regional Development Act 1998. The RES sets a vision for the West Midlands economy *'To be a global centre where people and businesses choose to connect.'* This means:

- “becoming a more prosperous region, but recognising that economic growth must support overall improvements in the quality of life and wellbeing of all the region’s residents;
- becoming a more cosmopolitan and inclusive region, making full use of the skills and talents of our people and ensuring equality of opportunity, across the region, in relation to the wealth and prosperity generated through continued economic growth;
- becoming a more sustainable region, correctly valuing our natural, historic and cultural assets, seeking to minimise our use of the planet’s resources and preparing for a low-carbon future.”

The RES sets a series of strategic objectives related to the themes of business, place, people and powerful voice:

- **Business:** seizing market opportunities; improving competitiveness; harnessing knowledge.
- **Place:** increasing Birmingham’s competitiveness; improving infrastructure; sustainable communities.
- **People:** sustainable living; raising ambitions and aspirations; achieving full potential and opportunities for all.
- **Powerful Voice:** powerful voice for the West Midlands.

Delivery of the RES is through the following spatial interventions:

- **Areas of multiple market failure** – the Regeneration Zones which represent concentrations of deprivation and disadvantage within the region; the areas of greatest need and market failure;
- **Concentrations of knowledge assets** – including the High Technology Corridors, representing agglomerations of innovative potential to support the diversification of the economy into higher value added sectors;
- **Birmingham** – as the major economic driver within the West Midlands economy.
- **Market towns** – which, throughout the region, act as important centres within the rural economies.
- **Locations facing economic change or responding to opportunity** – allowing the Strategy to respond flexibly, as and when required, to the exceptional challenges and opportunities that the region may face.

It is emphasized that the Strategy can only be delivered in partnership.

There is a strong and complementary relationship between the West Midlands Regional Spatial Strategy and the West Midlands RES:

- they share an understanding of the spatial priorities of the region, particularly in respect of the areas requiring intervention to secure change or develop potential.
- the West Midlands Regional Spatial Strategy includes policies to support economic diversity and business development that complement the priorities outlined in the Regional Economic Strategy.
- alignment of the principles of the RES with those of the Regional Strategy, in particular supporting an urban and rural renaissance, valuing the natural environment and pursuing equality.

The relationship between the RES and West Midlands Regional Spatial Strategy is set out in more detail in **Appendix H**.

## Strategic Environmental Assessment (SEA) of the plan to revoke the West Midlands Regional Strategy

SEA became a statutory requirement following the adoption of European Union Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment. The objective of SEA, as defined in Directive 2001/42/EC is: *'To provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes with a view to contributing to sustainable development'*.

As part of its stated commitment to protecting the environment, the Government decided to carry out an assessment of the likely significant environmental effects of the revocation of the 8 Regional Strategies, on a voluntary basis. A 12 week consultation on the Environmental Reports of these assessments commenced on 20 October 2011 and ended on 20 January 2012. There were 103 responses to the consultation process.

Since the completion of the consultation, the Government has published the final version of the National Planning Policy Framework (NPPF) and a planning policy on Travellers sites, and has commenced provisions in the Localism Act and made relevant regulations introducing the duty to co-operate between local authorities and other bodies.<sup>1</sup> In addition, in a judgement<sup>2</sup> by the Court of Justice of the European Union (CJEU), the Court held that 'in as much as the repeal of a plan may modify the state of the

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<sup>1</sup> S110 of the Localism Act 2011 Duty to Co-operate in relation to planning for sustainable development

<sup>2</sup> The judgment in Case C-567/10 *Inter-Environnement Bruxelles ASBL v Région de Bruxelles-Capitale*

environment as examined at the time of adoption, it must be taken into consideration with a view to subsequent effects that it might have on the environment'. The Government therefore decided to use the additional information gained through the public consultation process, as well as the developments in policy and recent CJEU case law, to update and build on the assessments which were described in the previous Environmental Reports. This assessment is the result in relation to the revocation of the West Midlands Regional Strategy - it is a stand-alone document and there is no requirement to refer back to the previous report on the revocation of the West Midlands Regional Strategy published on 20<sup>th</sup> October 2011.

## The West Midlands environment

To provide the context for the assessment, the SEA Directive requires that the relevant aspects of the current state of the environment and its evolution without the plan are considered, along with the environmental characteristics likely to be significantly affected. This information is presented in detail for each SEA Topic considered in this assessment in **Appendix E**. Table NTS 1 provides a brief summary.

**Table NTS 1 Summary of State of the Environment in the West Midlands**

SEA Topic	Summary of the Environment and Key Characteristics in the West Midlands
<p><b>Biodiversity and Nature Conservation</b> (which includes flora and fauna, and the functioning of ecosystems)</p>	<p>Despite its industrial past, some 80% of the West Midlands is rural, with 75% of this being agricultural land. The cover of semi-natural habitat is very low (6%); only London region has less. Despite this, the region has nationally significant proportions of several important habitats, including 20% of England's lowland meadows, 10% of England's broadleaved woodland and 9% of the wood pasture and parkland, lowland heathland and acid grassland. Most of the best wildlife sites are small and isolated, but there are better connected networks of habitats in the upland regions, along the river valleys, in wooded landscapes such as the Wyre Forest, and in the heathlands of Cannock Chase. Fourteen such areas, including the Malvern Hills, Woolhope Dome and Staffordshire Moorlands, are identified as Biodiversity Enhancement Areas.</p> <p>Sites of Special Scientific Interest (SSSIs) cover around 28,000 hectares of the region (around 2%), the lowest cover of any region. Although they cover a smaller area than in any other region, by number (442) they account for 10% of all England's SSSIs. Many of the SSSIs are small and isolated, reflecting the fragmentation of the wider biodiversity resource and making them particularly vulnerable to external pressures. SSSI condition has improved significantly over recent years. In May 2012, 94% of this area was 'favourable' or 'recovering' condition. This compares with 84% in 2009 and only 65% in 2004. The condition of the rivers and freshwater habitats remains one of the most significant challenges for the future.</p> <p>Whilst overall wild bird populations have remained broadly stable in England from 1970 to 2007, farmland birds have not fared so well. Farmland bird numbers are now 52% lower than in 1966. The West Midlands is one of only two regions with a continued significant decline in populations of farmland bird species, with the Farmland Bird Index falling 28% between 1994 and 2006.</p>
<p><b>Population</b> (including socio-economic effects and accessibility)</p>	<p>In 2010, 5.5 million people were living in the West Midlands region, which represents 10% of the English total. The local area with by far the largest population in 2010 was Birmingham. The next most populous local authorities are Coventry and Dudley.</p> <p>Between 2000 and 2010 the population of the West Midlands grew by 4%, the</p>



SEA Topic	Summary of the Environment and Key Characteristics in the West Midlands
	<p>fastest growth rate of all the English regions. The population increase was the result both of natural change and net inward migration. The share of the population of the West Midlands aged 65 and over is slightly greater than in England as a whole (17.2% compared to 16.5%). There were proportionately fewer people aged between 16 and 64 than the England average of (63.5% compared to 64.8%).</p> <p>The West Midlands is the third most urbanised region, after London and the North West. On the basis of rural-urban classifications developed by the Office for National Statistics, just 15% of the population of the West Midlands lives in areas classified as rural, compared to around 19% for England as a whole.</p> <p>Over the 10 years to 2020 the West Midlands is projected to be the fourth fastest growing region in England. Over this period the population of the West Midlands is expected to grow by almost 8%, or 436,000 people, reaching a total of 5.9 million.</p> <p>The West Midlands region comprises a total of 3,482 LSOAs. Of these, 557, or 16%, are in the 10% most deprived of areas across England as a whole. This is an increase of 36 'most deprived' LSOAs between 2007 and 2010. Many of the largest urban centres within the region contain areas with high levels of multiple deprivation. The metropolitan area of Birmingham has very high levels of severe multiple deprivation: 39.2% of LSOAs in the district fall in the most deprived 10% in England and 22.5% of LSOAs in the district fall in the most deprived 5% of LSOAs in England. The districts of Wolverhampton, Walsall and Sandwell all have severely deprived LSOAs. Further concentrations of severely deprived LSOAs are to be found in Coventry and Stoke-on-Trent.</p> <p>Economically, the West Midlands performs below the English average. Its Gross Value Added (GVA) per head in 2010 was almost half of GVA of London, and the third lowest of all regions. However, the economy in the West Midlands was hit hard by recession, with total GVA falling 2.8% between 2008 and 2009 (compared to 1.6% across England as a whole).</p>
<b>Human Health</b>	<p>Over the past five years there has been a steady upward trend in life expectancy across English regions. The West Midlands is no exception to this positive trend, however, at 77.9 years for males and 82.2 years for females, life expectancy at birth in the region is below the England average. The gap in life expectancy between the worst and the best local authorities in the Region is 5.0 years for men and 3.7 years for women. Communities with high Index of Multiple Deprivation scores consistently have low quality environments, including higher density housing and a lack of well planned, accessible green space. Within the West Midlands life expectancy continues to be highest as a female living in the rural area and lowest as a male in the urban areas.</p> <p>The death rate in the region was 9.2 per 1,000 of population in 2009, somewhat higher than across England as a whole (8.9). Likewise the age-standardised mortality rate, which takes into account the age structure of the population, was 5.7 per 1,000 people – above the England average of 5.5. The West Midlands has the highest infant mortality rate in the country at 6 per 1,000 live births (30% greater than the national average).</p>
<b>Soil and Geology</b> (including land use, important geological sites, and the contamination of soils)	<p>The Agricultural Land Classification map for the West Midlands illustrates in particular the high proportion of land classified within Grades 1-3. Grade 3 (Good to Moderate) land is the most extensive. Grade 3a land is not distinguished from 3b so it is not possible to determine the extent of 'best and most versatile' agricultural land (i.e. Grades 1-3a) within the region. Much of the south west of the region (around Hereford) is classified as Grades 1 and 2, as is the land between Shrewsbury and Wolverhampton. There is also a significant area of Grade 1 land running north to south from Kidderminster to Worcester. Agriculture accounts for nearly 75 per cent of land use. Over 960,000 hectares of land in the West Midlands is used for agriculture and there are more than 27,000 farms in the region. Nearly half of these are small</p>

SEA Topic	Summary of the Environment and Key Characteristics in the West Midlands
	<p>farms with less than five hectares of land.</p> <p>In 2007 there were 5,930 hectares of previously developed land in the West Midlands that is unused or may be available for development. Of this, 2,480 hectares were considered to be suitable for housing, based on sites judged by local authorities to be suitable for residential development. The region had the largest decrease in the amount of derelict land in England between 2008 and 2009 (down by 16%). The statistics also show that the West Midlands also had the largest decrease in land currently in use with potential for redevelopment over the same period (down by 31%). The extent of contaminated land in the region is unknown.</p>
<p><b>Water Quality and Resources</b> (including as inland surface freshwater and groundwater resources, and inland surface freshwater, groundwater, estuarine, coastal and marine water quality)</p>	<p>The West Midlands falls predominantly within the River Basin Management District of the River Severn (e.g. Hereford, Shrewsbury Telford, Coventry and the south west of Birmingham) and to a smaller extent the Humber District (most of Birmingham and Stoke on Trent).</p> <p>The Severn River Basin covers an area of 21,590km<sup>2</sup>, with about one third of the district in Wales and parts of the South West region including Cheltenham, Gloucester, Bristol and Bath.</p> <p>Water supply to the Midlands comes from surface water which provides 78 per cent of total abstraction and groundwater which provides 22 per cent. Whilst total abstraction of water has been showing a general downward trend since a peak in 2002 there are still significant areas of water stress, notably to the west of the Birmingham conurbation and to the east of Stoke-on-Trent where surface and groundwater supplies are currently over-abstracted. In 2007, 4,800 million litres were abstracted each day, a 30 per cent reduction on the previous year. Domestic water consumption is close to 130 litres per person per day. Households with a meter use, on average, around 20 litres less water per person per day than unmetered households.</p> <p>The Severn River Basin District River Basin Management Plan published in December 2009 identified that around 29% of surface waters are at good or better ecological status, while 53% were classified as moderate and 18% as poor or bad. However, 37% of assessed water bodies were of good or higher biological status, but 31% were poor or worse.</p>
<p><b>Air Quality</b></p>	<p>There are four zones and agglomerations for ambient air quality reporting. The majority of the West Midlands is included within the West Midlands non-agglomeration zone. The three agglomeration zones cover the West Midlands Urban Area, the Potteries (Newcastle under Lyme and Stoke on Trent) and Coventry/Bedworth. Defra data on air quality in England, indicates that limit values for NO<sub>2</sub> were exceeded in all four zones, PM<sub>10</sub> was within relevant limit values and ozone met the target value but was above the long term objective in each zone.</p>
<p><b>Climate Change</b> (including greenhouse gas emissions, predicted effects of climate change and the ability to adapt)</p>	<p>Data published by the West Midlands Regional Observatory indicate that overall greenhouse gas emissions from industries in the West Midlands decreased between 1998 and 2007. Most industries in the West Midlands are less polluting than they were in 1998. The only exceptions were: transport and communication, and construction, where emissions grew by 2.5% a year on average. The biggest reductions in emissions over this period were seen in manufacturing (by 8.5 million tonnes of CO<sub>2</sub> equivalent) and other community, social and personal service activities (by 1.2 million tonnes of CO<sub>2</sub> equivalent). The drop in manufacturing emissions is partly explained by the decline of this sector over 1998 to 2007. The mining and quarrying industry experienced the biggest proportional decrease in emissions over this period (6.8% on average each year). This is because this sector has shrunk – with employment halving from 1998.</p> <p>In 2009, on average, each person in the West Midlands was responsible on average for the emission of 7.9 tonnes of CO<sub>2</sub> (this excludes emissions from air and marine</p>

SEA Topic	Summary of the Environment and Key Characteristics in the West Midlands
	<p>transport, offshore emissions and direct emissions from waste), compared to a UK average of 7.2 tonnes.</p> <p>In 2009, renewable energy sources provided 6.7% of the electricity generated in the UK, 1.2% higher than in 2008. In 2008, 697 Gigawatt Hours (GWh) of renewable energy was generated in the West Midlands, the fourth lowest of any region. Outputs were from biofuels and landfill gas only.</p> <p>Around 6.5 per cent of land in the West Midlands has a 1 per cent chance of flooding in any one year, and according to the 2008 National Flood Risk Assessment, around 118,000 properties in the region are at some level of risk from flooding - around 4% of the total. Of these 80,000 are residential properties. Around 21,000 residential and commercial properties are at 'significant' risk from flooding which is the highest category. This means they have a greater than 1 in 75 year chance of flooding.</p>
<b>Waste Management and Minerals</b>	<p>The West Midlands produced over 2.9 million tonnes of municipal waste in 2008, including 2.6 million tonnes of household waste. The latest commercial and industrial waste data showed the West Midlands produced 7.3 million tonnes of this waste type. In 2008, 4.8 million tonnes of waste was disposed of in landfill sites, with 5.5 million tonnes of waste going to waste transfer and treatment facilities. A further 2.1 million tonnes was sent to metal recycling sites. Since 2001, waste sent to West Midlands landfill sites has decreased by over 42 per cent, whilst inputs to waste transfer facilities has increased by 13 per cent. Waste going for treatment has increased by 25 per cent to over 1.5 million tonnes. At the end of 2008 the West Midlands had landfill capacity of over 79 million cubic metres. At current rates of disposal, this is only enough for another 10 years.</p> <p>Over 1.1 million tonnes of waste was incinerated at permitted facilities in the West Midlands in 2008, 85 per cent of which was municipal waste. In 2008, 35 per cent of municipal waste was recycled and/or composted. The West Midlands has the highest recovery and recycling rate of 66 per cent per cent for municipal waste, and the lowest percentage of municipal waste going to landfill, when compared with other regions in England and Wales.</p> <p>The reserves and sales of crushed rock and sand and gravel are relatively stable. The significant reserves with Staffordshire are a key source of regional supply.</p>
<b>Cultural Heritage</b> (including architectural and archaeological heritage)	<p>English Heritage identify the following assets in the region for 2011:</p> <ul style="list-style-type: none"> <li>• World Heritage Sites 2</li> <li>• Scheduled Monuments 1,423</li> <li>• Listed Buildings Grade I 615</li> <li>• Listed Buildings Grade II* 2,144</li> <li>• Listed Buildings Grade II 31,481</li> <li>• Registered Parks and Gardens 150</li> <li>• Registered Battlefields 6</li> <li>• Conservation Areas 773</li> <li>• Designated Collections 20</li> <li>• Accredited Museums 146</li> </ul> <p>At 4.5%, the region still has one of the highest proportions of buildings (Grade I and II*) at risk against a national average of 3.1%. Some 35% of the buildings are in the highest priority category (immediate risk of further rapid deterioration or loss of fabric) double that nationally. A significant proportion of entries on the at risk register occur across the region's shire counties and in particular in Herefordshire, Shropshire and</p>

SEA Topic	Summary of the Environment and Key Characteristics in the West Midlands
	Staffordshire.
<b>Landscape and Townscape</b>	<p>The West Midlands Region contains a wide range of landscapes as a result of the diverse underlying geology. This determines not only the terrain and the habitats that develop, but also the human use of the landscape, past and present. To the west, merging into the more rugged landscapes of Wales, are uplands and intimate pastoral landscapes of hills and woodland. These contrast markedly with the central and eastern areas, which are mainly lowlands, with broad river floodplains, dominated by arable farming. There are large urban conurbations around the industrial heartlands of Birmingham, the Black Country, the Potteries and Coventry.</p> <p>The West Midlands hosts several landscapes of national importance including the Southern parts of the Peak District National Park (which for planning purposes is considered in the East Midlands Regional Strategy), Cannock Chase AONB, the northern fringes of the Cotswolds AONB, Malvern Hills AONB, the Shropshire Hills AONB, the Wye Valley AONB. Taken together, these areas account for 9% of the region's land area.</p>

A more detailed description of issues and existing environmental problems that relate to sites designated under the Habitats Directive 92/43/EEC and the Birds Directive 2009/147/EC is set out in **Appendix G**.

The evolution of the environmental baseline without the plan to revoke the West Midlands Regional Strategy would include changes anticipated to arise from retaining it. The evolution of the environmental baseline is likely to include the following changes:

- an increase in pressures on biodiversity from the levels of housing and employment growth;
- the population of the West Midlands is expected to grow by almost 8%, or 436,000 people, reaching a total of 5.9 million a growth in the number of households living in the region to 2.9 million by 2023;
- overall it is expected that the quality of surface and ground waters in the area will continue to improve in line with the legal requirements;
- the areas most likely to be affected are those already associated with air quality problems which have significant levels of planned growth;
- hotter and drier summers and warmer and wetter winters (based on predictions for the effects of climate changes in the 2080's for the region);
- opportunities for the use waste as part of renewable energy generation exist in urban areas where neighbourhood heating schemes can be developed;
- continuing pressures on vulnerable buildings and landscapes from a variety of causes including tourism, recreation and climate change.

**Appendix E** contains more detailed information on the evolution of the baseline.

## The relationship of the plan to revoke the West Midlands Regional Strategy with other policies, plans and programmes

Consistent with the SEA Directive requirements, this assessment has identified and reviewed other relevant policies, plans and programmes at an international (European), national, regional and local level. The review has identified how these other policies, plans and programmes could influence the plan to revoke the Regional Strategy. It also identifies how the plan to revoke could contribute to the achievement of any environmental or sustainability objectives set out in these other policies, plans and programmes. Of particular relevance is the National Planning Policy Framework, the 215 saved structure plans, as well as the 30 extant local plans and the 15 plans that contain mineral and waste policies in the region. The relevant policies from the Local Plans and Mineral and Waste Plans are presented in **Appendix C**.

The relevant environmental protection objectives are reviewed and provided in **Appendix E**. Examples include:

- protection and enhancement of the levels and variety of biodiversity, including designated sites, priority species and habitats;
- protection and enhancement of soil quality and landscape character;
- protection and enhancement of water supplies and resources; and
- promoting the efficient use of water.

The review also helped to inform the development of the baseline, aid the determination of the key issues and provide the policy context for the assessment.

## Which environmental topics has the plan to revoke the West Midlands Regional Strategy been assessed against?

The plan to revoke the Regional Strategy has been assessed against the 12 topic areas, identified below. These include all of the topics set out in the SEA Directive. The methodology used within the assessment is in **section 3** of the Environmental Report.

<ol style="list-style-type: none"> <li>1. <b>Biodiversity</b></li> <li>2. <b>Fauna</b></li> <li>3. <b>Flora</b></li> <li>4. <b>Population</b> including demographics, socio-economics</li> <li>5. <b>Human health</b></li> <li>6. <b>Soil</b> including geology and land use</li> <li>7. <b>Water</b> quality (including surface and ground water quality and availability)</li> </ol>	<ol style="list-style-type: none"> <li>8. <b>Air quality</b></li> <li>9. <b>Climatic Factors</b> including climate change and adaptation</li> <li>10. <b>Material Assets</b> including waste management and minerals</li> <li>11. <b>Cultural Heritage</b> including architectural and archaeological heritage</li> <li>12. <b>Landscape</b></li> </ol>
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The baseline data and information required under the SEA Directive for each of these topics is presented in **Appendix E** to the Environmental Report.

## What reasonable alternatives were identified and assessed?

Consideration of the reasonable alternatives for a proposed policy or plan is a fundamental aspect of policy and planning development and a pre-requisite for the preferred direction to gain wider and long term support. In turn, recording the reasons for the selection of the preferred option can also aid subsequent review, particularly if the assumptions that underpin any alternatives change over time.

Article 5(1) of the SEA Directive requires the identification, description and evaluation of reasonable alternatives, taking into account the objectives and the geographical scope of the plan or programme. On this basis, the starting point for identifying alternatives to the revocation of the West Midlands Regional Strategy has been the scope of the powers of the Secretary of State to revoke, partially revoke or fully revoke the Regional Strategies. Responses to the consultation suggested a number of other alternatives (see **Appendix F** and section 2.4 of the main report) including partial revocation.

Following the application of the reasonableness test in compliance with Article 5(1) of the SEA Directive, the following alternatives have been taken forward for assessment within the SEA:

- **Revocation** of the entire West Midlands Regional Strategy.
- **Retention** of the West Midlands Regional Strategy but not updating it in the future.
- **Partial revocation of the West Midlands Regional Strategy either by**
  - revoking all the quantified and spatially specific policies (for instance where a quantum of development, land for development or amounts of minerals to be extracted or waste disposal is allocated to a particular location in the region) and retaining for a transitional period the non spatial policies, ambitions and priorities; or
  - retaining for a transitional period all the spatially specific policies (for instance where a quantum of development, land for development or amounts of minerals to be



extracted or waste disposal is allocated to a particular location in the region) and revoking the non spatial policies, ambitions and priorities; or

- retaining for a transitional period policies, ambitions and/or priorities, the revocation of which may lead to likely significant negative environmental effects.

Under either revocation or retention, local authorities will need to prepare and implement their local plans and other planning policy documents and to take planning decisions having due regard to the NPPF. The importance placed on the retained Regional Strategy and the NPPF may change over time, particularly when the Regional Strategy is not revised and so becomes out of date and less relevant to local community circumstances. Revocation of the Regional Strategy also has the potential to affect local plans and planning decisions more immediately as in some cases, removing the Regional Strategy will remove a regional policy that the local planning authority used to make local development decisions and local policy. The implications and effects on relevant Local Plan policies have therefore also been considered in the assessment.

## What are the likely significant effects<sup>3</sup> of the plan to revoke the West Midlands Regional Strategy and the reasonable alternatives?

The assessment of the revocation of the West Midlands Regional Strategy has shown that **there will be significant positive environmental effects**, although these will be largely similar to those if the Regional Strategy were retained.

The only area where revocation of the Regional Strategy would lead to **significant negative effects is in relation to water resources** arising from development associated with policies for housing provision. It should be noted that a similar policy performance is recorded for the retention alternative. However the effects are likely to be minimised as far as possible through water resource management planning, the Environment Agency's river basin management and the application of policies in the NPPF and elsewhere which are designed to secure efficient water usage.

For the majority of policies, **it is difficult to identify clear differences between the effects of retention and revocation**. This reflects the broad strategic nature of the Regional Strategy policies and the degree to which responsibilities are already devolved to local authorities to reflect the principles in their Local Plans. It also reflects the fact that both NPPF and the West Midlands Regional Strategy have sustainable development principles at their core.

**Where it occurs, differences between retention and revocation are most clear in respect of housing and employment development.** Whilst the benefits to communities of housing and

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<sup>3</sup> This includes consideration of the effects in the short, medium and long term, permanent and temporary and positive and negative effects, Secondary, cumulative and synergistic effects are also specifically considered in Table NTS3.

employment opportunities and the impacts on biodiversity, air quality, soils, water and material assets will be similar, a locally-led approach could ensure that the adverse effects are more effectively mitigated. This could be through a more detailed understanding of local environmental capacity issues and possibly more diverse and locally-specific spatial distributions of development. In the case of revocation, it is AMEC's view that there is some uncertainty about whether the benefits will be realised in the short to medium term for those local authorities that need to establish Local Plan policies for housing and economic development that reflect the objectively assessed and up to date needs of their respective local communities. This issue may be relevant for up to 20 of the 30 West Midlands local planning authorities who adopted Local Plans before January 2008 (the date of the adoption of the West Midlands Regional Spatial Strategy). The application of the NPPF's presumption in favour of sustainable development and its policies to boost the supply of housing will help where Local Plans or policies are absent, silent or out of date.

**Where a Regional Strategy policy provides a strategic direction whose requirements extend beyond the boundaries of a single authority, such as strategic employment sites, there may also be a difference in the short and medium term between retention and revocation.** Retention of the policy and the resulting development is likely to have significantly positive effects on the community and negative effects on biodiversity, air, water and material assets, in part because of the clarity and certainty provided by the retained policy. As in the previous example, it is AMEC's view that the effects of revocation will be more uncertain until authorities define, agree and implement the Duty to Co-operate and then reflect this in their adopted plans. In the interim where Local Plans or policies are absent, silent or out of date, the application of the NPPF's presumption in favour of sustainable development is likely to lead to an increase in the number of approvals of development which is sustainable which will help counter the effects of this uncertainty.

Many of the benefits relate to spatial planning issues that cross local authority boundaries (for example green infrastructure) and require direction and co-operation from a number of stakeholders including local authorities to be realised. Therefore, in the case of revocation, it is AMEC's view that there may be more uncertainty about impacts coming forward in the short to medium term where local authorities need to establish arrangements under the Duty to Co-operate to deliver such strategic policies and then reflect those arrangements in their adopted local plans. So, **whilst the Duty to Co-operate could well address a wide range of strategic issues, it is AMEC's opinion that there is uncertainty as to how this might work.** Some issues such as renewable energy, biodiversity enhancement or landscape conservation, which typically benefit from being planned at a wider geographical scale, may not have their full potential realised.

It should be noted that the effects of the recent Government housing and planning package changes have not been considered in detail in this assessment as policy detail is still being developed; however, it may prove that the increased emphasis on growth and development given by these proposals addresses some of the effects on the short and medium term arising from the uncertainties in those 20 authorities without Local Plans in conformity with the Regional Strategy.

Table NTS 2 presents a summary of the environmental effects of revocation, retention and partial revocation of each of the policy areas contained in the West Midlands Regional Strategy. It includes consideration of the short, medium and long term permanent and temporary, positive and negative effects. These cover a broad range of policy issues and encompasses those contained in the Regional Economic Strategy.

**Table NTS 2 Summary of the Effects of Revocation, Retention and Partial Revocation by Topic**

West Midlands Regional Spatial Strategy Policy Area	Revocation	Retention	Partial Revocation		
			Quantified and spatially-specific policies <sup>4</sup>	Non quantitative and non-spatially specific policies	Policies with significant negative effects
Climate Change (Policy CC1)	<p>There are no areas where revocation of this policy would have any negative effects.</p> <p>There may be a delay in realising the benefits in the short term due to the time required to put in place up to date local plans and implement the Duty to Co-operate.</p>	<p>There would be similar range of effects to revocation. Effects in the short and medium term may be more pronounced as there would be no delay in implementation.</p>	No significant effects identified.	No significant effects identified	No significant effects identified.
Urban Renaissance (Policies UR1-UR4)	<p>There are no areas where revocation of these policies would have any negative effects.</p> <p>There may be a delay in realising the benefits in the short term due to the time required to put in place up to date local plans and implement the Duty to Co-operate.</p>	<p>There would be similar range of effects to revocation. Effects in the short and medium term may be more pronounced as there would be no delay in implementation.</p>	No significant effects identified.	No significant effects identified	No significant effects identified.
Rural Renaissance (Policies RR1-RR4)	<p>There are no areas where revocation of these policies would have any negative effects.</p> <p>There may be a delay in realising the benefits in the short term due to the time required to put in place up to date local plans and implement the Duty to Co-operate.</p>	<p>There would be similar range of effects to revocation. Effects in the short and medium term may be more pronounced as there would be no delay in implementation.</p>	No significant effects identified.	No significant effects identified.	No significant effects identified.

<sup>4</sup> i.e. policies that provide a quantum of development

West Midlands Regional Spatial Strategy Policy Area	Revocation	Retention	Partial Revocation		
			Quantified and spatially-specific policies <sup>4</sup>	Non quantitative and non-spatially specific policies	Policies with significant negative effects
Communities for the Future (Policies CF1-CF6)	The revocation of these policies is unlikely to affect local authorities' provision and planning for housing. The NPPF requires all authorities to objectively assess their own housing markets and make provision accordingly. The negative effect on the region's water resources is identified as being significant. Mitigation of the effects on water resources would be through water resource management planning of Severn Trent Water, the Environment Agency's river basin management plans, in combination with the measures set out in the NPPF.	There would be similar range of effects to revocation. Effects in the short and medium term may be more pronounced as there would be no delay in implementation.	There would be a similar range of effects to revocation	No significant effects identified	No significant effects identified
Prosperity for All (Policies PA1-PA15)	The revocation of these policies is unlikely to affect local authorities' provision and planning for growth. There are expected to be similar benefits to the population as with retention of the policy. Adverse effects (for example on future water resources where effects would be significant) would be similar to those of retention.	There would be similar range of effects to revocation. Effects in the short and medium term may be more pronounced.	There would be a similar range of effects to revocation.	There would be a similar range of effects to revocation.	No significant effects identified
Quality of the Environment (Policies QE1-WD3)	The assessment has shown that under revocation and with the application of the NPPF there will be benefits across virtually all of the SEA topic areas with many of the effects being significant. In some instances this reflects where the NPPF has improved enhancement provisions for biodiversity beyond those contained in the Regional Strategy.	Similar effects to revocation	No significant effects identified	No significant effects identified	No significant effects identified

West Midlands Regional Spatial Strategy Policy Area	Revocation	Retention	Partial Revocation		
			Quantified and spatially-specific policies <sup>4</sup>	Non quantitative and non-spatially specific policies	Policies with significant negative effects
Transport & Accessibility (Policies T1-T12)	The revocation of these policies is unlikely to affect the significant positive effects for population and health, air and climatic factors due to improved air quality and reduced potential for greenhouse gas emissions due to the emphasis on sustainable transport modes.	Similar effects to revocation	No significant effects identified	No significant effects identified	No significant effects identified

## What are the secondary, cumulative and synergistic effects of the plan to revoke the West Midlands Regional Strategy?

In determining the significance of effects of a plan or programme, the SEA Directive requires that consideration is given to the secondary, cumulative, synergistic, short, medium and long term permanent and temporary, positive and negative effects on the environment. Table NTS 3 summarises these by assessment topic.

The plan to revoke the Regional Strategies is national in scope as well as applying to the eight regions. In consequence the national implications and effects of the West Midlands Regional Strategy have also been considered in the cumulative assessment. In respect of setting local housing targets, over the medium and longer term, the wider effects could yield increasing differences between regions with growth concentrated in those areas of greatest demand with consequential effects for infrastructure and environmental assets.

**Table NTS 3 Summary of Secondary, Cumulative and Synergistic Effects**

Assessment Topic	Summary Cumulative Effects
<b>Biodiversity and Nature Conservation</b> (which includes flora and fauna, and the functioning of ecosystems)	The existing good or favourable condition of priority wildlife habitats in the West Midlands should not be affected by revocation of the Regional Strategy. The biodiversity resource could be adversely impacted by direct or secondary effects from housing development, particularly in relation to loss of Green Belt, and transport. However, revocation will not affect the maintenance of favourable condition status as existing legislation protecting SAC, SPA, SSSI and protected species remains in place, strengthened by the commitments in the NPPF in relation to protecting biodiversity resources. It is therefore expected that revocation of the Regional Strategy would not change the positive direction of travel. The achievement of legally binding targets for water and air quality will also be significant contributory factors (due to

Assessment Topic	Summary Cumulative Effects
	<p>secondary and synergistic effects) in improving the quality of areas important for wildlife while enhanced provisions on aspects such as the delivery and protection of green infrastructure will play an important role in increasing the overall biodiversity value.</p> <p>There will, however, be some development anticipated on greenfield sites, and where this occurs, this will lead to some local loss of biodiversity (either directly through land take or indirectly through effects associated with disruption and disturbance of habitats adjacent to the developed sites, from construction, traffic and recreational activity). The local effects however, will depend on decisions taken by local authorities in consultation with their communities, and by businesses and other partners, on the future scale, nature and location of housing and other development in order to meet identified need.</p> <p>There may be gradual change to biodiversity resources over time due to factors, such as, climate change. However, in the long term, revocation is likely to have a positive cumulative effect due to the protection and enhancement of green infrastructure across the region.</p>
<p><b>Population</b> (including socio-economic effects and accessibility)</p>	<p>There are a range of significant direct and indirect positive benefits anticipated to accrue to communities from the provision of employment and housing land, improvements in local facilities and enhancement from local environmental quality. Revocation of the West Midlands Regional Strategy will not affect the realisation of significant secondary and cumulative positive effects associated with the delivery of economic development, housing development and transport infrastructure in the region on local communities in the long term. The Duty to Co-operate is expected to play a key role in this and Local Enterprise Partnerships with clear commitments and visions to address issues in their respective areas. Inter-regional co-operation will continue in respect of regeneration and renewal resulting in secondary and cumulative benefits on population.</p>
<p><b>Human Health</b></p>	<p>There are a range of direct and indirect benefits to human health of increasing the quality and quantity of new housing, addressing local deprivation and improving local environmental quality. Revocation will still enable secondary positive benefits on health to be delivered as local authorities are expected to work collaboratively with neighbouring authorities and Local Enterprise Partnerships to determine and deliver the socio-economic needs of their area (e.g. employment and housing quality) and protect and enhance green infrastructure. New homes are to be in locations accessible by sustainable means of transport, walking and cycling in particular are healthy activities and the NPPF is complementary to national initiatives such as the cycle to work scheme all of which will result in positive secondary effects on health.</p>
<p><b>Soil and Geology</b> (including land use, important geological sites, and the contamination of soils)</p>	<p>At this stage the cumulative effects remain uncertain although are likely to be negative given the demand for greenfield land for future development. However, given the target in the Natural Environment White Paper (NEWP) that by 2030 all of England's soils will be managed sustainably and degradation threats tackled successfully along with further research, there remains the potential for this to be addressed in the long term.</p>
<p><b>Water Quality and Resources</b> (including as inland surface freshwater and groundwater resources, and inland surface freshwater,</p>	<p>Potentially negative effects have been identified against this topic (arising from the cumulative effects of future development and increased demand for water, particularly in already stressed areas.</p>



Assessment Topic	Summary Cumulative Effects
groundwater, estuarine, coastal and marine water quality)	These issues are likely to be compounded by the effects of climate change. Legislation and policy for water companies, the Environment Agency, developers and local authorities along with the NPPF policy will continue to ensure water resources are considered and sustainably managed.
<b>Air Quality</b>	Revocation is not considered to affect the need to achieve good air quality levels across the region. Air quality management will be delivered by other policy and legislation, by a range of organisations, in order to avoid negative secondary and cumulative effects. However, employment and housing development will increase the magnitude of secondary effects on air quality by virtue of increasing the amount of traffic generated (under both retention or revocation). The overall cumulative effect is therefore considered to be broadly neutral with possible negative effects depending on the scale of traffic generation.
<b>Climate Change</b> (including greenhouse gas emissions, predicted effects of climate change and the ability to adapt)	Revocation will not affect the direction of movement towards a low carbon economy as it will be delivered by other climate change policy and legislation. However, there could be an increase in the magnitude of secondary environmental impacts on the climate by increasing the amount of traffic generated (under both retention or revocation) associated with economic and housing development. Notwithstanding such uncertainties, the overall cumulative effect of revocation on climate change is considered to be positive reflecting the broad direction of policy and practice in this area.
<b>Waste Management and Minerals</b>	<p>Ensuring timely provision of appropriate waste management facilities will have significant benefits for human health while reducing the amount of waste imported into the region should reduce traffic levels and have benefits for air quality. The reduction in the amount of waste disposed of to landfill will reduce the risk of water contamination and emission of green house gases (i.e. methane).</p> <p>Revocation of the West Midlands Regional Strategy will not affect waste management in the region. The combination of European Directives (notably the Landfill Directive) and PPS10, will ensure that waste management is undertaken in a manner consistent with the waste management hierarchy and with the intent to increase resource efficiency with a continued reduction in waste requiring disposal in landfill.</p>
<b>Cultural Heritage</b> (including architectural and archaeological heritage)	Direct or secondary effects (in relation to the setting of heritage assets) could result from development under either retention or revocation. However, revocation will not affect the protection given to designated heritage assets as existing legislation protecting World Heritage Sites, listed buildings, scheduled monuments, conservation areas and registered parks and gardens remains in place, strengthened by the NPPF's commitments. Therefore, long term, revocation is likely to have a positive cumulative effect.
<b>Landscape and Townscape</b>	Revocation will not affect the protection given to the West Midland's designated landscapes as existing legislation protecting National Parks and AONBs remains in place, strengthened by the NPPF's commitments. There may be gradual change to landscapes over time due to factors, such as, climate change, change in agricultural practices and economic conditions. However, long term, revocation is likely to have a positive cumulative impact due to the protection and enhancement of green infrastructure across the region.

## Proposed mitigation measures

A number of mitigation measures have been identified in the detailed assessment in **Appendix D**.

## Monitoring proposals

It is a requirement of the SEA Directive to establish how the significant effects of revoking the Regional Strategy will be monitored. As set out in ODPM Guidance<sup>5</sup>, “it is not necessary to monitor everything or monitor an effect indefinitely. Instead, monitoring needs to be focused on significant sustainability effects.”

CLG’s Business Plan<sup>6</sup> under section 5 ‘Put Communities in charge of planning’ includes specific monitoring actions for the department regarding the local plan making progress by authorities and on compliance with the Duty to Co-operate. The results of this monitoring will provide clarity over the extent of any delay in adoption of revised local plans. When reviewing the environmental effects of the final decision on revocation, it is proposed that CLG will make periodic reference to the following metrics and sources of information contained in Table NTS 4. Any resulting analysis of long term trends will be used to consider whether any further mitigation or intervention is needed for:

- The significant effects identified in the assessment that may give rise to irreversible damage where it is appropriate to implement relevant mitigating measures before such damage is caused; and
- Uncertain effects where monitoring would enable preventative or mitigating measures to be undertaken.

Taking this into account, of the 12 topics considered in this SEA, it is proposed that monitoring should focus on the following:

**Table NTS 4 Proposed Monitoring Indicators and Sources of Information**

SEA Topics	Monitoring Measure	Source(s) of Information
<b>Biodiversity, Flora and Fauna</b>	Annual (where information allows) trends in: <ul style="list-style-type: none"> <li>• Condition reports for designated sites</li> <li>• Threatened habitats and species</li> <li>• Populations of countryside birds</li> </ul>	JNCC report under Article 17 of the Habitats Directive (completed every 6 years) on the conservation status of protected habitats Joint Nature Conservation Committee <a href="http://www.jncc.gov.uk/page-4241">http://www.jncc.gov.uk/page-4241</a> <a href="http://jncc.defra.gov.uk/page-4239">http://jncc.defra.gov.uk/page-4239</a>

<sup>5</sup> ODPM, September 2005: *Practical Guide to the Strategic Environmental Assessment Directive*

<sup>6</sup> CLG May 2012, Business Plan 2012-2015

SEA Topics	Monitoring Measure	Source(s) of Information
	<ul style="list-style-type: none"> <li>Surface water biological indicators</li> </ul>	<a href="http://jncc.defra.gov.uk/page-4238">http://jncc.defra.gov.uk/page-4238</a> <a href="http://jncc.defra.gov.uk/page-4235">http://jncc.defra.gov.uk/page-4235</a> <a href="http://www.sssi.naturalengland.org.uk/Special/sssi/report.cfm?category=R,RF">http://www.sssi.naturalengland.org.uk/Special/sssi/report.cfm?category=R,RF</a> Department for Environment, Food and Rural Affairs (Defra) <a href="http://www.defra.gov.uk/statistics/environment/inland-water/">http://www.defra.gov.uk/statistics/environment/inland-water/</a> The Environment Agency (EA) are responsible for monitoring water quality under the Water Framework Directive
<b>Population</b>	Annual (where information allows) trends in: <ul style="list-style-type: none"> <li>Employment Information</li> <li>Population</li> <li>Housing and additional net dwellings</li> </ul>	Office of National Statistics reports, specifically Regional Trends and Regional Gross Value Added Department for Communities and Local Government (DCLG) statistics: Annual net additional dwellings, Housebuilding: permanent dwellings completed by tenure and region
<b>Human Health</b>	Annual (where information allows) trends in: <ul style="list-style-type: none"> <li>National Statistics – Long term illness, etc.</li> <li>Crime</li> <li>Deprivation</li> <li>Access to and quality of the local environment</li> </ul>	Office of National Statistics (ONS) on health Home Office, Crime Survey for England and Wales DCLG statistics: Indices of Deprivation ONS (proposed measures of wellbeing)
<b>Soil and Geology</b>	Annual (where information allows) trends in: <ul style="list-style-type: none"> <li>Land use</li> </ul>	DCLG statistics
<b>Water</b>	Annual (where information allows) trends in: <ul style="list-style-type: none"> <li>% of catchments with good ecological status</li> <li>Water resource availability</li> <li>Per capita water consumption</li> </ul>	EA & Defra <a href="http://www.defra.gov.uk/statistics/environment/inland-water/">http://www.defra.gov.uk/statistics/environment/inland-water/</a> Severn Trent Water
<b>Air</b>	Annual (where information allows) trends in: <ul style="list-style-type: none"> <li>Number of AQMAs</li> <li>Number of AQMAs were exceedances occurred.</li> </ul>	Defra Defra
<b>Climatic factors</b>	Annual (where information allows) trends in: <ul style="list-style-type: none"> <li>Emission of greenhouse gases</li> <li>Number of properties at risk of flooding</li> </ul>	Department for Energy and Climate Change (DECC) Statistical Release: Local and regional CO2 emissions EA

SEA Topics	Monitoring Measure	Source(s) of Information
<b>Material Assets</b>	Annual (where information allows) trends in: <ul style="list-style-type: none"> <li>• Volume of construction waste and proportions recycled</li> <li>• Volume of hazardous waste</li> <li>• Volume of controlled wastes and proportions recycled</li> <li>• Volume of minerals extracted</li> </ul>	EA EA EA West Midlands Mineral Planning Authorities
<b>Cultural heritage, including architectural and archaeological heritage</b>	Annual (where information allows) trends in: <ul style="list-style-type: none"> <li>• % of heritage assets of different types that are at risk</li> </ul>	English Heritage 'Heritage at risk report'
<b>Landscape and Townscape</b>	Annual (where information allows) trends in: <ul style="list-style-type: none"> <li>• Change in AONBs (area, threats and quality)</li> <li>• Changes in Conservation Areas</li> <li>• Percentage who are very or fairly satisfied with local area</li> <li>• Trend in number of vacant dwellings</li> </ul>	National Association of AONBs English Heritage (if 2003 survey repeated) ONS (proposed measures of wellbeing) DCLG <a href="http://www.communities.gov.uk/documents/housing/xls/1815794.xls">http://www.communities.gov.uk/documents/housing/xls/1815794.xls</a>

## What were the challenges faced in completing this report?

A number of technical difficulties were incurred in carrying out the assessment. These reflect a number of factors, principally that undertaking an assessment of the effects of revocation is new and that there are some uncertainties over future effects. The environmental effects of revoking the Regional Strategy will clearly be dependent on future decisions by local authorities, individually and collectively. The uncertainty arising from local decisions has been reflected as appropriate in the assessment of the individual policies in **Appendix D** and in the consideration in the topic chapters contained in **Appendix E**.

## The next steps

This Environmental Report will be presented for consultation until Thursday 24 January 2013. Feedback received from consultees in relation to the SEA will be documented and considered in reviewing the

proposals to revoke the Regional Strategies. A Post Adoption Statement will summarise how the SEA and the consultation responses have been taken into account and how environmental considerations have been integrated into the final decisions regarding the proposals to revoke the Regional Strategies.





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# 1. Introduction

## 1.1 The Plan to Revoke Regional Strategies

The Government announced in the Coalition Agreement its intention to “*rapidly abolish regional spatial strategies and return decision-making powers on housing and planning to local councils*”. The objective was to make local plans, and where desired neighbourhood plans, the basis for local planning decisions.

The Localism Act 2011 repealed Part 5 of the Local Democracy, Economic Development and Construction Act 2009, thereby removing the legal framework for the review of Regional Strategies or the adoption of new or revised Regional Strategies, and gave the Secretary of State powers to revoke in full or in part the existing strategies by order.

The Government’s proposal is to replace the eight Regional Strategies (comprising the relevant regional spatial and regional economic strategies) outside London with a more localist planning system. Together with incentives such as the New Homes Bonus it aims to encourage local authorities and communities to realise their aspirations for housing and economic growth.

## 1.2 Strategic Environmental Assessment (SEA)

SEA became a statutory requirement following the adoption of European Union Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment. This was transposed into UK legislation on the 20 July 2004 as The Environmental Assessment of Plans and Programmes Regulations 2004 (SI2004/1633). The objective of SEA, as defined in Directive 2001/42/EC is:

*‘To provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes with a view to contributing to sustainable development’.*

Throughout the course of the development of a plan or programme, the SEA should seek to identify, describe and evaluate the likely significant effects on the environment of implementing the plan or programme and to propose measures to avoid, manage or mitigate any significant adverse effects and to enhance any beneficial effects.

### 1.2.1 Applying SEA to the Revocation of the Regional Strategies

Regional Strategies are plans for the purpose of the European Directive 2001/42/EC because they are land use plans, are required by legislative, regulatory or administrative provisions and set the framework for future development consent of projects listed in Annexes I and II of the European Directive on environmental impact assessment. They are also subject to an appraisal of sustainability under the

Planning and Compulsory Purchase Act 2004. Both requirements were met in a single process called sustainability appraisal, as set out in guidance issued by the then Office of the Deputy Prime Minister in 2005.

As part of its stated commitment to protecting the environment, the Government decided to carry out an environmental assessment of the revocation of the existing Regional Strategies, on a voluntary basis. These assessments were prepared to be compliant with the procedure set out in the Strategic Environmental Assessment Directive. A 12 week consultation on the Environmental Reports of these assessments commenced on 20 October 2011 and ended on 20 January 2012.

Since the start of the consultation on the assessments there have been a number of developments that are relevant to assessing the likely significant environmental effects of the proposal to revoke the Regional Strategies. These are:

- the **National Planning Policy Framework** was published in March 2012. This sets out the Government's planning policies for England and provides a framework within which local communities can produce their own distinctive local and neighbourhood plans reflective of the needs and priorities of their communities. It includes Government's expectations for planning strategically across local boundaries and within that the role of the planning system in protecting the environment;
- the **planning policy for Traveller sites** was published in March 2012 (to be read in conjunction with the NPPF);
- the provisions which create a new **Duty to Co-operate** were commenced when the Localism Act received Royal Assent on the 15th November 2011. They require local planning authorities to work collaborate to ensure that strategic priorities across local boundaries are properly co-ordinated and clearly reflected in local plans.

Additionally, the Court of Justice of the European Union (CJEU) gave judgment in March 2012 on the applicability of the SEA Directive to a procedure for the total or partial revocation of a land use plan.<sup>7</sup> It held that such a procedure in principle falls within the scope of the Directive and is subject to the rules relating to the assessment of effects on the environment as laid down by the Directive.

The public consultation on the Environmental Reports generated many helpful and informative responses. Some of these provided additional information and suggested other analysis to help improve the assessments. The Government has therefore decided to use the additional information gained through the public consultation process, as well as the developments in policy and CJEU jurisprudence, to update and build on the earlier assessments. Details of this additional analysis are given in **Section 3.1**. This Environmental Report reflects this decision and, in line with the requirements of the SEA Directive, is subject to consultation. As this is further to the consultation in 2011 on the environmental assessments, the Government considers it reasonable for the consultation period for this subsequent consultation to run for eight weeks.

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<sup>7</sup> The judgment in Case C-567/10 *Inter-Environnement Bruxelles ASBL v Région de Bruxelles-Capitale*

The assessment in this Environmental Report can be considered as stand-alone and has been intentionally written to provide sufficient information for consultees to consider whether the likely significant environmental effects have been identified of the plan to revoke the West Midlands Regional Strategy (and reasonable alternatives) without recourse to the previous Environmental Report. Any reader who has also read the previous environmental report should note that, insofar as there is any difference between the two documents, this Environmental Report is to be preferred.

All responses to this consultation will be given careful consideration alongside those received in response to the earlier consultation. The Government would particularly welcome responses on:

- whether there is any additional information that should be contained with the baseline or review of plans and programmes;
- whether the likely significant effects on the environment from revoking the West Midlands Regional Strategy<sup>8</sup> have been identified, described and assessed;
- whether the likely significant effects on the environment from considering the reasonable alternatives to revoking the West Midlands Regional Strategy have been identified, described and assessed; and,
- the arrangements for monitoring.

### 1.3 Purpose of this Report

The purpose of this Environmental Report is to:

- present relevant environmental baseline information, including a review of plans and programmes;
- identify, describe and assess the likely significant environmental effects associated with the plan to revoke the Regional Strategies and reasonable alternatives;
- propose measures to avoid, reduce and/or offset any potentially significant adverse effects and, where appropriate, to enhance any potential positive effects from the plan to revoke the Regional Strategies;
- outline and describe the measures envisaged for monitoring any significant effects identified by the Environmental Report; and
- demonstrate that the plan to revoke the Regional Strategies has been developed in a manner consistent with the requirements of the SEA Regulations.

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<sup>8</sup> For the purposes of this Environmental Report the Regional Strategy means the Regional Spatial Strategy for the West Midlands, and the Regional Economic Strategy for the West Midlands

## 1.4 Habitats Regulations Assessment

The Habitats Directive prohibits the adoption of plans or projects which have an adverse effect on the integrity of European sites unless there are no alternative solutions and the plan or project must be adopted for imperative reasons of overriding public interest.

The revocation of Regional Strategies does not affect the legal requirement set out in the Conservation of Habitats and Species Regulations 2010 that a competent authority, such as a local planning authority, in exercising any of their functions must have regard to the requirements of the Habitats Directive (Regulation 9). Part 6 of the Regulations also contains provisions which require the assessment of implications for European sites of any plan or project, which is likely to have a significant effect on it, before it proceeds in accordance with the Habitats Directive.

Where a competent authority other than the Secretary of State proposes to agree to a plan or project despite a negative assessment of the implications for a European site, they must notify the Secretary of State and they must not approve the plan or project. The Secretary of State may give directions to the competent authority in any such case prohibiting them from agreeing to the plan or project, either indefinitely or for a specified period (Regulation 62).

Given these safeguards, the Government's view is that the revocation of the Regional Strategies will therefore have no effects requiring assessment under the Habitats Directive.

## 1.5 Consultation and Stakeholder Engagement

### 1.5.1 Overview

As part of the environmental assessment of the revocation of the Regional Strategies, there has been consultation with the statutory consultation bodies on the scope and level of detail of the Environmental Reports, followed by a public consultation on the Environmental Reports on the effects of revoking each of the eight Regional Strategies.

Detailed responses to the Environmental Reports published in October 2011 were provided by consultees, and in the intervening period several key pieces of planning policy and legislation have been put in place. The Government has therefore decided to further consult on the Environmental Reports to allow the developments in policy and legislation, as well as the comments from respondents to be taken into account in the assessment of the likely significant environmental impacts of revocation of the Regional Strategies.

### 1.5.2 Scoping Consultation

The designated consultation bodies for strategic environmental assessment in England (the Environment Agency, English Heritage and Natural England) were consulted on the scope and level of detail to be



included in the Environmental Reports in May 2011 for five weeks. The corresponding bodies for Scotland and Wales were also consulted on the reports for regions on their boundaries. Their comments on individual regions have been taken into account in the Environmental Reports.

They were consulted on the method proposed to assess the likely significant environmental effects of revoking the Regional Strategies which was to take as a starting point the environmental assessment components of the sustainability appraisals carried out when the Regional Strategies were being prepared. For those regions which had not completed an up-to-date Regional Strategy, use was also made of the more recent appraisals of the emerging strategy. The assessments followed the format set out in Annex I of the Directive, assessing impacts taking into account that local plans would set the framework for decisions on planning applications following the proposed revocation of the Regional Strategies and saved structure plan policies.

The approaches taken in the appraisals during preparation of the Regional Strategies differed to some extent between regions, and the assessments inevitably reflect this. However, as far as possible, a broad assessment was made of the component policies in the Regional Strategy, identifying their objectives and any particular issues from the sustainability appraisals, so as to identify the key environmental issues arising in assessing the likely effects of revocation. The assessment focused on those aspects of the plan to revoke the Regional Strategies which might be expected to lead to significant environmental effects.

The Environment Agency agreed that the scope and level of detail proposed for the analysis of the environmental effects of revocation of the Regional Strategies was appropriate. Natural England recognised that the SEA was unusual in that it applied to the revocation, rather than the creation of a plan, and that therefore many of the usual aspects of SEA did not apply. English Heritage focussed their comments on the implications for heritage on the proposed revocation. Scottish Natural Heritage considered that the implications for strategic planning for green infrastructure and the interface with the marine environment should be considered.

In addition, since this is the first time an environmental assessment has been undertaken for the revocation (rather than the creation) of a plan, a draft of the previous Environmental Report was also sent to the statutory consultation bodies for their comments. Their comments on the previous draft reports are presented in summary in **Appendix F**, together with a response.

### 1.5.3 Public Consultation on the Initial Environmental Reports

As part of the assessment of the revocation of the Regional Strategies a public consultation on the Environmental Reports on the effects of revoking each of the eight Regional Strategies was undertaken. Consultation on the Environmental Reports was announced in both Houses of Parliament through a Written Ministerial Statement and copies were sent by email to the statutory consultation bodies, the equivalent organisations in the devolved administrations, all local planning authorities and organisations thought to have an interest in the process. Copies of the reports were also published on the DCLG website. The consultation ran from 20 October 2011 to 20 January 2012.

A total of 103 responses were received, of which half contained comments that were common to all the reports. The remaining responses made specific comments on the Environmental Reports for particular regions. The Woodland Trust provided individual responses for each of the eight regions as did the Scottish Government SEA Gateway (enclosing responses from Scottish Heritage, the Scottish Environmental Protection Agency and Scottish Natural Heritage). No responses were received from local planning authorities within the West Midlands. A further 64 dealt solely with Environmental Reports for regions other than the West Midlands. A summary of the consultation responses relevant to the West Midlands Environmental Report is set out at **Appendix F**. The main issues raised by respondents on the initial Environmental Reports, which were relevant to the West Midlands, are grouped into 6 broad themes as follows:

- The Overall Approach to SEA
- Assessment
- Reliance on the NPPF
- Policy Change
- Reliance on the Duty to Co-operate
- Individual Topics (covering Green Belt, gypsies and travellers, housing supply and growth, heritage, waste, biodiversity, renewable energy, transport, water, brownfield land, flooding and woodland).

A high level summary of the issues raised and the response to theme is set out below. A more detailed summary of the responses is presented in **Appendix F**.

**Table 1.1 Summary of consultation responses**

Issue	Summary of consultation responses to the initial Environmental Report	Response
The overall approach taken to SEA	<p>The statutory SEA Bodies agreed with the overall approach taken to assess the likely environmental impacts of revoking the Regional Strategies. Many of their scoping comments had been taken into account in the environmental reports, although English Heritage, in particular, had concerns that not all the potential impacts on the historic environment were fully assessed. The Environment Agency regarded the assessments as an opportunity to highlight issues that local authorities could address in partnership to achieve sustainable development.</p> <p>The Town and Country Planning Association, RTPi West Midlands, Futures Network West Midlands were concerned that the environmental reports did not represent an analytically robust and rigorous assessment of the likely impacts or how they may be mitigated of the revocation of Regional Strategies.</p>	<p>Section 1 of the Environmental Report sets out how the report meets the requirements of the SEA Directive.</p> <p>The impacts of revoking, retaining or partially revoking the West Midlands Regional Strategy have been assessed in detail in the short, medium and long term against the 12 SEA topics. This includes Cultural Heritage – including architectural and archaeological heritage.</p>

Issue	Summary of consultation responses to the initial Environmental Report	Response
	<p>They considered that not all of the Directive's provisions had been addressed with sufficient robustness to provide an appropriate means of assessment, with – e.g. reasons for selecting the alternatives dealt with and a description of how the assessment was undertaken. The Environmental Reports did not explore the potential short-term impacts that could arise in the interim period while the Regional Strategy is revoked, but before adopted local plans are in place. The reports do not project what the future might be like under local plans prepared with a minimum of national guidelines. The reports should contain more analysis of minerals and waste, infrastructure, town centre development, new settlements and major urban expansions.</p>	
Assessment	<p>Questions were raised over the assessment concerned the likelihood of effects, cumulative impacts, mitigation, strategic planning, baseline data, material assets, likely evolution of the environment, SPAs/SACs, method statement, non-technical summary, local plans, reasonable alternatives and monitoring.</p> <p>For example, in relation to effects, a number of respondents commented that the assessment had placed unquestioning faith in the environmental benefits of the Government's planning reforms, and seemed to be a justification for revocation rather than objective analysis. The assumptions within the environmental report that revocation of the Regional Strategies will have no significant adverse environmental effects were untested and unsupported by evidence.</p>	<p>The Environmental Report updates the baseline evidence and provides a detailed analysis of the retention, partial revocation and revocation of the West Midlands Regional Strategy in the short, medium and long term against all 12 SEA topics, taking into account the content of Local Plans. Mitigation measures are proposed where significant impacts are predicted. Arrangements for monitoring possible effects are set out and a non-technical summary is provided.</p>
Reliance on the NPPF	<p>A number of respondents thought that it was difficult to assess the impact of revocation of the Regional Strategies before the National Planning Policy Framework was finalised.</p>	<p>The Government published the National Planning Policy Framework in March 2012. The analysis presented in this environmental report takes account of the policies set out in the Framework.</p>
Policy Change	<p>Several respondents thought that the revocation of the West Midlands Regional Spatial Strategy would leave a policy gap, particularly for the delivery of strategic policies.</p>	<p>The National Planning Policy Framework states that local planning authorities should set out the strategic priorities for the area in the local plan. This should include strategic policies to deliver homes and jobs and other development needed in the area, the provision of infrastructure, minerals and energy as well as the provision of health, security, community and cultural infrastructure and other local facilities; and climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment, including landscape.</p>
Reliance on the Duty to Co-operate	<p>Some respondents thought that it was unlikely that the Duty to Co-operate would be able to provide a framework robust enough to enable strategic planning across local government boundaries at a sufficiently large scale.</p>	<p>The Government has introduced a new Duty to Co-operate and supporting regulations are now in place. Councils who cannot demonstrate that they have complied with the duty may fail the Local Plan independent examination. In addition the NPPF sets out the strategic priorities on which the Government expects joint working to be undertaken by authorities. The NPPF also sets out the requirements for sound Local Plans, including that plans are deliverable and based on effective joint working on cross boundary strategic priorities.</p>

Issue	Summary of consultation responses to the initial Environmental Report	Response
Individual Topics	Respondents raised a number of questions about individual topics. In particular, respondents thought that the impact of the revocation of the West Midlands Regional Spatial Strategy could impact on Green Belt, the provision of gypsy and traveller pitches, housing supply, heritage, waste management, biodiversity, renewable energy, transport, water, brownfield land and flooding.	Individual policies for the planning of individual topics is described in the Environmental Report, drawing on the policies set out in the NPPF.

## 1.6 Structure of this Report

The assessment in this Environmental Report builds on the earlier assessment that was published for consultation in October 2011 and in particular includes further work in response to consultees' comments. This includes additional work to revise and update the baseline and contextual information used in the assessment, a necessary strengthening of the evidence base used as well as providing greater detail in the assessment itself. The approach that has been undertaken is set out in **Section 3.1** with the resulting information presented in **Appendices C, D, E, G and H**.

**Table 1.2** sets out how the information requirements of Annex I of the SEA Directive are met in this Environmental Report. Reasonable alternatives are considered in Section 2 and the approach taken to the assessment is explained in Section 3. Section 4 summarises the likely significant effects of revoking the West Midlands Regional Strategy along with reasonable alternatives, where identified, including any secondary, cumulative, synergistic, short, medium and long-term, permanent and temporary, positive and negative effects. Section 5 provides a summary of the key findings along with proposed monitoring measures.

**Table 1.2 SEA Directive Requirements and where they are covered in the Environmental Report**

SEA Directive Requirements	Where covered in the Environmental Report?
Preparation of an environmental report in which the likely significant effects on the environment of implementing the plan or programme, and reasonable alternatives taking into account the objectives and geographical scope of the plan or programme, are identified, described and evaluated. The information to be given is (Art. 5 and Annex I):	
a) An outline of the contents, main objectives of the plan or programme, and relationship with other relevant plans and programmes	<p>Section 2 outlines the contents and main objectives of the plan.</p> <p>Section 3 presents a summary of the relationship with other relevant plans and programmes.</p> <p>Appendix E (the SEA topic information chapters) presents greater details the other plans and programmes that are relevant to the plan.</p>

SEA Directive Requirements	Where covered in the Environmental Report?
b) The relevant aspects of the current state of the environment and the likely evolution thereof without implementation of the plan or programme	Appendix E (the SEA topic information chapters) outlines the relevant aspects of the current state of the environment and the likely evolution thereof without implementation of the plan or programme.
c) The environmental characteristics of areas likely to be significantly affected	Appendix E (the SEA topic information chapters) outlines the environmental characteristics of areas likely to be significantly affected.
d) Any existing environmental problems which are relevant to the plan or programme including, in particular, those relating to any areas of a particular environmental importance, such as areas designated pursuant to Directives 79/409/EEC and 92/43/EEC.	Appendix E (the SEA topic information chapters) outlines any existing environmental problems. Appendix G outlines the pressures on European designated conservation sites.
e) The environmental protection, objectives, established at international, Community or national level, which are relevant to the plan or programme and the way those objectives and any environmental, considerations have been taken into account during its preparation	Appendix E (the SEA topic information chapters) outlines the relevant environmental protection objectives.
f) The likely significant effects on the environment, including on issues such as biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage including architectural and archaeological heritage, landscape and the interrelationship between the above factors. (Footnote: These effects should include secondary, cumulative, synergistic, short, medium and long-term permanent and temporary, positive and negative effects)	Appendix D, Appendix E and Section 4 outline the likely significant effects of the plan on the SEA issues.
g) The measures envisaged to prevent, reduce and as fully as possible offset any significant adverse effects on the environment of implementing the plan or programme	Appendix D, Appendix E and Section 4 outline the mitigation measures to prevent, reduce and as fully as possible offset any significant adverse effects of the plan.
h) An outline of the reasons for selecting the alternatives dealt with, and a description of how the assessment was undertaken including any difficulties (such as technical deficiencies or lack of know-how) encountered in compiling the required information	Section 2 outlines the reasons for selecting the alternatives. Section 3 contains and a description of how the assessment was undertaken including any difficulties encountered.
i) A description of measures envisaged concerning monitoring in accordance with Art. 10	Section 5 presents proposals for monitoring.
j) A non-technical summary of the information provided under the above headings	A non-technical summary is provided.

## 2. The Plan to Revoke the Regional Strategies

### 2.1 Overview

The Government announced in the Coalition Agreement its intention to “*rapidly abolish regional spatial strategies and return decision-making powers on housing and planning to local councils*”<sup>9</sup>. The objective was to make local plans, and where desired neighbourhood plans, the basis for local planning decisions. The Government’s proposal is to replace the eight Regional Strategies outside London with a more localist planning system, together with incentives such as the New Homes Bonus, to encourage local authorities and communities to realise their aspirations for housing and economic growth.

The Localism Act 2011 repealed Part 5 of the Local Democracy, Economic Development and Construction Act 2009, thereby removing the legal framework for the review of Regional Strategies or the adoption of new or revised Regional Strategies, and gave the Secretary of State powers to revoke in full or in part the existing strategies by order.

The Regional Strategy under consideration for revocation comprises the West Midlands Regional Spatial Strategy published by the then Secretary of State in 2008 and the Regional Economic Strategy published by Advantage West Midlands and the West Midlands Regional Assembly in 2007.

The individual policies from the West Midlands Regional Spatial Strategy are presented in **Appendix A**. The whole Strategy can be viewed at:

[http://www.wmra.gov.uk/Planning\\_and\\_Regional\\_Spatial\\_Strategy/Regional\\_Spatial\\_Strategy/Regional\\_Spatial\\_Strategy\\_\(RSS\).aspx#Jan2008](http://www.wmra.gov.uk/Planning_and_Regional_Spatial_Strategy/Regional_Spatial_Strategy/Regional_Spatial_Strategy_(RSS).aspx#Jan2008)

The vision, ambitions, priorities and implementation priorities from the West Midlands Regional Economic Strategy are presented in **Appendix H** and can be viewed at:

[http://webarchive.nationalarchives.gov.uk/+http://www.advantagemw.co.uk/Images/WMES\\_tcm9-9538.pdf](http://webarchive.nationalarchives.gov.uk/+http://www.advantagemw.co.uk/Images/WMES_tcm9-9538.pdf)

This section sets out the key aspects of the plan to revoke the Regional Strategies, the implications for the West Midlands region and the alternatives considered.

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<sup>9</sup> HM Government (2010), The Coalition: our programme for government

## 2.2 Key Aspects of the Plan to Revoke the Regional Strategies

The National Planning Policy Framework (NPPF) was published on 27th March 2012. This followed extensive consultation during 2011 and replaces government planning policy and mineral policy guidance for England. It provides '*a framework within which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities.*' Accordingly, local planning authorities and communities will continue to determine the quantum and location of development, albeit without the additional tier of regional direction. It does not contain waste planning policy, nationally significant infrastructure and Gypsy and Traveller policies, all of which are in separate policy documents but to be read in conjunction with the NPPF.

In the absence of the West Midlands Regional Strategy, strategic and cross authority working will be delivered in the West Midlands region through a variety of legislative and non-legislative means. This includes: the preparation of joint plans under the powers set out in the Planning and Compulsory Purchase Act (PCPA) 2004; through the new Duty to Co-operate under the powers set out in section 33A of the PCPA 2004 (as inserted by section 110 of the Localism Act); and through the establishment of non-legislative Local Enterprise Partnerships. This combination of measures aims to ensure that strategic planning operates effectively in the absence of the Regional Strategies. The sections below describe some of the partnership working that is already taking place across the West Midlands region.

### 2.2.1 Partnership Working on Strategic Planning Issues

The Planning and Compulsory Purchase Act 2004 provides for two or more councils to prepare joint local plans either through joint working under section 28<sup>10</sup> or through the establishment of a joint committee under section 29.

The NPPF sets out the Government's policy on strategic planning priorities, including the priorities on which authorities should work jointly. It makes clear that local planning authorities should work collaboratively to ensure that strategic priorities across local boundaries are properly coordinated and clearly reflected in local plans, resulting in a final position where plans are in place to provide the infrastructure necessary to support current and projected future levels of development.

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<sup>10</sup> Where authorities work together under section 28 they have the option of establishing a joint committee under section 101 of the Local Government Act 1972. The authorities who are party to the joint committee must also comply with the requirements of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (SI2000 No. 853) as amended by the Local Authorities (Functions and Responsibilities) (Amendment) (No.2) Regulations 2005 (SI2000 No. 714). This means that the joint committee cannot make decisions which are the responsibility of the Authority and not its executive, these must be taken by each constituent authority individually (they include decisions about the submission, adoption and withdrawal of local plans).



## 2.2.2 Duty to Co-operate

Section 110 of the Localism Act 2011 inserts new section 33A into the Planning and Compulsory Purchase Act 2004: the Duty to Co-operate. The duty is a new requirement<sup>11</sup> on local authorities and other public bodies to work together constructively, actively and on an ongoing basis in relation to planning for strategic, cross-boundary matters in local and marine plans. Local Plans should include strategic policies on certain issues in line with the paragraph 156; however, the list in paragraph 156 of the NPPF is not exhaustive and it is for authorities to determine whether there are additional strategic priorities in their areas and what strategic policies should cover.

The Localism Act requires authorities to demonstrate to an independent inspector how they have met the duty when their plans are submitted for examination in public. There is no prescribed way to meet the Duty to Co-operate, but compliance could for example be proved by plans or policies prepared as part of a joint committee, informal strategies such as joint infrastructure and investment plans, or a memorandum of understanding which is presented as evidence of an agreed position. Failure to demonstrate compliance will mean that authorities may not pass the examination process.

Over time, it is expected that the Duty to Co-operate will become an integral part of the preparation of sound local plans that are effective and deliverable in relation to strategic cross boundary matters. Ongoing engagement and joint working, for example in the form of strategic infrastructure assessments done in consultation with others, memorandums of understanding and statements of common ground should become much more common place in the evidence base to demonstrate how cooperation is securing delivery of objectively assessed plan needs.

## 2.2.3 Local Development Orders (LDOs)

The Planning and Compulsory Purchase Act 2004 allows for the establishment of local development orders. These allow local authorities to extend permitted development rights for certain forms of development with regard to a relevant local development document. The establishment of an LDO potentially speeds up the planning process and provides greater certainty to developers. LDOs are being used extensively across enterprise zones as the main means by which to simplify the planning process. Enterprise Zones are geographically defined areas of approximately 50 - 150 hectares where incentives are being put in place with the objective of stimulating business and job growth. Enterprise Zones have been located on sites where there is strong growth potential that can be reasonably expected by the incentives offered by Government. There are currently 21 LDOs in place across all enterprise zones and it is anticipated that there will be a further 40 in progress. Where enterprise zones straddle more than one local authority area, local planning authorities have been working in partnership to create a planning framework for the zone and to simplify planning. In the West Midlands, examples of LDOs include those approved for Kidderminster Business Park and the Black Country Enterprise Zone, with others being developed. Where Enterprise Zones straddle more than one local authority area local planning

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<sup>11</sup> Through Regulations made under Section 33A of the PCPA 2004, which came into force on 6<sup>th</sup> April 2012, the duty to co-operate is extended to bodies such as the Environment Agency and Natural England.

authorities have been working in partnership to create a planning framework for the zone and to simplify planning.

#### 2.2.4 Local Enterprise Partnerships

The Government has facilitated the establishment of Local Enterprise Partnerships (LEPs). These are business led locally-owned partnerships between local authorities and businesses providing strategic leadership in driving private sector growth and job creation in their area. There are 39 LEPs now in place covering the whole of the country. These are based around a locally determined economic geography which makes sense to the local business community. All are playing a central role in determining local economic priorities and undertaking activities to drive economic growth and the creation of local jobs. LEPs are non-statutory and hold no statutory powers, but they are able to draw upon the powers held by their constituent public bodies.

LEPs and local planning authorities are able to work together to ensure economic activity and infrastructure delivery is coordinated across local authority boundaries. The duty to co-operate also requires local authorities and other public bodies to have regard to the activities of LEPs when they are preparing strategic policies in their local and marine plans and undertaking related activities. This is intended to strengthen strategic planning on economic activity and infrastructure delivery.

The Government has allocated £730m of Growing Places Fund to LEPs. The Growing Places Fund will enable targeted investment in pieces of infrastructure which unlock viable schemes that are not able to proceed because capital constraints have reduced the flow of investment in the physical infrastructure which enables development (e.g. transport, utilities and flood defence). The fund should also be used to establish revolving funds.

Beyond these broad parameters LEPs are free to decide for themselves how their allocation is best invested and where.

#### 2.2.5 Examples of Cross-Authority Working in the West Midlands Region

##### Local Enterprise Partnerships

There are six Local Enterprise Partnerships in the West Midlands:

- Black Country LEP;
- Coventry and Warwickshire LEP;
- Greater Birmingham & Solihull LEP;
- Marches LEP;
- Stoke-on-Trent & Staffordshire LEP;

- Worcestershire LEP.

Their objectives are summarised in **Table 2.1**.

**Table 2.1 West Midlands LEP Intention by Indicator<sup>12</sup>**

Indicator	Black Country	Coventry & Warwickshire	Birmingham & Solihull	Marches	Stoke-on-Trent & Staffs	Worcestershire
Support for small scale enterprise	✓	✓	✓	✓	✓	✓
Support for enterprise start-ups	✓	✓	✓	✓	✓	✓
Support for social enterprise, community ownership		✓	✓	✓	✓	✓
Use/up-skill of local skills and labour	✓	✓	✓	✓	✓	✓
Decentralised energy schemes and energy efficiency	✓	✓	✓	✓	✓	✓
Support for food growing and for local supply chains for foodstuffs	✓			✓	✓	✓
Measures to reduce mileage for raw materials, products, people or services					✓	
Measures to maximise local resource use			✓		✓	✓
Support for industrial symbiosis/local reuse & recycling industries						
Support for general supply chain developing and linking activities			✓	✓	✓	
Measures to harness public and other large scale procurement to support local supply chains/SME's	✓		✓		✓	✓
Targeting geographical areas of need as well as of opportunity		✓	✓		✓	✓
International trade	✓					
Working with other LEPs	✓			✓		

<sup>12</sup> Localise West Midlands (2001) Evaluation of West Midlands LEP proposals at: <http://localisewestmidlands.org.uk/wp-content/uploads/LWM-evaluation-LEPS-Localisation.pdf>

### Black Country Joint Core Strategy<sup>13</sup>

The four Black Country Local Authorities (Dudley, Sandwell, Walsall and Wolverhampton) have produced a Black Country Core Strategy in partnership with the community and other key organisations such as voluntary and private sector bodies and businesses. The document sets out the vision, objectives and strategy for future development in the Black Country to 2026 and forms the basis for the Black Country Local Authorities' Local Development Frameworks. The Black Country Core Strategy was adopted on 3rd February 2011.

### West Midlands Climate Change Adaptation Partnership<sup>14</sup>

Co-ordinated by Sustainability West Midlands, the West Midlands Climate Adaptation Partnership is part of a national consortium called Climate UK and helps provide a regional service for the Environment Agency as it takes on the national climate adaptation delivery role on behalf of Defra. The West Midlands climate adaptation partnership is a network of adaptation professionals for the West Midlands who share success, knowledge and run projects across the public, private and voluntary sectors. The objectives of the Partnership are:

- National - Influence and support emerging National Adaptation Programme (NAP) to reflect West Midlands Climate Change Risk Assessment (CCRA) priorities around infrastructure, agriculture and forestry and business and services by Spring 2013.
- West Midlands - Improve impact of communications, networks and leverage of national and regional partners support for annual work plan delivery.
- West Midlands - To build climate resilience in the West Midlands by working collaboratively on projects to address the emerging priorities under the NAP themes.

Members of the partnership include: Severn Trent Water, Sustainability West Midlands, Environment Agency, Wolverhampton University, Worcestershire County Council, Birmingham City Council, Centro, and the Forestry Commission.

### West Midlands Biodiversity Partnership<sup>15</sup>

The West Midlands Biodiversity Partnership works with reference to the UK Biodiversity Action Plan, the England Biodiversity Strategy, Local Biodiversity Action Plans and the principles of Sustainable Development to:

- Identify, promote and regularly review regional biodiversity priorities.
- Work with Local Biodiversity Partnerships and other organisations to develop, monitor and promote regional biodiversity targets.

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<sup>13</sup> <http://blackcountrycorestrategy.dudley.gov.uk/>

<sup>14</sup> <http://www.sustainabilitywestmidlands.org.uk/projects/?/Public+Sector++Climate+adaptation+partnership/1622>

<sup>15</sup> [http://www.wmbp.org/about\\_the\\_partnership](http://www.wmbp.org/about_the_partnership)

- Promote understanding and support for biodiversity by key regional sectors and organisations.
- Ensure that biodiversity is reflected as a key test of sustainable development within regional decision making.

The Partnership's 50 Year vision for biodiversity in the region is: "A vibrant, diverse and natural West Midlands, where we are connected to our wildlife and landscape; healthy, sustainable communities and local livelihoods, working with nature and securing the future..." The region is covered by six strategically important LBAP partnerships which are responsible for developing their Local Biodiversity Action Plans. Local Partnerships agree targets for biodiversity within their area contributing to the regional 'share' of the England Biodiversity Strategy targets.

### West Midlands Forestry Framework<sup>16</sup>

The West Midlands Forestry Framework (WMFF) identifies what is special about forestry and woodlands in the West Midlands. It charts a route to help develop a vibrant sector to maintain and enhance the tree, woodland and forestry assets that can bring social, environmental and economic benefits to the region and to all who live, work and visit there. Developing the WMFF involved extensive discussion and consultation with many regional stakeholders. The WMFF sets out aims, objectives and actions to help realise the benefits for all under eleven themes. They are:

- Woodland cover;
- The Woodland and Forestry Industry;
- Wood Energy;
- Recycling;
- Recreation and Tourism;
- Health and Well Being;
- Education, Learning and Skills;
- Fostering Social Inclusion;
- Enhancing Biodiversity;
- Environment and Cultural Benefits;
- Supporting the Regeneration of the West Midlands.

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<sup>16</sup> <http://www.forestry.gov.uk/forestry/INFD-5WKK3N>

Partners first published the Forestry Framework in October 2004 setting out the vision for woodland and forestry in the West Midlands. Since then, Delivery Plans have been published annually indicating what lead partners and stakeholders will be doing through their continuing activity, expertise and commitment.

## 2.3 **Background and Description of the West Midlands Regional Strategy to be Revoked**

### 2.3.1 **Legislative Background to Regional Strategies**

The Town and Country Planning Act 1947 required local planning authorities to draft local plans setting out policies for the development and use of land. Prior to the Town and Country Planning Act 1968, which introduced county structure plans to co-ordinate and guide local plans, the focus of strategic planning was mainly at the regional level. A number of regional plans were prepared from the 1940s onwards and there were initiatives to link land use planning and regional economic development.

In 1988 regional planning guidance was introduced to provide a strategic framework for county structure plans. Regional planning guidance was not statutory and therefore structure plans and local plans were not required to be in conformity with it.

The Planning and Compulsory Purchase Act 2004 introduced a two tier statutory spatial development plan system consisting of regional spatial strategies and local development frameworks. The counties retained statutory planning powers for minerals and waste plans, but county structure plans were abolished.

Initially, the Regional Spatial Strategy (RSS) for each region consisted of existing regional planning guidance. These were then reviewed, leading in most cases to publication of updated strategies, though only parts of the West Midlands strategy were reviewed, and the review of the South West plan was never completed. In revising their RSS, regional planning bodies were required to have regard to the Regional Economic Strategy (RES) for the region.

Regional Economic Strategies (RES) were introduced by the Regional Development Agencies Act 1998. Until 1 April 2010, each Regional Development Agency (RDA) was required to formulate, and keep under review, a strategy in relation to its purposes, and have regard to the strategy in exercising its functions. The purpose of RDAs included furthering the economic development and the regeneration of its area, promoting business efficiency and investment and contributing to the achievement of sustainable development where it is relevant to its area to do so.

The Local Democracy Economic Development and Construction Act 2009 introduced Regional Strategies. These came into existence on 1 April 2010 for the eight English regions outside London. The intent was that each Regional Strategy would initially consist of the existing RSS and the RES for the region but for the responsible authority in each region to bring forward a revised Regional Strategy. However, no revised Regional Strategies were adopted so each Regional Strategy continues to consist of the existing RSS and the RES.

The Planning and Compulsory Purchase Act 2004 was amended so that local development documents were required to be in general conformity with the Regional Strategy and the Regional Strategy became part of the statutory development plan for the purposes of determining planning applications. For the purposes of the development plan however, the Regional Strategy for a region consists of only the existing RSS and not the RES. This was originally intended to be for an interim period prior to adoption of a revised Regional Strategy.

The Localism Act 2011 made significant changes to the 2009 Act repealing the requirement for there to be a Regional Strategy in each region outside London and confirming that the Regional Strategy for the purposes of the development plan includes only the existing RSS.

### 2.3.2 The Development of the West Midlands Regional Strategy

The West Midlands Regional Spatial Strategy (the West Midlands RSS) was introduced under the Planning and Compulsory Purchase Act 2004 and, in accordance with Government policy at the time, to provide a broad development strategy for the region for 15 to 20 years. In particular, it has sought to reduce the Region's impact on, and exposure to, the effects of climate change and to put in place a development strategy with the potential to support continued sustainable growth up to and beyond 2021. It includes policies to address housing, urban and rural regeneration, environmental protection, transport and other infrastructure, economic development, agriculture, minerals, energy and waste (**Appendix A**).

The Regional Spatial Strategy was published in June 2004.<sup>17</sup> In approving the RSS in June 2004, the Secretary of State identified the policy issues that needed to be addressed in future revisions to the document (see para 1.33 of RPG 11). Given the range of matters to be considered, the volume of work and the long timescales involved, the West Midlands Regional Assembly as the Regional Planning Body (RPB) agreed that the issues raised by the Secretary of State should be looked at in three phases:

- Phase One - Black Country Study.
- Phase Two - Launched in November 2005 covering policies on housing figures, sub-regional centres, employment land, transport and waste.
- Phase Three - Phase Three of the RSS Revision looking at critical rural services, culture/recreational provision, various regionally significant environmental issues and the provision of a framework for Gypsy and Traveller sites.

Following the publication of the Phase One Revision in respect of the Black Country sub-region by CLG a revised West Midlands RSS was issued in January 2008. The timetables for Phase Two and Three Revisions were set out as follows:

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<sup>17</sup> [http://www.wmra.gov.uk/Planning\\_and\\_Regional\\_Spatial\\_Strategy/RSS\\_Revision/RSS\\_Revision.aspx](http://www.wmra.gov.uk/Planning_and_Regional_Spatial_Strategy/RSS_Revision/RSS_Revision.aspx)



<b>Phase Two Timetable</b>	
<b>Stage of the Revision</b>	<b>Agreed Revised Timetable</b>
Launch Draft Project Plan	November 2005
Completion of technical work	Ongoing Process
Strategic Authorities advise RPB	February - May 2006
Spatial Options Stage	January 2007 (8 week consultation to launch on 8th January 2007)
Development of Preferred Option	March 2007
Submission to Secretary of State	December 2007
Formal Consultation	7th January 2008 - 8th December 2008
Examination in Public	April- June 2009
Panel Report	28 September 2009
Secretary of State Proposed Changes	Early 2010
Final RSS Phase Two changes published	Spring 2010
<b>Phase Three Timetable</b>	
<b>Stage of the Revision</b>	<b>Agreed Revised Timetable</b>
Draft Project Plan launch	November 2007
Draft Project Plan Consultation	27th November 2007 - 18th January 2008
Final Project Plan	May 2009
Options Consultation	29th June - 14th August 2009
Development of Policy Statements and Policy Recommendations	November 2009 - March 2010

In respect of Phase Two, the actual stage reached was that the Secretary of State's proposed changes were not published and so work did not proceed beyond the Panel Report. For Phase Three, work did not proceed beyond the development of policy statements and policy recommendations.

### 2.3.3 The Content of the West Midlands Regional Spatial Strategy

The aspiration for the West Midlands Regional Spatial Strategy is to develop an *“economically successful, outward looking and adaptable region, which is rich in culture and environment, where all people, working together, are able to meet their aspirations and needs without prejudicing the quality of life of future generations”* by:

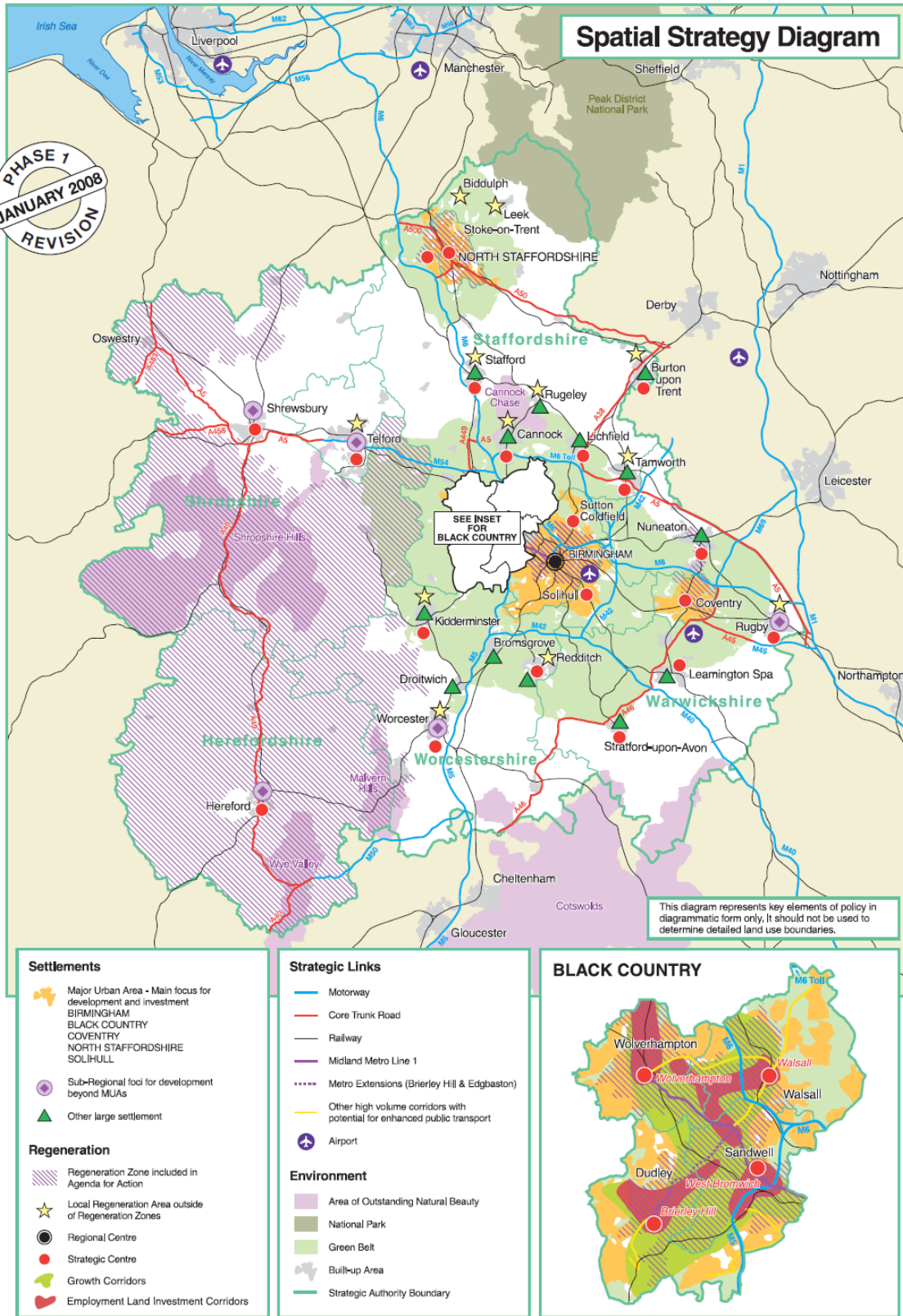
- a) adopting positive measures to address the relative decline in the regional economy in both urban and rural areas;
- b) reversing the movement of people and jobs away from the Major Urban Areas (MUAs) and ensuring there is a greater equality of opportunity for all;
- c) tackling road and rail congestion; and
- d) achieving a more balanced and sustainable pattern of development, across the region, including rural areas.

The key challenge for the region is seen as addressing the outward movement of people and jobs from the MUAs, which if left unchecked will increase “the pressures on the environment, encouraging development of greenfield sites, increasing the need for car-based travel and creating dangers of abandonment and greater social polarisation within the region.”

Figure 2.1 Area covered by the West Midlands Regional Strategy



Figure 2.2 The West Midlands Regional Spatial Strategy



### 2.3.4 The Content of the West Midlands Regional Economic Strategy

The **West Midlands Regional Economic Strategy** (RES) was produced in compliance with Section 7 of the Regional Development Act 1998. The RES sets a vision for the West Midlands economy '*To be a global centre where people and businesses choose to connect*'... That means:

- becoming a more prosperous region, but recognising that economic growth must support overall improvements in the quality of life and wellbeing of all the region's residents;
- becoming a more cosmopolitan and inclusive region, making full use of the skills and talents of our people and ensuring equality of opportunity, across the region, in relation to the wealth and prosperity generated through continued economic growth;
- becoming a more sustainable region, correctly valuing our natural, historic and cultural assets, seeking to minimise our use of the planet's resources and preparing for a low-carbon future.'

The RES sets a series of strategic objectives related to the themes of business, place, people and powerful voice.

- **Business:** seizing market opportunities; improving competitiveness; harnessing knowledge.
- **Place:** increasing Birmingham's competitiveness; improving infrastructure; sustainable communities.
- **People:** sustainable living; raising ambitions and aspirations; achieving full potential and opportunities for all.
- **Powerful Voice:** powerful voice for the West Midlands.

Delivery of the RES is through the following spatial interventions:

- **Areas of multiple market failure** – the Regeneration Zones which represent concentrations of deprivation and disadvantage within the region; the areas of greatest need and market failure;
- **Concentrations of knowledge assets** – including the High Technology Corridors, representing agglomerations of innovative potential to support the diversification of the economy into higher value added sectors;
- **Birmingham** – as the major economic driver within the West Midlands economy.
- **Market towns** – which, throughout the region, act as important centres within the rural economies.
- **Locations facing economic change or responding to opportunity** – allowing the Strategy to respond flexibly, as and when required, to the exceptional challenges and opportunities that the region may face.

It is emphasized that the Strategy can only be delivered in partnership.

### 2.3.5 The Relationship Between the West Midlands Regional Spatial Strategy and the Regional Economic Strategy

There is a strong and complementary relationship between the West Midlands Regional Spatial Strategy and the West Midlands RES:

- they share an understanding of the spatial priorities of the region, particularly in respect of the areas requiring intervention to secure change or develop potential.
- the West Midlands Regional Spatial Strategy includes policies to support economic diversity and business development that complement the priorities outlined in the Regional Economic Strategy.
- alignment of the principles of the RES with those of the Regional Strategy, in particular supporting an urban and rural renaissance, valuing the natural environment and pursuing equality.

The relationship between the RES and West Midlands Regional Spatial Strategy is set out in more detail in **Appendix H**.

### 2.3.6 Structure Plans

In 2007 the Government wrote to local authorities under the transitional provisions of Schedule 8 to the Planning and Compulsory Purchase Act 2004 to advise them which policies from their existing structure plans would be saved after 27 September 2007. Policies were saved in the expectation that they would be replaced promptly by policies in the relevant regional spatial strategy, or development plan documents for the relevant local authorities. Section 109(5) of the Localism Act provides for the revocation of saved structure plan policies.

The analysis of the saved structure plan policies in the West Midlands has been updated, to take account of the publication of the NPPF, and the policies are listed in **Appendix B**. These saved structure plan policies were either found to be superseded by policies in local plans or reflected in national policy.

The Government is proposing to revoke these remaining saved structure plan policies.

### 2.3.7 Local Plans

In relation to plan-making, development plan documents prepared by local authorities are required to be in general conformity with the Regional Strategy.



Regional spatial strategies<sup>18</sup> form part of the statutory development plan under the Planning and Compulsory Purchase Act (PCPA) 2004, until such time as the Regional Strategies are revoked.

Local Development Plan Documents developed in accordance with the PCPA 2004 include Core Strategies, Area Action Plans and Site Allocation Plans. Core Strategies set out the spatial planning vision, principles and key planning policies for an area. This portfolio of documents is known collectively as the Local Development Framework. Some 10 of the 30 local planning authorities in the West Midlands have adopted development plan documents under the PCPA 2004.

The remaining 20 local planning authorities in the West Midlands, who are yet to adopt a development plan document under the PCPA 2004 have local plans and saved structure plan policies, developed under the earlier requirements of the Town and Country Planning Act 1990.

On revocation of the Regional Strategy (and any saved structure plan policies), the statutory development plan would comprise any saved local plan policies and adopted development plan documents. The statutory development plan may in future include any adopted neighbourhood plans that are prepared under the powers brought forward by the Localism Act. Revocation does not affect the statutory duty on local authorities to keep under review the matters which may be expected to affect the development of their area or the planning of its development.

A list of local plans in the West Midlands Region and their current composition is included at **Appendix C**. There are a total of:

- 30 local plans adopted by May 2008;<sup>19</sup>
- 10 Core Strategies adopted after January 2008, when the West Midlands RSS was adopted;<sup>20</sup>
- 7 minerals and waste plans, of which none were adopted after January 2008.

## 2.4 Reasonable Alternatives to the Plan to Revoke the Regional Strategies

Regional Strategies set targets such as housing numbers for local authorities. In some areas this proved highly controversial, generated thousands of objections and is not consistent with the principles of localism. Government believes that democratically elected local authorities working with their local

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<sup>18</sup> By virtue of section 82(2) of the Local Democracy, Economic Development Act 2009 as amended by the Localism Act 2011, a Regional Strategy for the purposes of section 38(3)(a) of the Planning and Compulsory Purchase Act 2004 is to be regarded as consisting solely of the regional spatial strategy that subsisted for that region immediately before 1 April 2010.

<sup>19</sup> There are 20 out of 30 authorities yet to adopt a core strategy and, for the purposes of this assessment, can be considered to be relying on out of date policies.

<sup>20</sup> Core strategies adopted shortly before or after January 2008 will have been drafted either in parallel with preparation of the West Midlands or after its publication. They will therefore be in general conformity with the Regional Strategy and, for the purposes of this assessment, can be considered up to date.

people are better placed to assess and plan for the needs of their community, and make planning decisions, rather than unelected regional bodies. The Government therefore proposes revoking the West Midlands Regional Strategy.

Consideration of the reasonable alternatives to a proposed policy or plan is a fundamental aspect of policy and planning development. Providing clear, reasoned justification for selection of a preferred planning policy following assessment of the alternatives is a pre-requisite for the preferred direction to gain wider and long term support. Recording the reasons for the selection of the preferred option can also aid any subsequent review, particularly if the assumptions that underpin any alternatives change over time.

In order to meet the requirements of the SEA Directive and the relevant UK transposing regulations, the Government is also required to present specific information concerning reasonable alternatives. Article 5 (1) of the SEA Directive 2001/42/EC requires that “*an environmental report shall be prepared in which the likely significant effects on the environment of implementing the plan or programme, **and reasonable alternatives** taking into account the objectives and the geographical scope of the plan or programme, are identified, described and evaluated*”. Information to be provided includes “*an outline of the reasons for selecting the alternatives dealt with*” (Annex I (h)).

The European Commission guidance on the SEA Directive discusses possible interpretations of handling ‘reasonable alternatives’ as required by Article 5(1). It states that “*The alternatives chosen should be realistic. Part of the reason for studying alternatives is to find ways of reducing or avoiding the significant adverse effects of the proposed plan or programme...*”

On this basis, the starting point for identifying alternatives to the revocation of the West Midlands Regional Strategy has been the powers of the Secretary of State in regard to the Regional Strategies. As previously stated, the Secretary of State has the power to partially revoke or fully revoke the Regional Strategies by Order.

The previous Environmental Report on the proposed revocation of the West Midlands Regional Strategy, published for consultation in October 2011, suggested two alternatives – either to revoke the West Midlands Regional Strategy entirely, or to retain it. Responses to the consultation suggested a number of other alternatives (see **Appendix F**) including partial revocation. These were:

- reviewing the Regional Strategies;
- revoking the Regional Strategies but saving key policies;
- the retention of the Regional Strategy system with regional groupings of local authorities responsible for drafting them and adoption by the Secretary of State;
- maintaining the strategies and revising certain policies in order to make the strategies more acceptable, as well as the possibility of local authorities producing joint development plans to cover specific issues;



- revoking certain chapters or parts of the strategies and introducing transitional arrangements.

A number of alternatives are therefore considered as follows:

- **Retention**
  - Retention of the West Midlands Regional Strategy but not updating it in the future; or
  - Retention of the West Midlands Regional Strategy and updating and maintaining it in the future, this would be done either by the Secretary of State; or regional groupings of local authorities followed by adoption by the Secretary of State; or by groups of local authorities working together to produce joint development plans to cover specific issues; or
- **Partial revocation of the West Midlands Regional Strategy either by**
  - Revoking all the quantified and spatially specific policies (for instance where a quantum of development, land for development or amounts of minerals to be extracted or waste disposal is allocated to a particular location in the region) and retaining for a transitional period the non-spatial policies, ambitions and priorities; or
  - Retaining for a transitional period all the spatially specific policies (for instance where a quantum of development, land for development or amounts of minerals to be extracted or waste disposal is allocated to a particular location in the region) and revoking the non-spatial policies, ambitions or priorities; or
  - Retaining for a transitional period sub-regional policies and revoking the rest of the Regional Strategy; or
  - Retaining for a transitional period policies, ambitions and/or priorities, the revocation of which may lead to likely significant negative environmental effects; or
- **Revocation** of the entire West Midlands Regional Strategy.

Each alternative is discussed below in regard to its reasonableness.

#### 2.4.1 Retention

##### Retention of the West Midlands Regional Strategy but not updating it in the future

This option would mean that the West Midlands Regional Strategy was not revoked, that all the policies within the West Midlands Regional Strategy would remain part of the development plan for the purposes of determining planning applications and that local plans would continue to need to be in general conformity with the Regional Strategy, but that the Strategy would not be updated in the future. It is assumed that the policies, ambitions and priorities would not be revoked when the existing lifetime of the Regional Strategy was reached.

Some policies in the West Midlands Regional Strategy are potentially in conflict with the intent of the National Planning Policy Framework which sets the Government's planning policies for England and how these are to be applied e.g. CF3 housing allocations, and PA7 (Regional Investment Sites), PA8 (Major Investment Sites) and PA9 (Regional Logistics Sites).

The NPPF must be taken into account in the preparation of local and neighbourhood plans, and is a material consideration in planning decisions. The NPPF intends to ensure that the local plan is at the heart of the plan-led system and in preparing local plans local authorities should plan to meet objectively assessed needs for housing and other forms of development which should include collaboration with other bodies where appropriate. Since local plans are required to be in general conformity with the Regional Strategy, and planning decisions need to be in accordance with the West Midlands Regional Spatial Strategy unless material considerations indicate otherwise, this also adds potential conflict with the policies set out in the NPPF.

Since there is no statutory power available for the Secretary of State to update the West Midlands Regional Strategy, over time the Regional Spatial Strategy policies would become increasingly out of date. Therefore it is expected that retention of the policies in the West Midlands Regional Strategy, without update, could gradually lead to a decline in the positive effects that the plan aimed to deliver and potential conflicts with policies that local communities wish to pursue will increase. Nevertheless, since the retention of the West Midlands Regional Strategy forms an alternative approach to strategic planning across the region **it is considered to be a reasonable alternative.**

### Retention, maintenance and updating of the West Midlands Regional Strategy

This option would mean that the West Midlands Regional Strategy was not revoked, that the West Midlands Regional Spatial Strategy would remain part of the development plan for the purposes of determining planning applications, that local plans would continue to need to be in general conformity with the Regional Strategy and that it would continue to be maintained and updated in the future. However, the Localism Act has removed the regional planning tier and revoked the power to update the existing Regional Strategies. This means that the Secretary of State does not have the statutory powers to maintain or update the West Midlands Regional Strategy and therefore, **the amendment of the Regional Strategies by the Secretary of State is not considered to be a reasonable alternative because there is no power to do it.**

The Planning and Compulsory Purchase Act 2004 does provide for joint working by local authorities and county councils. In addition the Localism Act introduces changes to section 33A of the 2004 Act which requires local planning authorities to work together when preparing strategic cross boundary policies in their local and marine plans. This means that groups of local authorities can work together and formally adopt a statutory local plan covering their joint areas and could choose to work together to adopt and maintain a plan over the region. Whilst there is substantial evidence of local authorities working already at the regional scale on specific issues of responsibility and mutual benefit (such as waste management), it seems highly unlikely that all local authorities within the region, irrespective of background, circumstance and political composition would work in unison to update the West Midlands

Regional Strategy, particularly were such a position would place them in conflict with national government policy. **In consequence, this is not considered to be a reasonable alternative.**

## 2.4.2 Partial Revocation of the West Midlands Regional Strategy

### Revocation of all the quantified and spatially specific policies

This option would mean that all quantified policies (such as for a renewable energy target) or policies that are spatially specific and which allocate a quantum of development or land for development to a particular location and/or local authority in the region (i.e. within the West Midlands Regional Spatial Strategy policies for housing allocations; pitches for gypsies, travellers and travelling show people; employment (both land and jobs), mineral allocations; waste disposal) would be revoked, but that the non spatial policies would be retained. This would leave the policies in place which would set out a spatial vision for the region as well as policies that encourage particular types of development or seek to protect environmental resources and services as well as seeking wider sustainability objectives. These policies would not be updated in the future as the Secretary of State no longer has the statutory powers to do this. These policies would however be retained for a transitional period to allow local authorities in the region to have time to update their plans. **This is considered to be a reasonable alternative.**

### Revocation of all the non quantitative and spatially specific policies

This option for partial revocation of the West Midlands Regional Strategy would mean that all or some of the spatially specific policies which allocate a quantum of development or land for development to a particular location and/or local authority in the region (i.e. housing allocations; pitches for gypsies, travellers and travelling show people; employment land and/or jobs, mineral allocations; waste allocations) would be retained and the non-spatially specific policies, ambitions and priorities would be revoked (such as protection and enhancement of biodiversity, the historic environment, the quality of the built environment).

As set out above, the policies in the West Midlands Regional Spatial Strategy that establish a quantum of development or land for development to a particular location and/or local authority in the West Midlands region may result in some confusion with the intent of the National Planning Policy Framework which sets the Government's planning policies for England and how these are to be applied. Regard must be had to the NPPF in the preparation of local and neighbourhood plans, and the NPPF is a material consideration in planning decisions. The NPPF intends to ensure that the local plan is at the heart of the plan-led system and promotes local authorities and communities to plan to meet objectively assessed needs for housing and other forms of development for their areas, and should be based on collaboration with other bodies where appropriate. Since local plans need to be in general conformity with the West Midlands Regional Strategy, and planning decisions need to be made in accordance with the Regional Spatial Strategy unless material considerations indicate otherwise, this could create confusion and potential conflict in the planning system.

Nevertheless, the retention of the quantified policies or the spatially specific policies which allocate a quantum of development or land for development to a particular location and/or local authority in the region, provides an alternative approach to strategic planning, particularly where local plans are out of date, and do not contain up-to-date quantified policies such as for housing. These quantified policies could therefore be retained for a transitional period, to allow local authorities in the region to have updated their plans. **This is considered to be a reasonable alternative.**

### Revoking all regional policies, ambitions and priorities and retaining all sub-regional policies, ambitions and priorities

This option for partial revocation would retain the sub-regional policies, ambitions and priorities and revoke the rest of the strategy. However, as for the option above which considered retention of policies that set out a quantum of development to be delivered in a broad location or within a local planning authority area, this is in conflict with the intent of the National Planning Policy Framework. Since local plans need to be in general conformity with the Regional Strategy, and planning decisions need to be in accordance with the Regional Spatial Strategy (as part of the development plan) unless material considerations indicate otherwise, this could create confusion and potential conflict in the planning system.

Furthermore, it is questionable whether the sub-regional policies would function correctly in the absence of the high level apportionment policies on housing due to the integrated nature of the West Midlands Regional Strategy. In addition, over time the Regional Strategy policies are becoming increasingly out of date as the regional tier of planning has been removed and the Regional Strategies are not being kept up to date. **This is not therefore considered to be a reasonable alternative.**

### Revoking all policies, ambitions and priorities except those where revocation would lead to significant negative environmental effects

The NPPF sets out national planning policies which support and protect the environment (for example: Green Belt land, meeting the challenge of climate change, flooding and coastal change and those policies conserving and enhancing the natural and historic environment, including policies to minimise impacts on biodiversity and providing net gains in biodiversity).

This option for partial revocation of the West Midlands Regional Strategy would mean that individual policies, ambitions and/or priorities would be retained if revoking them may lead to likely significant negative environmental effects once mitigating measures have been taken account.

This alternative would lead to the retention of individual policies in the West Midlands Regional Spatial Strategy which are not likely to be in conflict with the National Planning Policy Framework, do not undermine the localist approach to plan making and decision making and, if removed, would result in a significant environmental impact taking account of mitigation. These policies could therefore be retained for a transitional period to allow local authorities in the region to have updated their plans. **This is considered to be a reasonable alternative.**

## 2.5 Summary

Following the application of the reasonableness test in compliance with Article 5(1) of the SEA Directive, the following have been taken forward for assessment within the SEA:

- **Revocation** of the entire West Midlands Regional Strategy.
- **Retention** of the West Midlands Regional Strategy but not updating it in the future.
- **Partial revocation** of the West Midlands Regional Strategy either by
  - Revoking all the quantified and spatially specific policies (for instance where a quantum of development, land for development or amounts of minerals to be extracted or waste disposal is allocated to a particular location in the region) and retaining for a transitional period the non spatial policies, ambitions and priorities; or
  - Retaining for a transitional period all the spatially specific policies (for instance where a quantum of development, land for development or amounts of minerals to be extracted or waste disposal is allocated to a particular location in the region) and revoking the non spatial policies, ambitions and priorities; or
  - Retaining for a transitional period policies, ambitions and/or priorities, the revocation of which may lead to likely significant negative environmental effects.

Each alternative has been assessed using the approach outlined in **Section 3**. The results of the assessment are presented in **Section 4**, with the detailed assessment contained in **Appendix D** and **E**.



### 3. SEA Methodology

#### 3.1 Overview

This section sets out how the SEA has been carried out. This includes the steps in the SEA process, when it was undertaken and by whom (**Section 3.1**), the scope of the assessment and the topics considered (**Section 3.2**), the baseline and contextual information used (**Section 3.3**) and the approach taken to completing the assessment (**Section 3.4**). Technical difficulties encountered during the assessment are also summarised (**Section 3.5**).

The approach to this assessment builds on the methodology employed in the Environmental Report published in October 2011. The steps that have been undertaken to-date and their relationship to the requirements of the SEA Directive are summarised in **Table 3.1**.

**Table 3.1 The SEA process and key steps undertaken during the environmental assessment of the proposed revocation of the Regional Strategies**

SEA process	Key steps in the environmental assessment of the revocation of the Regional Strategies
<p><b>Article 3 (1)</b> requires that an environmental assessment shall be carried out for certain plans (as defined in Article 3 paragraphs 2-4) which are likely to have significant environmental effects.</p> <p>Member States are required to determine whether these plans are likely to have significant environmental effects either through case-by-case examination and/or by specifying types of plans in order to ensure that plans with likely significant effects on the environment are covered by the Directive (<b>Article 3(5)</b>).</p> <p>Member States must make their conclusions under Article 3(5), including the reasons for not requiring an environmental assessment, available to the public (<b>Article 3(7)</b>).</p>	<p>The Government announced its intention to carry out an environmental assessment of the revocation of the Regional Strategies in a Written Ministerial Statement on 5 April 2011. The requirements of Articles 3(5) and (7) did not therefore apply.</p>
<p><b>Article 5 (4)</b> requires that ‘designated environmental authorities’ for strategic environmental assessment are consulted when deciding the scope and level of detail which must be included in the environmental reports.</p> <p>The Environmental Assessment of Plans and Programmes Regulations 2004 define these “Consultation Bodies” for plans that relate to England as the Countryside Agency and English Nature (now amalgamated to form Natural England), the Environment Agency and English Heritage.</p>	<p>The Consultation Bodies in England<sup>21</sup> were consulted on the scope and level of detail of the environmental reports on 6 May 2011, and were given 5 weeks as required by regulations to respond. The equivalent bodies in the Devolved Administrations were also consulted.</p> <p>Their comments were used as the basis for deciding the scope and level of detail of the material included in the environmental reports. Consideration was also given to more detailed textual comments provided by the consultation bodies.</p>
<p><b>Article 5 (1)</b> states that where an environmental assessment is required under Article 3(1), an environmental report shall be prepared in which the likely significant effects on the environment of implementing the plan, and reasonable alternatives taking into account the objectives and the geographical scope of the plan, are identified, described and evaluated.</p>	<p>An Environmental Report was prepared for each region. Each considered the likely significant effects of revoking the Regional Strategy within the context of wider reforms to the planning system. This included the replacement of the national planning policy suite with the NPPF, decentralising planning powers to local authorities, and introducing a Duty to Co-operate to support local authorities in</p>

<sup>21</sup> The Environment Agency, English Heritage and Natural England



SEA process	Key steps in the environmental assessment of the revocation of the Regional Strategies
The environmental report shall include the information that may reasonably be required taking into account current knowledge and methods of assessment, the contents and level of detail of the plan, its stage in the decision making process and the extent to which certain matters are more appropriately assessed at different levels in that process to avoid duplication.	both delivering for their local communities and addressing strategic cross-boundary issues.
<b>Article 6</b> requires that the draft plan and the environmental report shall be made available to the designated consultation bodies and to the public.	The completed Environmental Reports were sent to the Consultation Bodies in England and the equivalent bodies in the devolved administrations and simultaneously published for public consultation on 20 October 2011. The consultation period ended on 20 January 2012. As the Environmental Reports dealt with the effects of the revocation and not the adoption of plans, there were no draft plans to consult on.
<b>Article 7</b> sets out provisions for consulting on draft plans which are likely to have a significant effect on the environment in another member State.	The Government did not consult any other Member State. The revocation of the Regional Strategies was not considered likely to have a significant effect on the environment of any other Member State, and no other Member States indicated otherwise.
<b>Article 8</b> states that the environmental report prepared pursuant to Article 6 and the results of any trans boundary consultations entered into pursuant to Article 7 shall be taken into account during the preparation of the plan and before its adoption or submission to the legislative procedure.	A total of 103 comments were received in response to the first consultation. Annex F provides a summary of the responses that are relevant to the revocation of the Regional Strategy for the West Midlands. Each response has been carefully considered and as appropriate informed this updated environmental assessment.

As a result of considering the responses received, the changes made to the approach to this assessment have included:

- Providing additional contextual information for the assessment including the review of plans and programmes and updated baseline for each of the 12 SEA Directive Annex I(f) topics and presenting this in separate topic chapters.
- Providing additional information on the details of the plan to revoke the Regional Strategies and the reasonable alternatives to them, including reasons for the selection of some alternatives and the discontinuation of others.
- Providing additional information in the assessment of revocation and retention of each Regional Strategy policy explicitly against all 12 of the SEA Directive Annex I(f) topics.
- Identifying, characterising and assessing any likely significant effects of the plan and the reasonable alternatives, based on a common interpretation of what constitutes a significant effect for each topic and reflecting the possible timing effects.
- Providing additional information on likely secondary, cumulative, synergistic, short, medium and long-term, permanent and temporary, positive and negative effects of the plan to revoke the Regional Strategies.
- Assessing the likely significant effects at a number of geographic levels (national, regional, sub-regional and local) depending on the content, intent and specificity of the individual policy.

- Providing further information that includes proposals to mitigate effects including more sub-regional information on an understanding of the Duty to Co-operate.
- Providing further information that includes proposals to monitor any significant effects.

This SEA of the plan to revoke the West Midlands Regional Strategy was undertaken in 2012 by AMEC on behalf of DCLG.

## 3.2 Scope of the Assessment

The scope of this assessment reflects the potential environmental effects of revoking the Regional Strategies. **Section 3.2.1** sets out the core topics required for consideration by the SEA Directive and their interpretation for the purposes of the assessment. **Section 3.2.2** sets out the geographic scope of the SEA.

### 3.2.1 Environmental Categories Included in the Scope of the Assessment

The range of potential environmental effects under consideration has been informed primarily by the SEA Directive and Regulations, using published government guidance<sup>22</sup>. Annex I of the SEA Directive and Schedule 2 of the SEA Regulation requires that the assessment includes information on the “*likely significant effects on the environment, including on issues such as: biodiversity; population; human health; fauna; flora; soil; water; air; climatic factors; material assets; cultural heritage, including architectural and archaeological heritage; landscape; and the inter-relationship between the issues referred to*”. These environmental categories have been used throughout this report.

In the absence of detailed guidance on their content, a number of these environmental categories (e.g. population, human health and material assets) can be subject to varying interpretation. Within this report:

- ‘population’ includes information on demographics and generic social and socio-economic issues including accessibility issues;
- ‘human health’ includes information on mortality, illness and indices of perceived well-being;
- ‘material assets’ includes information waste management and minerals.

Land use is not explicitly identified in the list of 12 SEA topics; however, for the purposes of this assessment and in particular given that these are assessments of strategies whose primary objectives include the determination of the location of development, it is included under the topic of soil. The soil topic has also been expanded to include consideration of geology.

**Table 3.2** shows how the categories in this report reflect those in the SEA Regulations.

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<sup>22</sup> Office of the Deputy Prime Minister (2005). A Practical Guide to the Strategic Environmental Assessment Directive.

Table 3.2 Categories of effects considered by the SEA of the plan to revoke the Regional Strategies

Categories in the SEA Regulations	Categories used in the SEA of the revocation of Regional Strategies
Biodiversity, Flora and Fauna	Biodiversity and Nature Conservation (which includes flora and fauna, and the functioning of ecosystems)
Population	Population (including socio-economic effects and accessibility)
Human Health	Human Health
Soil	Soil and Geology (including land use, important geological sites, and the contamination of soils)
Water	Water Quality and Resources (including inland surface freshwater and groundwater resources, and inland surface freshwater, groundwater, estuarine, coastal and marine water quality)
Air	Air Quality
Climatic factors	Climate Change (including greenhouse gas emissions, predicted effects of climate change such as flooding and the ability to adapt)
Material assets	Material Assets (including waste management and minerals)
Cultural heritage, including architectural and archaeological heritage	Cultural Heritage (including architectural and archaeological heritage)
Landscape	Landscape and Townscape

### 3.2.2 Geographic Scope of the Assessment

The SEA considers the effects revocation, partial revocation or retention of the West Midlands Regional Strategy. In so doing, it examines the effects of each alternative for each policy contained in each Regional Strategy. Consideration of these effects therefore occurs at a number of geographic levels, dependent on the content, intent and specificity of the individual policy. This is at one (or more) of the following levels:

- **the national level** – the cumulative assessment includes consideration of the effects of the plan to revoke all eight Regional Strategies across England. This draws together the effects of the individual regional assessments and provides a view at the broader geographic scale;
- **the regional level** – the assessment includes the consideration of the effects of the plan to revoke individual Regional Strategy policies that apply at a regional level e.g. policies that encourage an integrated approach to conserving and enhancing the landscape, natural environment and historic environment;
- **the sub-regional level** – the assessment includes consideration of the effects of the plan to revoke individual Regional Strategy policies that apply to an identified sub-region or area e.g. policies that seek to promote economic regeneration of a sub-region, recognised as having a specific identity or character;

- **the local level** – the assessment includes consideration of the effects of the plan to revoke Regional Strategy policies that will have a specific effect at a local planning authority level, or will affect a specific designated area or identified infrastructure project.

The range of effects considered by the assessment therefore span from the national to the local. To ensure comprehensive geographic coverage of the potential effects, contextual information has been collated at the appropriate levels; one at national level (England) and the other at the regional level that includes reference to specific local information and sites where relevant and appropriate to do so.

Notwithstanding this, the SEA is strategic, and does not assess the detailed local or site specific issues in the same degree of detail that would typically be required for an SEA of a local plan document (in line with the Article 4(3) and 5(2) of the SEA Directive).

### 3.2.3 Short, Medium and Long-Term Timescales

When considering the timing of potential effects of the plan to revoke the Regional Strategies, the commentary classifies effects as ‘short,’ ‘medium’ or ‘long term.’ This reflects an intention to capture the differences that could arise from the plan to revoke Regional Strategies due to timing. For example, if the plan leads to the revocation of a specific policy that does not have an immediate equivalent (such as suitable piece of legislation or an alternate national policy) to effect ongoing delivery of the policy intent, there could be transitory effects until an alternative mechanism (such as additional policy guidance) was identified and implemented. It is also consistent with the direction contained in Annex II (2) of the SEA Directive where the characteristic of the effects should have regard to ‘the probability, duration, frequency and reversibility of the effects’.

Annex 1, paragraph 214 of the NPPF identifies a 12 month implementation period in which ‘*decision-takers may continue to give full weight to relevant policies adopted since 2004 even if there is a limited degree of conflict with this Framework.*’ The period began when the NPPF was published in March 2012 and will end in March 2013.

Given the time to prepare, consult and update a local plan, it is assumed that all local planning authorities in England will have adopted a local plan within 5 years of the NPPF being published. This is a pragmatic judgement (informed by the progress of local planning authorities to produce Core Strategies in compliance with the Planning and Compulsory Purchase Act 2004) and has been made solely for the purposes of this assessment.

Finally, for the purposes of this assessment, the overall duration of the Regional Strategy to be revoked provides a defined limit to the duration of the assessment (i.e. approximately out to 2021).

Using this as the basis, ‘short term’ is defined as the remaining time in the transition period (9 months or 0.75 years), ‘medium term’ as more than 0.75 and no more than 5 years and ‘long term’ as over 5 years to the end of the Regional Strategy lifetime.

It should be noted that in practice when applying the definitions of the different terms within the assessment, the boundaries between terms are more flexible than a strict reading of the definitions implies. There are for example, instances where effects in the short term extend for a limited period into the medium term. Where this occurs, it is recorded in the assessment commentary although it will still be only assessed as short term in the assessment matrix itself (see Section 3.4 for an explanation of the approach to the assessment).

## 3.3 Context and Baseline

### 3.3.1 Review of Plans and Programmes

The SEA Regulation requires a review of the plan to revoke the Regional Strategies “*relationship with other relevant plans and programmes*”. One of the first steps in undertaking the SEA is to identify and review other relevant plans, programmes, policies and strategies (herein after referred to as ‘plans and programmes’) that could have an effect on the plan to revoke Regional Strategies. These may be plans and programmes at an international/ European, national, regional or sub-regional level, as relevant to the scope of the revocation plan. The summary within each topic section in **Appendix E** identifies the relationships between the revocation plan and these other documents; i.e. how the plan could be affected by the other plans’ and programmes’ aims, objectives and/or targets, or how it could contribute to the achievement of any environmental and sustainability objectives and targets set out in these plans and programmes.

The review of plans and programmes also helped complete the environmental baseline and help determine the key issues. The review also provided the policy context for the assessment.

### 3.3.2 Collecting Baseline Evidence

An essential part of the SEA process is to identify the current state of the environment and its likely evolution under a ‘business as usual’ scenario. Only with sufficient knowledge of the existing baseline conditions can the likely significant effects of the revocation plan be identified and assessed. The SEA also requires that the actual effects of implementing the revocation plan on baseline conditions are monitored.

All the environmental topics listed in the SEA Directive and Regulations have been found to be relevant for the revocation plan (see **Table 3.2**). These were consulted upon at the scoping stage and have been amended to reflect the views of the Statutory Consultees.

A primary source of information has been the published sustainability appraisals, completed to accompany the consultation on the draft West Midlands Regional Spatial Strategy to provide information regarding the likely evolution of the current state of the environment without the implementation of the revocation plan. However, it is recognised that such information reflects data collected a number of years past and as such has been supplemented with more recent information from a variety of sources, including (amongst others) Department for Environment, Food and Rural Affairs, Department of Energy and Climate Change, the Environment Agency, English Heritage, Natural England and the Office of National Statistics.

### 3.3.3 Presenting the Context and Baseline Information

**Appendix E** sets out the collated contextual and baseline information, on a topic-by-topic basis, for each of the 10 assessment topics (see **Table 3.2**), structured as follows:

- **introduction** - provides an overview and definition of the topic;

- **summary of national and regional plans and programmes** - provides an overview of the policy context in which the revocation plan sits;
- **relevant aspects of the current state of the environment at a national and regional level** - provides an overview of the baseline and the key topic specific baseline factors which will need to be considered as part of the assessment;
- **the likely evolution of these baseline conditions without the implementation of the revocation plan** - provides an overview of how the baseline is likely to change in the absence of the revocation plan, an understanding of this is key to understanding the effects of the revocation plan on the topic area;
- **the environmental characteristics of areas likely to be significantly affected;**
- **current problems in areas of particular environmental importance** (such as those designated under the Wild Birds and Habitats Directives).
- **guidance as to how the significance of potential effects has been determined;**
- **the assessment of likely significant effects arising from the revocation plan** - including information on the potential nature and scale of effects, proposed mitigation measures (where appropriate) and measures for enhancement, assumptions and uncertainties and additional information that may be required;
- **proposed mitigation measures** – including an expansion of those measures identified including more detailed commentary on, for example, the Duty to Co-operate;
- **proposed measures to monitor** the effects of the revocation plan.

## 3.4 Approach to Assessing the Effects

### 3.4.1 Prediction and Evaluation of Effects

In line with the SEA Directive and taking into account the ODPM (now CLG) *Practical Guide to the SEA Directive*<sup>23</sup>, the assessment process seeks to *predict the significant environmental effects of the plan or programme*. This is done by identifying the likely changes to the baseline conditions as a result of the implementing the proposed plan (or reasonable alternative). These changes are described (where possible) in terms of their geographic scale, the timescale over which they could occur, whether the effects would be temporary or permanent, positive or negative, likely or unlikely, frequent or rare. Where numerical information has not been available, the assessment has been based on professional judgement and with reference to relevant legislation, regulations and policy.

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<sup>23</sup> ODPM (2005) *A Practical Guide to the Strategic Environmental Assessment Directive*. Available online at: <http://www.communities.gov.uk/publications/planningandbuilding/practicalguidesea>

To reflect the specific nature of the plan to revoke the Regional Strategies, the assessment has been completed in two stages:

- **A high level (or screening) assessment** of the effects of the proposals for each Regional Strategy policy against all SEA topics to identify those where there could be a likely significant effect (using definitions as outlined in **Table 3.4**) under retention or revocation; and
- **A detailed assessment of the likely significant effects** (both positive and negative) that were identified through the high level assessment of each Regional Strategy policy, as detailed above, presented by SEA topic and considering retention, revocation and partial-revocation.

The high level assessment is presented in **Appendix D** in an assessment matrix (see **Table 3.3**) and the detailed assessment is presented in **Appendix E** at the end of each topic chapter and summarised in **Section 4, and 5** of this report.

The high level assessments record the following in the associated commentary:

- the identification and description of the potential effects;
- when the effect(s) could occur, and how long they could last (e.g. short, medium or long term);
- the assumptions and uncertainties that underpin the assessment (and any information needed to address uncertainties);
- potential avoidance or mitigation measures for any likely significant negative effects; and
- possible enhancement measures where positive effects are identified.

**Table 3.3 High Level Assessment Matrix**

Alternative	Biodiversity, flora and fauna			Population & human Health			Soil and Geology			Water Quality and Resources			Air Quality			Climatic Change			Material assets			Cultural Heritage			Landscape and Townscape			Commentary			
	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L				
Retention																															Likely Significant Effects of Retention ..... Mitigation



Alternative	Biodiversity, flora and fauna			Population & human Health			Soil and Geology			Water Quality and Resources			Air Qualit			Climatic Change			Material assets			Cultural Heritage			Landscape and Townscape			Commen tary			
	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L				
																															Measures ..... Assumptio ns ..... Uncertainty .....
Revocation																															Etc
<b>Score Key:</b>	<b>++</b> Significant Positive effect			<b>+</b> Minor effect			positive			<b>0</b> No effect			overall effect			<b>-</b> Minor negative effect			<b>--</b> Significant negative effect			<b>?</b> Score uncertain									
<p><i>NB: where more than one symbol is presented in a box it indicates that the SEA has found more than one score for the category. Where the scores are both positive and negative, the boxes are deliberately not coloured. Where a box is coloured but also contains a ?, this indicates uncertainty over whether the effect could be a minor or significant effect although a professional judgement is expressed. A conclusion of uncertainty arises where there is insufficient evidence for expert judgement to conclude an effect.</i></p>																															
<p>S – short term (less than 0.75 year), M – medium term (between 0.75 and 5 years) and L – long term (&gt; 5 years)</p>																															

### 3.4.2 Determining Significance

Topic-specific definitions have been developed for what constitutes a significant effect, a minor effect or a neutral effect for each of the 10 environmental issues; these can be found in the relevant topic chapters in **Appendix E**. **Table 3.4** shows an example of these definitions along with the symbols used to record the effects within the assessment.

**Table 3.4 Illustrative Guidance for the Assessment of Significance for Biodiversity and Nature Conservation**

Effect	Description	Illustrative Guidance
<b>++</b>	Significant positive	<ul style="list-style-type: none"> <li>Alternative would have a significant and sustained positive impact on European or national designated sites and/or protected species. (e.g. – fully supports all conservation objectives on site, long term increase in population of designated species)</li> <li>Alternative would have a strong positive effect on local biodiversity (e.g. – through removal of all existing disturbance/pollutant emissions, or creation of new habitats leading to long term improvement to ecosystem structure and function).</li> <li>Alternative will create new areas of wildlife interest with improved public access in areas where there is a high demand for access to these sites.</li> </ul>

<i>Effect</i>	<i>Description</i>	<i>Illustrative Guidance</i>
<b>+</b>	Positive	<ul style="list-style-type: none"> <li>Alternative would have a minor positive effect on European or national designated sites and/or protected species (e.g. – supports one of the conservation objectives on site, short term increase in population of designated species).</li> <li>Alternative may have a positive net effect on local biodiversity (e.g. – through reduction in disturbance/pollutant emissions, or some habitat creation leading to temporary improvement to ecosystem structure and function).</li> <li>Alternative will enhance existing public access to areas of wildlife interest in areas where there is some demand for these sites.</li> </ul>
<b>0</b>	No (neutral effects)	<ul style="list-style-type: none"> <li>Alternative would not have any effects on European or national designated sites and/or any species (including both designated and non-designated species).</li> <li>Alternative would not affect public right of way or access to areas of wildlife interest.</li> </ul>
<b>-</b>	Negative	<ul style="list-style-type: none"> <li>Alternative would have minor short-term (direct or indirect) negative effects on non-designated conservation sites and species (e.g. – through a minor increase in disturbance/pollutant emissions, or some loss of habitat leading to temporary loss of ecosystem structure and function).</li> <li>Alternative will decrease public access to areas of wildlife interest in areas where there is some demand for these sites.</li> </ul>
<b>--</b>	Significant negative	<ul style="list-style-type: none"> <li>Alternative would have a negative and sustained effect on European or national designated sites and/or protected species (e.g. – prevents reaching all conservation objectives on site, long term decrease in populations of designated species). These impacts could not reasonably be compensated for.</li> <li>Alternative would have strong negative effects on local biodiversity (e.g. – through an minor increase in disturbance/pollutant emissions, or considerable loss of habitat leading to long term loss of ecosystem structure and function).</li> </ul>
<b>?</b>	Uncertain	<ul style="list-style-type: none"> <li>From the level of information available the impact that the Alternative would have on this objective is uncertain.</li> </ul>

### 3.4.3 Specific Issues Considered When Assessing the Effects of the Plan to Revoke the Regional Strategies

When considering the effects of retention of a Regional Strategy policy, we have used the prediction of effects contained in the relevant sustainability appraisal (for this report for the West Midlands Regional Strategy) completed to accompany the consultation on the draft Regional Strategy. Using this information does have limitations (in that the effects identified use an evidence base of varying age, are presented in differing forms and assess effects over differing timeframes) and where these occur, additional information has been identified to supplement the assessment; however, the principle remains consistent with the requirements of Article 5(3) of the SEA Directive, '*relevant information available on environmental effects of the plans and programmes and obtained at other levels of decision making ... may be used*'.

When assessing the effects of revocation, the following has been considered:

- **Whether the purpose, intent or specific target could be delivered by other existing legislation or government policy?** Where the answer to this question is yes, the relevant legislation, policy or guidance has been identified, along with any relevant regionally specific evidence to substantiate the conclusion. In many instances, particularly for policies of a pervasive and non-spatially specific nature, the specific paragraphs of the NPPF have been referenced in the individual policy assessments to provide a substantial alternative source of planning policy relevant to the local plan. For a number of Regional Strategy policies it has also been considered relevant to reference the Duty to Co-operate. Where this is the case,

specific local examples of current cooperation are also cited where available. Revocation of the Regional Strategy and the reliance on the NPPF creates a situation where there will be a delay, as some authorities will need to review and update their local plan to reflect NPPF policies and the needs of their local communities. In these instances where there is a lack of an up to date local plan, it is the opinion of AMEC that the uncertainty over policy, including the quantum and preferred location of development, is likely to affect whether developers submit planning applications for new development. As a result, it is expected that there will be a lessening in the short and medium term on development activity and the resulting effects occurring; although it is noted that the application of the NPPF's presumption in favour of sustainable development and its policies to boost the supply of housing will help where plans or policies are absent, silent or out of date.

- **If the purpose, intent or specific target of the Regional Strategy policy is not likely to be sustained beyond revocation, the effects have been identified, described and assessed.** Where such policy changes are determined, the effects identified, described and assessed will also be proportionate to the scope of the policy considered. For example, where the Regional Strategy policy applies uniformly across the region e.g. priorities to increase more sustainable modes of transport for passengers and freight, the promotion of agri-environment schemes or the provision of regional renewable targets, such effects will be described at the regional level. However, there are Regional Strategy policies that do have a direct and explicit consequence for local authorities such as housing, infrastructure projects, pitches for gypsies and travellers, and mineral and waste. In these instances, we have also considered the implications and effects on individual local plans.

### Considering Effects on Local Plans

Where we have identified that revocation of a Regional Strategy policy will have an effect on the environment and that this will have a consequence for local plan policies and/or local areas, we have examined these effects in more detail. We have compared the policies in the West Midlands Regional Spatial Strategy on housing allocations, allocations of pitches for gypsies, travellers and showpeople, employment (both jobs and employment land), renewable energy, land won aggregates and rock and waste apportionment and policies on the West Midlands green belt with the equivalent policies in local plan and /or core strategies in the region. This analysis is set out in **Appendix C** and has then been reflected, where relevant, in the assessment of individual Regional Strategy policies (**Appendix D**).

It is also noted that the plans adopted after July 2006 are also highly likely to have been subject to SEA, given that the SEA regulation came into effect in July 2004 with a two year transitional arrangement. Where SEA has been undertaken of local plans and the information is in the public domain, the assessments (usually presented as a combined Sustainability Appraisal and SEA) have been reviewed when relevant to provide additional information and evidence within the assessment presented in **Appendix D**.

### Considering the Effects of the Regional Economic Strategy

The vision, targets, priorities, implementation priorities and growth areas of the former Regional Economic Strategy (RES) have been presented in **Appendix H**. The vision, targets, priorities, implementation priorities have been mapped onto the policies of the former Regional Spatial Strategy

(RSS) for the West Midlands. The mapping demonstrates that the RES and RSS are inextricably linked and in many instances the policies in the RSS are the same as the commitments in the RES. Where this occurs and in order to avoid duplication of assessment, the mapping demonstrates how the effects of both have been considered in detail in **Appendix D**.

### 3.4.4 Secondary, Cumulative and Synergistic Effects Assessment<sup>24</sup>

SEA also requires that secondary, cumulative and synergistic effects of the options are assessed. These terms are explained in **Table 3.5**.

**Table 3.5 Definitions of Secondary, Cumulative and Synergistic Effects**

Type of Effect	Definition*
Secondary (or indirect)	Effects that do not occur as a direct result of the plan to revoke the Regional Strategy, but occur at distance from the direct impacts or as a result of a complex pathway. Examples of a secondary effect of the plan to revoke could include the materials (and embedded carbon) used in any development or infrastructure project identified.
Cumulative	Effects that occur where the revocation or retention of several individual Regional Strategy policies which each may have an insignificant effect, combine to have a significant effect. Examples of a cumulative effect of the plan to revoke Regional Strategy could include the potential effects on a European designated site, where a habitat or species is vulnerable and the cumulative effects of disturbance arising from uncoordinated development occurring simultaneously in adjacent local authorities causes a significant impact. Cumulative effects could also occur across a region or across more than one region.
Synergistic	Effects that interact to produce a new total effect that could be greater than the sum of the individual effects.

\*Adapted from SEA guidance, ODPM (2005)

For the assessment of secondary, cumulative and synergistic effects to be effective, they should be considered as part of each assessment, rather than to being seen as a separate assessment. For the purposes of brevity, these effects which tend to be grouped together are captured subsequently under the heading of cumulative effects.

### 3.4.5 Assumptions used in the Assessment

The assumptions that have been used in the assessment are as follows:

- The effects and findings of the relevant Sustainability Appraisal are valid over the lifetime of the relevant Regional Strategy; however, that there may be some variation in the short term.** For example, all Regional Strategies contain housing allocations, quantified on an annual basis and over the lifetime of the plan at the region and local

<sup>24</sup> This includes consideration of the effects in the short, medium and long terms; permanent and temporary and positive and negative effects. Secondary, cumulative and synergistic effects are considered in Table 4.5.

authority level. It is evident that since adoption of the Regional Strategies, actual housing completions per annum are below the levels expected in each strategy. In consequence, when considering the quantum of growth in the short term, based on the actual figures to date, retention may lead to a lessening of some effects identified in the accompanying Sustainability Appraisal (both benefits of increased housing provision and any negative effects arising from land take and loss of any natural resources); however, we have assumed that over the lifetime of the Regional Strategy that the housing policy will still be delivered and that the medium and long term effects would remain unchanged by the short term deviation. It is appreciated that whilst this appears to be reasonable assumption, it could be affected by the health of the economy or market changes. However, determining alternative credible views on the likely future outcome of Regional Strategies and their expectations for new development risks adding an extra layer of subjectivity to a process that is already relying heavily on judgements about future impacts in an uncertain world.

- **For revocation, the assessments anticipate that local plans will be put in place consistent with the principles and policies set out in the NPPF.** This includes the presumption in favour of sustainable development and the expectation that “to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system” and that “the planning system should play an active role in guiding development to sustainable solutions” (NPPF, paragraph 8). These expectations are reflected in the assessment of effects at the local level. However, it will take time for local plans to be put in place which may result in some uncertainties over the effects of revocation in the short and medium terms. The application of the NPPF’s presumption in favour of sustainable development and its policies to boost the supply of housing will help where plans or policies are absent, silent or out of date.
- **It is assumed that local authorities will continue to work together on cross boundary strategic issues.** This will be supported by the new Duty to Co-operate in relation to the planning of sustainable development. The duty will ensure that local authorities and other public bodies are involved in a continual process of constructive and active engagement which will maximise effective working on development planning in relation to strategic planning issues that cross administrative boundaries.
- **For the purposes of providing a consistent interpretation of short, medium and long term, the definitions, as set out in section 3.2.3, have been applied.** The definitions of short, medium and long term reflected the assumption that for the purposes of the assessment, revocation was considered to have occurred concurrent with when the assessment was undertaken. This minimised the need to speculate over when exactly the regional strategies could be revoked, was compatible with the Government’s policy to rapidly abolish the Regional Strategies subject to the outcome of the consultation process, enabled the assessment to optimise the use of baseline information as evidence to inform the assessment of effects and enabled the assessment to consider the effects during any transitional period. The approach was also consistent with current SEA guidance and practice.

It should be noted that the effects of the recent Government housing and planning package<sup>25</sup> changes have not been considered in detail in this assessment as policy detail is still being

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<sup>25</sup> <http://www.communities.gov.uk/news/housing/2211918>

developed; however, it may prove that the increased emphasis on growth and development given by these proposals addresses some of the effects on the short and medium term arising from the uncertainties in those 20 authorities without Local Plans in conformity with the Regional Strategy.

## 3.5 Technical Difficulties

### 3.5.1 Assessing the Effects of Revocation is a New Requirement

Until the European Court judgement<sup>26</sup> in March 2012, the legal understanding was that SEA was applied to the preparation and modification of relevant plans and programmes. The ruling confirms the application to the revocation of land use plans. Whilst there is guidance and relatively well established processes available to assess the effects of a plan's preparations, there is no equivalent for revocation and no established practice on how to undertake such an assessment. Necessarily then, this assessment is part of a body of emerging practice and is the first such that is in compliance with the SEA Directive requirements in the UK.

The method adopted to assess the likely environmental effects of revoking the Regional Strategies has therefore had to take account of this lack of established practice. The approach taken builds on the previous voluntary approach contained in the previous assessment of the plan to revoke the Regional Strategies published in October 2011 as well as the comments received from consultees.

### 3.5.2 Ensuring Consistency

The assessment of effects, in particular of retention of the Regional Strategy has used information from the relevant sustainability appraisal of each Regional Strategy. Whilst each sustainability appraisal has been completed in a manner consistent with government guidance, they are different in approach, format and assessment of effects which has created difficulties in ensuring that the assessment of the plan to revoke Regional Strategies is consistent across all eight regions. For example, some appraisals have assessed the effects of each proposed policy (South East Plan, East of England Plan) whilst others present the assessment findings thematically (the North East). Furthermore, the SEA topics considered vary in depth and detail, and their assessment (through differing assessment frameworks comprising of assessment objectives which number from 14 to 25) is also marked different. Lastly, the sustainability appraisals were completed iteratively at different times between mid 2004 and mid 2009 and so used differing baselines to provide context for the respective assessments.

The Sustainability Appraisal of the West Midlands Regional Spatial Strategy was undertaken iteratively reflecting the stages in the RSS's development. To support this assessment we have used information from the Consolidated Sustainability Appraisal Report 2006, a copy of which can be found at:

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<sup>26</sup> The judgment in Case C-567/10 *Inter-Environnement Bruxelles ASBL v Région de Bruxelles-Capitale*

<http://webarchive.nationalarchives.gov.uk/20100528142817/http://gos.gov.uk/gowm/Planning/515750/?a=42496>

### 3.5.3 Varying Age and Status of the West Midlands Regional Strategy

The Regional Strategy considered in this assessment is not single a discrete document, but in fact reflects various revisions, post adoption. The West Midlands Regional Spatial Strategy was first published as RPG11 in June 2004, and subsequently revised and published as the West Midlands Regional Spatial Strategy in January 2008, then as the West Midlands Regional Strategy following a Phase 1 Review of the Black Country Strategy.

### 3.5.4 Uncertainty and Future Effects

The assessments inevitably reflect the fact that until adopted local plans are in place there must be some uncertainty as to their likely effects, notwithstanding the expectation that they will be drawn up to be consistent with national policy and subject to rigorous environmental assessment through sustainability appraisal. The environmental effects of revoking the Regional Strategies will clearly be dependent, to a greater or lesser extent depending on the impact under consideration, on future decisions by local authorities, individually and collectively. The uncertainty arising from local decisions has been reflected as appropriate in the assessment of the individual policies in **Appendix D** and in the consideration in the topic chapters contained in **Appendix E**.



# 4. Assessment of Effects of Revoking the West Midlands Regional Strategy and the Reasonable Alternatives

## 4.1 Overview

This section presents the results of the assessment which has been carried out with sub-sections dealing with the effects of revocation, retention and partial revocation. The assessment has been carried out using the methodology described in **Section 3**.

This chapter draws in particular on detailed evidence in **Appendices D** and **E**. **Appendix D** presents the details of the assessment on a policy by policy basis and **Appendix E** presents detailed comments on each SEA topic including comments on significant effects where these have been identified.

## 4.2 Effects of Revoking the West Midlands Regional Strategy

**Table 4.1** summarises the effects of revoking the West Midlands Regional Strategy against the 12 SEA topics. As noted in section 3.4.3, the Regional Economic Strategy (RES) commitments have been mapped onto the Regional Strategy policies (**Appendix H**). Due to the intentional overlap between them, the Regional Strategy policies include those of the RES and in order to avoid duplication, the assessment summarised in **Table 4.1** has focussed on the West Midlands Regional Spatial Strategy policies.

The following key has been used in completing the assessment.

<b>Score Key:</b>	<b>++</b> Significant Positive effect	<b>+</b> Minor positive effect	<b>0</b> No overall effect	<b>-</b> Minor negative effect	<b>--</b> Significant negative effect	<b>?</b> Score uncertain
<p><i>NB: where more than one symbol is presented in a box it indicates that the SEA has found more than one score for the category. Where the scores are both positive and negative, the boxes are deliberately not coloured. Where a box is coloured but also contains a ?, this indicates uncertainty over whether the effect could be a minor or significant effect although a professional judgement is expressed. A conclusion of uncertainty arises where there is insufficient evidence for expert judgement to conclude an effect.</i></p> <p><i>The reasons for the assessment are presented in Appendix D for each policy.</i></p>						
<p>S – short term (less than 0.75 year), M – medium term (between 0.75 and 5 years) and L – long term (&gt; 5 years)</p>						

Table 4.1 Summary of the Effects of Revoking the West Midlands Regional Strategy (with reference to the West Midlands Regional Spatial Strategy policies)

RS Policy No.	RS Policy Title	Alternative	Biodiversity, Flora and Fauna			Population and Human Health			Soil			Water			Air			Climatic Factors			Material Assets			Cultural Heritage			Landscape					
			S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L						
CC1	Climate Change	Revocation	+	+	+/?	+	+	+/?	+	+	+	+	+	+	+	+	+	+	+	+/?	0	0	0	0	0	0	0	0	0	0	0	0
UR1	Implementing an Urban Renaissance – the MUAs	Revocation	+	+	+/?	+	+	+	+	+	+/?	0	0	0	?	?	?	+	+	+	0	0	0	?	?	?	+	+	+	+/?		
UR1A	Black Country Regeneration Policies	Revocation	0	0	0	+	+	+	+	+	+	0	0	0	0	0	0	+	+	+	+	+	+	+	+	+	+	+	+	+		
UR1B	Housing and Employment Land	Revocation	0	0	0	+	+	+	0	0	0	0	0	0	0	0	0	+	+	+	+	+	+	0	0	0	+	+	+	+		
UR1C	Strategic Office Development in the Black Country	Revocation	0	0	0	+	+	+	0	0	0	0	0	0	0	0	0	+	+	+	+	+	+	0	0	0	+	+	+	+		
UR1D	Retail Floorspace	Revocation	0	0	0	+	+	+	0	0	0	0	0	0	0	0	0	0	0	0	+	+	+	0	0	0	0	0	0	0		
UR2	Towns and Cities Outside Major Urban Areas	Revocation	0	0	0	+	+	+/?	0	0	0	0	0	0	+	+	+/?	+	+	+	+	+	+	+	+	+	0	0	0	0		

RS Policy No.	RS Policy Title	Alternative	Biodiversity, Flora and Fauna			Population and Human Health			Soil			Water			Air			Climatic Factors			Material Assets			Cultural Heritage			Landscape		
			S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L
UR3	Enhancing the role of City, Town and District Centres	Revocation	0	0	0/?	+	+	+ / ?	0	0	0	0	0	0	+	+	+ / ?	+	+	+ / ?	+	+	+	+	+	+	0	0	0
UR4	Social Infrastructure	Revocation	0	0	0/?	0	0	+ / ?	0	0	0	0	0	0	0	0	0 / ?	0	0	0	0	0	0 / ?	+	+	+ / ?	0	0	0
RR1	Rural Renaissance	Revocation	+	+	+	+	+	+	0	0	0	0	0	0	0	0	0	0	+	0	0	0	0	0	0	0	+	+	+
RR2	The Rural Regeneration Zone	Revocation	0	0	0	0	+	+	0	0	0	0	0	0	0	0	+ / ?	0	0	0	0	0	0	0	0	0	0	0	+
RR3	Market Towns	Revocation	0	0	0	0	+	+ / ?	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	+	+	+	+	+	+
RR4	Rural Services	Revocation	0	0	0	0	+	+ / ?	0	0	0	0	0	0	0	0	+	0	0	+	0	0	0	0	0	0	0	0	0
CF1	Housing Within Major Urban Areas	Revocation	- / ?	-/?	-/?	+	+	+	0	0	0	0	0	0	-	-	-	0	0	-	-	-	-	0	0	0 / ?	0	0	0

RS Policy No.	RS Policy Title	Alternative	Biodiversity, Flora and Fauna			Population and Human Health			Soil			Water			Air			Climatic Factors			Material Assets			Cultural Heritage			Landscape					
			S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L			
CF2	Housing beyond the Major Urban Areas	Revocation	0	0	0/?	0	0	+	0	0	-/?	0	0	- / ?	0	0	- / ?	0	0	- / ?	0	0	-	0	0	-	0	0	0 / ?	0	0	- / ?
CF3	Levels and distribution of housing development	Revocation	0	0	-/?	0	+	+	0	0	-/?	0	-	- / ?	0	0	- / ?	0	0	- / ?	0	0	-	0	0	-	0	0	0 / ?	0	0	- / ?
CF4	The reuse of land and buildings for housing	Revocation	0	0	+/?	+	+	+	+	+	+	0	0	0	0	0	0	+	+	+	+	+	+	?	?	?	0	0	0			
CF5	Delivering affordable housing and mixed communities	Revocation	0	0	+	+	+	+	0	0	0	0	0	0	0	0	0	+	0	0	+	0	0	0	0	0	0	0	0	0	0	0
CF6	Managing housing land provision	Revocation	0	0	+/?	+	+	+	+	+	+/?	0	0	+	0	0	+	+	+	+	+	+	+	?	?	?	0	0	0			
PA1	Prosperity for All	Revocation	+	+	+/?	+	+	+	?	?	?	?	?	?	0	0	- / ?	0	0	- / ?	-	-	-	-	-	-	+	+	+ / ?	+	+	+ / ?
PA2	Urban Regeneration Zones	Revocation	0	0	0	+	+	+	0	0	0	0	0	0	0	0	0	+	+	+	0	0	0	0	0	0	0	0	0	0	0	0
PA3	High-Technology Corridors	Revocation	0	0	0	?	?	?	0	0	0	0	0	0	0	0	0	0	0	- / ?	0	0	0	0	0	0	0	0	0	0	0	0

RS Policy No.	RS Policy Title	Alternative	Biodiversity, Flora and Fauna			Population and Human Health			Soil			Water			Air			Climatic Factors			Material Assets			Cultural Heritage			Landscape					
			S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L			
PA4	Development related to Higher/Further Education and Research Establishment and incubator units	Revocation	0	0	0	+	+	+	0	0	0	0	0	0	0	0	0	+	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PA5	Employment Areas in Need of Modernisation and Renewal	Revocation	0	0	0	+	+	+	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PA6	Portfolio of Employment Land	Revocation	0	0	0	+	+	+	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PA7	Regional Investment Sites	Revocation	0	0	0	0	0	+/?	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PA8	Major Investment Sites	Revocation	0	0	0	0	0	+/?	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PA9	Regional Logistic Sites	Revocation	0	0	-/?	+	+	+	0	0	-/?	0	0	0	0	0	0	0	-/?	0	0	0	0	0	0	0	0	0	0	0	0	0
PA10	Tourism & Culture	Revocation	0	0	+/?	0	0	+	0	0	0	0	0	0	0	0	0	-/?	0	0	0	0	0	0	0	0	+	+	0	0	0	+/?
PA11	The Network of Town and City Centres	Revocation	+	+	+	+	+	+	+	+	+	0	0	0	0	0	0	+	+	0	?	?	?	?	?	?	?	?	?	0	0	0

RS Policy No.	RS Policy Title	Alternative	Biodiversity, Flora and Fauna			Population and Human Health			Soil			Water			Air			Climatic Factors			Material Assets			Cultural Heritage			Landscape					
			S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L			
PA11A	Brierley Hill and Dudley	Revocation	0	0	0	+	+	+	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PA12	Birmingham's Role as a World City	Revocation	0	0	0	+	+/?	+/?	0	0	0	0	0	0	0	0	+	0	0	+	0	0	0	0	0	+	+	0	0	0	0	
PA13	Out-of-Centre Retail Development	Revocation	+	+/?	+/?	+	+	+	+	+	+/?	0	0	0	0	0	+	0	0	+	0	0	0	0	0	0	0	+	+	+	+	
PA14	Economic Development and the Rural Economy	Revocation	0	0	?	+	+	+	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	?		
PA15	Agricultural and Farm Diversification	Revocation	0	0	+	+	+	+	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	+		
QE1	Conserving and Enhancing the Environment	Revocation	+	++	++	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	0	0	0	0	+	+	+	+	+	+		
QE2	Restoring degraded areas and managing and creating high quality new environments	Revocation	0	++	++	0	+	+	+	+	+	+	+	+	+	+	+	+	+	+	0	0	0	0	+	+	+	0	+	+		
QE3	Creating a high quality built environment for all	Revocation	+	+	+	+	+	+	+	+	+	0	0	0	0	0	+	0	0	0	+	0	0	0	+	+	+	+	+	+		

RS Policy No.	RS Policy Title	Alternative	Biodiversity, Flora and Fauna			Population and Human Health			Soil			Water			Air			Climatic Factors			Material Assets			Cultural Heritage			Landscape					
			S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L			
QE4	Greenery, Urban Greenspace and Public Spaces	Revocation	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	0	0	0	0	0	0	+	+	+	+	+	+
QE5	Protection and enhancement of the Historic Environment	Revocation	+	+	+	+	+	+	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	+	+	+	+	+	+
QE6	The conservation, enhancement and restoration of the Region's landscape	Revocation	+	+	+	+	+	+	0	0	0	0	0	0	+	0	0	0	0	0	+	+	+	0	0	0	+	+	+	+	+	+
QE7	Protecting, managing and enhancing the Region's Biodiversity and Nature Conservation Resources	Revocation	+	++	++	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	0	0	0	+	+	+	+	+	+	+	+	+
QE8	Forestry and Woodlands	Revocation	+	+	+	+	+	+	+	+	+	0	0	0	+	+	+	+	+	+	+	+	+	0	0	0	+	+	+	+	+	+
QE9	The Water Environment	Revocation	0	0	0	0	0	0	0	0	0	0	+	+	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
EN1	Energy Generation	Revocation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	+	+	+	0	0	0	0	0	0	0	0	0	0	0	0
EN2	Energy Conservation	Revocation	0	0	0	+	+	+	0	0	0	0	0	0	0	0	0	+	+	+	+	+	+	0	0	0	0	0	0	0	0	0
M1	Mineral Working for Non-Energy Minerals	Revocation	+	+	+	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	+	+	+	0	0	0	+	+	+



RS Policy No.	RS Policy Title	Alternative	Biodiversity, Flora and Fauna			Population and Human Health			Soil			Water			Air			Climatic Factors			Material Assets			Cultural Heritage			Landscape					
			S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L			
M2	Minerals-Aggregates	Revocation	+	+	+	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	+	+	+	0	0	0	+	+	+
M3	Minerals – The Use of Alternatives Sources of Materials	Revocation	+	+	+	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	+	+	+	0	0	0	+	+	+
M4	Energy Minerals	Revocation	+	+	+	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	+	+	+	0	0	0	+	+	+
WD1	Targets for Waste Management in the Region	Revocation	+	+	+	0	0	0	0	0	0	0	0	0	0	0	0	+	0	0	0	0	0	+	+	+	0	0	0	+	+	+
WD2	The Need for Waste Management Facilities – by Sub-Region	Revocation	+	+	+	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	+	+	+	0	0	0	0	0	0	+	+	+
WD3	Criteria for Location of Waste Management Facilities	Revocation	+	+	+	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	+	+	+	+	+	+	0	0	0	+	+	+
T1	Developing accessibility and mobility within the Region to support the Spatial Strategy	Revocation	0	0	0	+	+	+	0	0	0	0	0	0	+	+	+	+	+	+	+	+	0	0	0	0	0	0	0	0	0	0
T2	Reducing the need to travel	Revocation	0	0	0	+	+	+	0	0	0	0	0	0	+	+	+	+	+	+	+	+	0	0	0	0	0	0	0	0	0	0
T3	Walking and cycling	Revocation	0	0	0	+	+	+	0	0	0	0	0	0	+	+	+	+	+	+	+	+	0	0	0	0	0	0	0	0	0	0

RS Policy No.	RS Policy Title	Alternative	Biodiversity, Flora and Fauna			Population and Human Health			Soil			Water			Air			Climatic Factors			Material Assets			Cultural Heritage			Landscape					
			S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L			
T4	Promoting travel awareness	Revocation	0	0	0	+	+	+	0	0	0	0	0	0	+	+	+	+	+	+	0	0	0	0	0	0	0	0	0	0	0	0
T5	Public Transport	Revocation	0	0	0	+	+	+	0	0	0	0	0	0	+	+	+	+	+	+	0	0	0	0	0	0	0	0	0	0	0	0
T6	Strategic Park & Ride	Revocation	0	0	0	+	+	+	0	0	0	0	0	0	+	+	+	+	+	+	0	0	0	0	0	0	0	0	0	0	0	0
T7	Car Parking Standards and Management	Revocation	0	0	0	+	+	+	0	0	0	0	0	0	+	+	+	+	+	+	0	0	0	0	0	0	0	0	0	0	0	0
T8	Demand Management	Revocation	0	0	0	+	+	+	0	0	0	0	0	0	+	+	+	+	+	+	0	0	0	0	0	0	0	0	0	0	0	0
T9	The Management and Development of National and Regional Transport Networks	Revocation	0	0	0	+	+	+	0	0	0	0	0	0	+	+	+	+	+	+	0	0	0	0	0	0	0	0	0	0	0	0
T10	Freight	Revocation	0	0	0	+	+	+	0	0	0	0	0	0	+	+	+	+	+	+	0	0	0	0	0	0	0	0	0	0	0	0
T11	Airports	Revocation	0	0	0	+	+	+	0	0	0	0	0	0	-	-	-	-	-	-	0	0	0	0	0	0	0	0	0	0	0	0
T12	Priorities for Investment	Revocation	?	?	?	+/ ?	+/ ?	+/ ?	?	?	?	?	?	?	?	?	?	?	?	?	?	?	?	?	?	?	?	?	?	?	?	?

#### 4.2.1 Likely Significant Effects

Revocation of the West Midlands Regional Strategy will lead to a range of effects across the different SEA topics and over short, medium and long terms as identified in **Appendices D and E**.

A summary of the likely significant effects of revocation on the West Midlands Regional Spatial Strategy policy areas are presented below. Where relevant, reference is also made to the Regional Economic Strategy; however, given the duplication of policies and commitments between the two documents, it is considered appropriate to present the findings of the assessment using the broader range of policy issues presented in the West Midlands Regional Spatial Strategy. The effects summarised below are for the absolute effects that will occur if the Regional Strategy were to be revoked (i.e. they are not presented as the marginal difference between retaining and revoking the Regional Strategy).

##### Climate Change

Policy CC1 stands at the head of the Regional Strategy, reflecting the seriousness of the issue and the role of all other policies in addressing it. Policy CC1 is a generic and aspirational policy which addresses how the spatial planning system can mitigate the impacts of climate change across the West Midlands. The implementation of policy CC1 will result in generally positive outcomes across the SEA themes, but particularly for biodiversity, population and human health and climatic factors, notwithstanding uncertainty over outcomes over the longer term. This reflects the positive intentions of policy but the difficulty in anticipating long term impacts. However, given the broad character of the policy, it is anticipated that the effects of revocation are likely to be broadly similar as measures addressing climate change are taken up through the provisions of the NPPF (section 10, para 93-108) which seek to ensure that new development does not contribute to climate change and is resilient to its likely effects. In addition the NPPF states that local planning authorities should adopt proactive strategies to mitigate and adapt to climate change. There is legislation and policy, for example the EU Renewables Directive and the Code for Sustainable Homes which will help to reduce carbon emissions and have positive impacts on climate change. The UK Carbon Plan (2011) will also have a positive impact on carbon reduction whilst bringing other associated environmental benefits. The revocation of this policy would not remove the requirement for Local Plans to be consistent with legal and national policy requirements on climate change including supporting the move to a low carbon future and avoiding increased vulnerability to the range of impacts arising from climate change. There should therefore be the same positive effects on climatic factors as with retention of the policy.

##### Urban Renaissance

Policies UR1-UR4 establish the framework for delivering a regeneration-led approach to development across the region's urban areas. Focusing development on the Main Urban Areas (MUAs) is intended to counteract the decentralising forces which are placing pressure on urban fringe and rural areas whilst creating problems of low-demand and investment in existing urban areas. In doing so, benefits for sustainable development are sought and this is reflected in the generally positive outcomes identified in

the assessment (for both revocation and retention). The role of the LEPs will be significant in developing economic opportunity across the region, working with local planning authorities to secure sub-regional and local aspirations for regeneration.

The focus of the National Planning Policy Framework is on the delivery of sustainable development as set out in paragraph 6 and further in paragraphs 18 to 219 of the document. The presumption in favour of sustainable development is at the heart of the NPPF and is to be seen as a golden thread running through both plan making and decision taking. The principle of sustainable development which already permeates planning will continue following revocation due to the strong emphasis in the NPPF. As such, revocation will not affect the positive outcomes associated with urban regeneration, particularly of the Birmingham conurbation which includes the Black Country where regeneration guides the strategy of the Black Country Joint Core Strategy.

However, it is possible that removing the requirement to direct most strategically significant growth to the West Midlands Major Urban Areas and removing the target for the use of previously developed land could lead to less development within the Major Urban Areas, and result in less development of brownfield land. This could lead to more development on greenfield sites in the countryside around the region's Major Urban Centres with potential effects on such topics as countryside (i.e. soil and landscape); and air quality and greenhouse gas emissions (if there is a greater need to travel). Depending on the biodiversity value of any countryside lost, including any role it played, or might play, in contributing to a network or corridor for wildlife there could be either positive or negative effects. For example, agricultural land can host lower biodiversity interest than suburban gardens given the wider range of different habitats provided.

**The assessment has not identified any areas where revocation of these policies would have any negative effects – either minor or significant.**

## Rural Renaissance

Balancing urban regeneration with rural regeneration is the focus of Policies RR1-4, recognising that rural areas can experience similar symptoms of lack of access to services, affordable housing and wider social exclusion. It is anticipated that LEPs will play a significant role in developing and implementing a response to the specific challenges of the extensive rural areas of the West Midlands, particularly where the LEP (such as the Marches) has rural interests as its focus.

In general, no significant effects of revocation were identified given that local authorities will be required to deliver legal and national objectives, including policies on promoting a competitive economy as set out in paragraphs 18-22 of the National Planning Policy Framework, supporting a prosperous rural economy (paragraph 28) and promoting sustainable transport (paragraphs 29-32). The preparation of local plans by the region's local planning authorities will provide the vehicles for addressing the challenge of regenerating rural areas as illustrated by policy RR1.

Market towns are recognised as a key focus for economic and social activity and this is reflected in the wide-ranging aspirations of Policy RR3 Market Towns. The National Planning Policy Framework contains

strong policy supporting economic growth and diversification in rural areas as set out in paragraph 28, Market Towns have a key role to play in supporting the diversification of the rural economy. It says that local and neighbourhood plans should support the sustainable growth and expansion of all types of business and enterprise in rural areas, and promote the development and diversification of agricultural and other land-based rural businesses. It does not contain a list of rural areas requiring particular attention. However, local authorities will need to work together under the Duty to Co-operate to ascertain which areas need particular support. Given that the Regional Strategy does not identify specific Market Towns or sites in these towns, and it is not possible to predict where development will be directed to in local plans this introduces some uncertainties.

**The assessment has not identified any areas where revocation of these policies would have any negative effects – either minor or significant.**

### Communities for the Future

Policies CF1-6 establish a settlement hierarchy approach to the distribution of development (which is quantified only as annual delivery rates and not as an overall regional target), focusing the bulk of development on the MUAs to aid regeneration, whilst recognising housing needs (particularly for affordable housing) across the region. The assessment identified a diverse range of potential impacts associated with revocation, largely akin to those associated with retention of the policies i.e. the negative effects across a range of indicators of accommodating significant growth, yet the positive effects of using previously developed land, for example. Where Core Strategies have been adopted (notably the Black Country JCS), these demonstrate that Regional Strategy housing targets have been carried forward. However, it is AMEC's opinion that continued delay in the preparation of local plans could extend uncertainty over the extent to which Regional Strategy housing targets will be adopted.

Policy CF5 relates to the provision of affordable housing and encourages local authorities to make provision in their development plans. The assessment has identified that revocation of the policy on affordable housing is likely to result in the same significant long term positive effects as retention on population/human health due to the emphasis on the provision of affordable housing in the NPPF. Whilst it is noted that revocation removes the regional targets for social rented accommodation and intermediate affordable housing, the NPPF requires that Local Plans meet 'the full, objectively assessed needs for market and affordable housing in the housing market area' (paragraph 47). The NPPF also seeks to deliver a 'wide choice of high quality homes and to plan for a mix of housing based on current and future demographic trends... and the needs of different groups in the community such as older people' (paragraph 50). Those LPAs who are at varying stages in the preparation of updated plans are less likely to have a quantitative target or a clear current picture of local housing need. For these authorities, the short and medium term impact on the total number of affordable homes is more difficult to determine, although it is AMEC's opinion that in the interim period until updated plans are in place, the uncertainty over local planning policy and its effect on development applications is likely to lead to fewer affordable houses being completed.

Paragraph 159 of the NPPF states that local planning authorities should have a clear understanding of housing needs in their area. They should prepare Strategic Housing Market Assessment to assess their full housing needs, working with neighbouring authorities where housing market areas cross administrative boundaries. The Strategic Housing Market Assessment should identify the scale and mix of housing and the range of tenures that the local population is likely to need over the plan period which meets household and population projections, taking account of migration and demographic change; addresses the need for all types of housing, including affordable housing and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes); and cater for housing demand and the scale of housing supply necessary to meet this demand.

The NPPF sets out a policy approach to boost significantly the supply of housing. Paragraph 47 states that local planning authorities should use their evidence base to ensure that their Local Plans meet the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in the Framework, including identifying key sites which are critical to the delivery of the housing strategy over the plan period.

There will be scope in the West Midlands to change the housing distribution between districts. Joint working (such as that between the four Black Country authorities) in line with the Duty to Co-operate will enable local planning authorities to distribute, and where necessary constrain, housing growth in a way that aims not only to fit with needs in each housing market area but also to accord with specific policies in the Framework that indicate development should be restricted (examples of which are given in the footnote on page 4 of the Framework). Consequently, whilst recognising uncertainties about possible impacts, it is reasonable to assume that higher overall provision closer to the latest projections (2008 figures) could be distributed in a way that would not have significantly different environmental effects, and might even be less harmful in some respects.

A potential negative effect, particularly over the longer term, is that on water resources. Some parts of the region (notably to the west of Birmingham and the east of Stoke-on-Trent) are currently under water stress in terms of over-abstraction of surface and groundwater. This could be exacerbated by additional development. Measures to address these negative effects will be provided in part through the work of the water companies in the region. Further mitigation in the form of initiatives such as the Code for Sustainable Homes, and the NPPF requirement for local authorities to develop proactive strategies to mitigate the effects of climate change could also help to reduce the likely effects.

The effects of revocation will be uncertain in the short and medium terms in those local authorities that do not have a plan that was in general conformity with the West Midlands Regional Strategy. For those authorities without an adopted plan, the West Midlands Regional Strategy provided clarity on the quantum of development required; however, in the short and medium term there is likely to be a temporary period whilst some of the 20 local authorities update their plans, and in the interim make planning decisions based on policies that may not be fully reflective of current local needs. In consequence, the amount of development anticipated in this period may be lower than if the Regional Strategy were in place. This will mean that the negative effects associated with development (on

biodiversity, water, air, material assets etc) will be lessened as would the beneficial effects (on population). The application of the NPPFs presumption in favour of sustainable development and its policies to boost the supply of housing will help where plans or policies are absent, silent or out of date.

**The assessment has identified significant positive benefits (for population and human health) associated with revocation of these policies, but potential negative effects associated with the use of already over-exploited water resources (notwithstanding opportunities for their mitigation through sustainable management).**

### Prosperity for All

Policies PA1-15 set out region-wide and sub-regional aspirations for the development of economic vigour and access to opportunities for West Midlands residents. The overarching objective, as set out in PA1, is to focus economic development and growth in the West Midlands in the region's Major Urban Areas. Policy PA1 will bring about sustainable development within the guiding principles of the UK Sustainable Development Strategy 2005 and contributing to the creation of sustainable communities described in the supporting text to policy PA1, in doing so it sets the overarching framework for the remainder of the West Midlands Regional Spatial Strategy.

The assessment found that revocation of the Regional Spatial Strategy in respect of Policies PA1 to PA15 will have largely neutral to minor positive effects, with the key exception being Regional Logistics Sites where development could involve land-take and have an effect on air quality, for example. However, the extent and location of any such proposals is critical to their effects.

The only specific requirement set out in policy PA1 is that local plans and Local Development Documents should help to meet obligations on carbon emissions and should adopt a precautionary approach to climate change by avoiding or minimising potential contributions to adverse change and incorporating measures which adapt as far as possible to unavoidable change. This should have positive effects on climatic factors in the short, medium and long term.

Although the regional development agency (Advantage West Midlands) has been abolished many of its functions have been transferred to successor bodies. These have included inward investment activities (now managed by PA Consulting, industry partner for UK Trade and Industry) and the management of the European Regional Development Fund (Department for Communities and Local Government). Four Local Enterprise Partnerships (LEP) have been established with the objective of enabling strategic business growth in the region. Several of these comment specifically on strategic sectors. In addition, four Enterprise Zones have been established in the region: Black Country, Birmingham City Centre, Hereford and Nuneaton with an emphasis on manufacturing and technology. The Regional Strategy does not set specific targets for the provision of employment land or jobs, leaving this to individual Core Strategies, although a hierarchy of types of site is specified as part of a strategic approach to economic development. The implications of the loss of this co-ordinated approach will be difficult to judge given the relatively long timeframe required to measure tangible outcomes.



The assessment has identified that with the continuity of approach as indicated above, the positive effects on population and health through improved job opportunities and other socio economic benefits including improved health would continue to be experienced. The positive effects would be less in the short term and may be uncertain as local authorities put in place their local plans and as LEPs take time to become fully established and effective - of the 30 local authorities in the West Midlands, 10 have adopted core strategies. Amongst these approved core strategies, all use the Major Investment Sites identified in the Regional Spatial Strategy as the basis for employment allocations (notably in the Black Country and Stoke-on-Trent). The other 20 authorities are at varying stages in the preparation of updated plans. The majority allocate land for employment although there may be no link to the number of jobs they are intended to support. For these authorities the short and medium term impact is more difficult to determine. However, the assessment has identified that overall the positive effects are likely to be significant in the medium and longer term. The application of the NPPF's presumption in favour of sustainable development will lead to the approval of development which is sustainable without delay and will help where plans or policies are absent, silent or out of date.

Key planning principles set out in paragraph 17 of the National Planning Policy Framework include that planning should proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth. Paragraphs 18-22 of the framework deal with building a strong, competitive economy. In particular, paragraph 21 states that in drawing up local plans, local planning authorities should:

- set out a clear economic vision and strategy for their area which positively and proactively encourages sustainable economic growth;
- set criteria, or identify strategic sites, for local and inward investment to match the strategy and to meet anticipated needs over the plan period;
- support existing business sectors, taking account of whether they are expanding or contracting and, where possible, identify and plan for new or emerging sectors likely to locate in their area. Policies should be flexible enough to accommodate needs not anticipated in the plan and to allow a rapid response to changes in economic circumstances;
- plan positively for the location, promotion and expansion of clusters or networks of knowledge driven, creative or high technology industries;
- identify priority areas for economic regeneration, infrastructure provision and environmental enhancement; and
- facilitate flexible working practices such as the integration of residential and commercial uses within the same unit.

Paragraph 158 of the National Planning Policy Framework seeks to ensure that local plans are based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area. Local planning authorities should ensure that their assessment

of and strategies for housing, employment and other uses are integrated, and that they take full account of relevant market and economic signals.

Paragraph 37 of the National Planning Policy Framework states that planning policies should aim for a balance of land uses within their area so that people can be encouraged to minimise journey lengths for employment, shopping, leisure, education and other activities, which would all support the development of high technology corridors in the West Midlands, if local authorities wish to pursue this policy.

**The assessment found that revocation would have largely neutral to positive effects, apart some minor negative impacts associated with Regional Logistic Sites and the promotion of tourism, and these long-term impacts are uncertain.**

### Quality of the Environment

This diverse suite of policies (QE1-QE9, EN1-2, M1-M4, WD1-3) embraces an array of intentions, the majority of which, however, are overarching and generic, and readily replaced by the guidance of the NPPF and delivered through local plans. The only note of caution is that greater uncertainty could be introduced into the delivery of sub-regional and region-wide initiatives associated with the enhancement of biodiversity and green infrastructure, for example, at a landscape scale.

The NPPF places great emphasis on the environment. Contributing to the conservation and enhancement of the natural environment and reducing pollution is one of the core planning principles in the NPPF together with conserving heritage assets in a manner appropriate to their significance.

The assessment has shown that under revocation, with the continuance of legal responsibilities (for climate change, for flood risks, for the protection of internationally and nationally designated sites), the application of the NPPF and other Government policy (such as the Natural Environment White Paper), and the statutory responsibilities of other organisations (such as the Environment Agency, Natural England and the water companies), the benefits will be maintained across virtually all of the SEA topic areas. It is assumed that local authorities will work together making use of the Duty to Co-operate and mechanisms such as the Local Nature Partnerships to optimise the benefits to biodiversity and that Biodiversity Action Plan partnerships continue to operate.

The assessment has identified that there will be significant positive effects on biodiversity/flora/fauna and landscape following revocation of those policies dealing with environmental quality (QE1, QE2, QE4, QE7 for example). These are the same effects as under retention. The NPPF makes clear that the planning system should contribute to and enhance the natural environment, including by protecting and enhancing valued landscapes, minimising impacts on biodiversity and providing net gains in biodiversity where possible. The NPPF underlines that pursuing sustainable development means moving from a net loss of biodiversity to achieving net gains for nature. This means that local planning policies should promote the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species populations linked to national and local targets, and identify suitable indicators for monitoring biodiversity in the plan. In particular NPPF section 11 on conserving and enhancing the natural environment, and paragraphs 109 to 119 are particularly relevant as are

NPPF policies relating to green infrastructure and planning for climate change to mitigate the effects on biodiversity. The NPPF also makes clear that planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss.

River Basin Management Plans for the region identify the pressures that the water environment faces and include action plans requiring cross boundary and input from a range of organisations. Local authorities can be expected to continue to work together on cross boundary strategic issues where they need to do so. The Code for Sustainable Homes encourages higher levels of water efficiency. Although Local authorities can require housing developments in their area to meet specified Code levels, development will continue and there could be the potential for negative effects on water resources and natural habitats.

Significant positive effects also arise in relation to flood risk due to the very positive approach to flood risk encouraged in the NPPF. For example the NPPF seeks to ensure that inappropriate development is avoided in areas at risk of flooding, but where development is necessary that it is safe without increasing flood risk elsewhere. To this end, local plans should apply a sequential, risk-based approach to the location of development to avoid where possible flood risk to people and property. Aside from water-compatible development and, exceptionally, essential infrastructure, development should not be permitted in the functional floodplain.

**Revocation of the Regional Strategy is judged to have neutral to positive impacts across the majority of policies, albeit with some uncertainty over the longer term for some SEA topics.**

### Transport and Accessibility

The approach to transport planning across the West Midlands is established in Policy T1 and elaborated in Policies T2-12. Here the aspiration is for a more sustainable approach to transport provision through reducing the need to travel and reducing the transport intensity of economic activity, including freight. These are to be complemented by encouraging cycling and walking, reducing lack of mobility caused by income disparities, as well as providing opportunities and access to services for all. The policies also seek to improve air quality and reduce greenhouse gas emissions, especially in the region's Major Urban Areas. As such the effects of revocation are judged to be neutral to positive overall, given the opportunities to balance negative impacts with positive measures for changing travel behaviour, for example. The focus is on the mitigation of adverse effects of travel through such measures as demand management and making the existing network function more efficiently and effectively. Thus whilst there could be some negative effects associated with location-specific infrastructure improvements for example, these are not specified.

The NPPF recognises the important role that transport plays in facilitating sustainable development and in contributing to wider sustainability and health objectives. It encourages solutions which support reductions in greenhouse gas emissions and reduce congestion. Local authorities are encouraged to

work with neighbouring authorities and transport providers to develop strategies for the provision of viable infrastructure to support sustainable developments. Also managing patterns of growth to make the fullest possible use of public transport, walking and cycling is one of the core planning principles identified in the NPPF.

The assessment has shown that revocation will maintain the positive effects for population and health, air and climatic factors due to improved air quality and reduced potential for greenhouse gas emissions due to the emphasis on sustainable transport modes. This assessment reflects the positive approach to sustainable transport under the NPPF outlined in the previous paragraph which will be reflected in local plans and decisions by local authorities. Transport networks transcend local authority boundaries and thus effective networks will require local authorities to work together to achieve sustainable approaches – the Duty to Co-operate provides the mechanism for this to happen.

The Highways Agency will continue to have responsibility for motorways and trunk roads and County Highway authorities and Unitary Authorities will exercise their transport responsibilities in liaison with local authorities and LEPs where appropriate.

Other effects through revocation will be largely neutral or uncertain due to the uncertainty over location of particular elements of transport infrastructure. Many of the effects will depend on the ability to change travel behaviour and the demand for transport. There will also be minor negative effects on material assets due to the use of raw materials for the construction and maintenance of transport infrastructure.

**The overall effects of revocation are judged to be neutral to positive in character, with the provisions of the NPPF creating a framework for activity through local plans.**

#### 4.2.2 Other Effects

The effects of the revocation of the Regional Strategy have been presented in **Appendix D** and summarised above in relation to the issues identified in the SEA Directive (Annex I). Where other potential effects have been identified these are referred to in **Appendix D**.

#### 4.2.3 Proposed Mitigation Measures

A number of mitigation measures have been identified in the detailed assessment in **Appendix D**. Mitigation of the effects will be diverse and may need to be specific sub-regionally. For example, in planning for water provision as part of new development, there may be greater reliance on Water Resource Management Plans and co-operation between interested parties. Similarly, for issues such as biodiversity, greater co-operation and guarantees of funding could be required to achieve a similar outcome to that intended under the Regional Strategies.

### 4.3 Effects of Retention of the West Midlands Regional Strategy

Retention of the West Midlands Regional Strategy will lead to a range of effects across the different SEA topics and is identified in **Appendices D** and **E**. A summary of the likely significant effects of retention on the 6 West Midlands Regional Spatial Strategy policy areas are presented in **Table 4.2** and commented on below. **Table 4.2** summarises the effects of retaining the West Midlands Regional Spatial Strategy against the 12 SEA topics. As noted in section 4.2, the Regional Economic Strategy commitments have been mapped onto the RSS policies (**Appendix H**). Due to the intentional overlap between them, the RSS policies include those of the RES and in order to avoid duplication, the assessment summarised in **Table 4.2** has focussed on the West Midlands Regional Spatial Strategy policies. Please note that within this alternative, retention is defined as the retention of all the policies within the West Midlands Regional Spatial Strategy and all the commitments in the RES but without their future update. Local authorities would be expected to refer to the NPPF and to place greater weight on the NPPF, as the Regional Strategy aged, as without update it would gradually lose relevance to the changing circumstances of local communities. The following key has been used in completing the assessment.

<b>Score Key:</b>	<b>++</b> Significant Positive effect	<b>+</b> Minor positive effect	<b>0</b> No overall effect	<b>-</b> Minor negative effect	<b>--</b> Significant negative effect	<b>?</b> Score uncertain
<p><i>NB: where more than one symbol is presented in a box it indicates that the SEA has found more than one score for the category. Where the scores are both positive and negative, the boxes are deliberately not coloured. Where a box is coloured but also contains a ?, this indicates uncertainty over whether the effect could be a minor or significant effect although a professional judgement is expressed. A conclusion of uncertainty arises where there is insufficient evidence for expert judgement to conclude an effect. The reasons for the assessment are presented in Appendix D for each policy.</i></p>						
<p>S – short term (less than 0.75 year), M – medium term (between 0.75 and 5 years) and L – long term (&gt; 5 years)</p>						

**Table 4.2 Summary of the Effects of Retention of the West Midlands Regional Strategy (with reference to the West Midlands Regional Spatial Strategy policies)**

RS Policy No.	RS Policy Title	Alternative	Biodiversity, Flora and Fauna			Population and Human Health			Soil			Water			Air			Climatic Factors			Material Assets			Cultural Heritage			Landscape								
			S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L						
CC1	Climate Change	Retention	+	+	+/?	+	+	+/?	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+/?	0	0	0	0	0	0	0	0	0	0	0	0
UR1	Implementing an Urban Renaissance – the MUAs	Retention	+	+	+	+	+	++	+	+	+	0	0	0	?	?	?	+	+	+	0	0	0	?	?	?	+	+	+	+	+	+			
UR1A	Black Country Regeneration Policies	Retention	0	0	0	+	+	+++	+	+	+	0	0	0	0	0	0	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+			
UR1B	Housing and Employment Land	Retention	0	0	0	+	+	++	0	0	0	0	0	0	0	0	0	+	+	+	+	+	+	+	+	+	0	0	0	+	+	+			
UR1C	Strategic Office Development in the Black Country	Retention	0	0	0	+	+	++	0	0	0	0	0	0	0	0	0	+	+	+	+	+	+	+	+	+	0	0	0	+	+	+			
UR1D	Retail Floorspace	Retention	0	0	0	+	+	+	0	0	0	0	0	0	0	0	0	0	0	0	0	0	+	+	+	+	0	0	0	0	0	0			
UR2	Towns and Cities Outside Major Urban Areas	Retention	0	0	0	+	+	+	0	0	0	0	0	0	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	0	0	0			
UR3	Enhancing the role of City, Town and District Centres	Retention	0	0	0	+	+	++	0	0	0	0	0	0	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	0	0	0			

RS Policy No.	RS Policy Title	Alternative	Biodiversity, Flora and Fauna			Population and Human Health			Soil			Water			Air			Climatic Factors			Material Assets			Cultural Heritage			Landscape		
			S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L
UR4	Social Infrastructure	Retention	0	0	0	+	+	+ / ?	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	+	+	0	0	0
RR1	Rural Renaissance	Retention	+	+	+	+	+	+	0	0	0	0	0	0	0	0	0	0	0	+	0	0	0	0	0	0	+	+	+
RR2	The Rural Regeneration Zone	Retention	0	0	0	+	+	+	0	0	0	0	0	0	0	0	+	0	0	0	0	0	0	0	0	0	0	0	+
RR3	Market Towns	Retention	0	0	0	+	+	+	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	+	+	+	+	+	+
RR4	Rural Services	Retention	0	0	0	+	+	+	0	0	0	0	0	0	0	0	+	0	0	+	0	0	0	0	0	0	0	0	0
CF1	Housing Within Major Urban Areas	Retention	- / ?	- / ?	- / ?	+	+	+	0	0	0	0	0	0	-	-	-	0	0	-	-	-	-	0	0	0	0	0	0
CF2	Housing beyond the Major Urban Areas	Retention	0	0	0 / ?	0	+	+	0	0	- / ?	0	0	- / ?	0	0	- / ?	0	0	- / ?	0	0	-	0	0	0	0	0	- / ?
CF3	Levels and distribution of housing development	Retention	0	0	- / ?	0	+	+	0	0	- / ?	0	-	- / ?	0	0	- / ?	0	0	- / ?	0	0	-	0	0	0	0	0	- / ?



RS Policy No.	RS Policy Title	Alternative	Biodiversity, Flora and Fauna			Population and Human Health			Soil			Water			Air			Climatic Factors			Material Assets			Cultural Heritage			Landscape			
			S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	
CF4	The reuse of land and buildings for housing	Retention	0	0	+/?	+	+	+	+	+	+	0	0	0	0	0	0	+	+	+	+	+	+	?	?	?	0	0	0	
CF5	Delivering affordable housing and mixed communities	Retention	0	0	+	+	+	+	0	0	0	0	0	0	0	0	+	0	+	0	0	0	0	0	0	0	0	0	0	
CF6	Managing housing land provision	Retention	0	0	+/?	+	+	+	+	+	+/?	0	0	+	0	0	+	+/?	+	+	+	+	+	?	?	?	0	0	0	
PA1	Prosperity for All	Retention	+	+	+/?	+	+	+	?	?	?	?	?	?	0	0	-/?	0	0	-/?	-	-	-	-	+	+	+/?	+	+	+/?
PA2	Urban Regeneration Zones	Retention	0	0	0	+	+	+	0	0	0	0	0	0	0	0	0	+	+	+	0	0	0	0	0	0	0	0	0	0
PA3	High-Technology Corridors	Retention	0	0	0	+	+	+	0	0	0	0	0	0	0	0	-/?	0	0	0	0	0	0	0	0	0	0	0	0	0
PA4	Development related to Higher/Further Education and Research Establishment and incubator units	Retention	0	0	0	+	+	+	0	0	0	0	0	0	0	0	+	0	0	0	0	0	0	0	0	0	0	0	0	0
PA5	Employment Areas in Need of Modernisation and Renewal	Retention	0	0	0	+	+	+	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

RS Policy No.	RS Policy Title	Alternative	Biodiversity, Flora and Fauna			Population and Human Health			Soil			Water			Air			Climatic Factors			Material Assets			Cultural Heritage			Landscape			
			S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	
PA6	Portfolio of Employment Land	Retention	0	0	0	+	+	+	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
PA7	Regional Investment Sites	Retention	0	0	0	+	+	+	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
PA8	Major Investment Sites	Retention	0	0	0	+	+	+	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
PA9	Regional Logistic Sites	Retention	0	0	- / ?	+	+	+	0	0	- / ?	0	0	0	0	0	- / ?	0	0	0	0	0	0	0	0	0	0	0	0	0
PA10	Tourism & Culture	Retention	0	0	+ / ?	0	0	+	0	0	0	0	0	0	0	- / ?	0	0	0	0	0	0	0	+	+	0	0	+ / ?		
PA11	The Network of Town and City Centres	Retention	+	+	+	+	+	+	+	+	+	0	0	0	0	+	+	0	?	?	?	?	?	?	?	?	0	0	0	
PA11A	Brierley Hill and Dudley	Retention	0	0	0	+	+	+	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
PA12	Birmingham's Role as a World City	Retention	0	0	0	+	+	+	0	0	0	0	0	0	0	+	0	0	+	0	0	0	0	+	+	0	0	0		
PA13	Out-of-Centre Retail Development	Retention	+	+	+	+	+	+	+	+	+	0	0	0	0	+	0	0	+	0	0	0	0	0	0	+	+	+		
PA14	Economic Development and the Rural Economy	Retention	0	0	?	+	+	+	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	?	?		
PA15	Agricultural and Farm Diversification	Retention	0	0	+	+	+	+	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	+		

RS Policy No.	RS Policy Title	Alternative	Biodiversity, Flora and Fauna			Population and Human Health			Soil			Water			Air			Climatic Factors			Material Assets			Cultural Heritage			Landscape		
			S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L			
QE1	Conserving and Enhancing the Environment	Retention	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	0	0	0	+	+	+	+	+	++
QE2	Restoring degraded areas and managing and creating high quality new environments	Retention	0	+	+	0	+	+	+	+	+	+	+	+	+	+	+	+	+	+	0	0	0	+	+	+	0	+	++
QE3	Creating a high quality built environment for all	Retention	+	+	+	+	+	+	+	+	+	0	0	0	0	0	+	0	0	+	0	0	0	+	+	+	+	+	+
QE4	Greenery, Urban Greenspace and Public Spaces	Retention	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	0	0	0	0	0	0	+	+	+
QE5	Protection and enhancement of the Historic Environment	Retention	+	+	+	+	+	+	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	+	+	+	+	+	++
QE6	The conservation, enhancement and restoration of the Region's landscape	Retention	+	+	+	+	+	+	0	0	0	0	0	+	0	0	0	+	+	+	0	0	0	+	+	+	+	+	++
QE7	Protecting, managing and enhancing the Region's Biodiversity and Nature Conservation Resources	Retention	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	0	0	0	+	+	+	+	+	++
QE8	Forestry and Woodlands	Retention	+	+	+	+	+	+	+	+	+	0	0	0	+	+	+	+	+	+	0	0	0	+	+	+	+	+	+

RS Policy No.	RS Policy Title	Alternative	Biodiversity, Flora and Fauna			Population and Human Health			Soil			Water			Air			Climatic Factors			Material Assets			Cultural Heritage			Landscape		
			S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L
QE9	The Water Environment	Retention	0	0	0	0	0	0	0	0	0	0	+	+	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
EN1	Energy Generation	Retention	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	+	+	+	0	0	0	0	0	0	0	0	0
EN2	Energy Conservation	Retention	0	0	0	+	+	+	0	0	0	0	0	0	0	0	0	+	+	+	+	+	+	0	0	0	0	0	0
M1	Mineral Working for Non-Energy Minerals	Retention	+	+	+	0	0	0	0	0	0	0	0	0	0	0	0	0	0	+	+	+	0	0	0	+	+	+	
M2	Minerals-Aggregates	Retention	+	+	+	0	0	0	0	0	0	0	0	0	0	0	0	0	0	+	+	+	0	0	0	+	+	+	
M3	Minerals – The Use of Alternatives Sources of Materials	Retention	+	+	+	0	0	0	0	0	0	0	0	0	0	0	0	0	0	+	+	+	0	0	0	+	+	+	
M4	Energy Minerals	Retention	+	+	+	0	0	0	0	0	0	0	0	0	0	0	0	0	0	+	+	+	0	0	0	+	+	+	
WD1	Targets for Waste Management in the Region	Retention	+	+	+	0	0	0	0	0	0	0	0	0	0	0	+	0	0	0	+	+	+	0	0	0	+	+	+
WD2	The Need for Waste Management Facilities – by Sub-Region	Retention	+	+	+	0	0	0	0	0	0	0	0	0	0	0	0	0	0	+	+	+	0	0	0	+	+	+	
WD3	Criteria for Location of Waste Management Facilities	Retention	+	+	+	0	0	0	0	0	0	0	0	0	0	0	0	0	+	+	+	+	0	0	0	+	+	+	

RS Policy No.	RS Policy Title	Alternative	Biodiversity, Flora and Fauna			Population and Human Health			Soil			Water			Air			Climatic Factors			Material Assets			Cultural Heritage			Landscape		
			S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L
T1	Developing accessibility and mobility within the Region to support the Spatial Strategy	Retention	0	0	0	+	+	+	0	0	0	0	0	0	+	+	+	+	+	+	0	0	0	0	0	0	0	0	0
T2	Reducing the need to travel	Retention	0	0	0	+	+	+	0	0	0	0	0	0	+	+	+	+	+	+	0	0	0	0	0	0	0	0	0
T3	Walking and cycling	Retention	0	0	0	+	+	+	0	0	0	0	0	0	+	+	+	+	+	+	0	0	0	0	0	0	0	0	0
T4	Promoting travel awareness	Retention	0	0	0	+	+	+	0	0	0	0	0	0	+	+	+	+	+	+	0	0	0	0	0	0	0	0	0
T5	Public Transport	Retention	0	0	0	+	+	+	0	0	0	0	0	0	+	+	+	+	+	+	0	0	0	0	0	0	0	0	0
T6	Strategic Park & Ride	Retention	0	0	0	+	+	+	0	0	0	0	0	0	+	+	+	+	+	+	0	0	0	0	0	0	0	0	0
T7	Car Parking Standards and Management	Retention	0	0	0	+	+	+	0	0	0	0	0	0	+	+	+	+	+	+	0	0	0	0	0	0	0	0	0
T8	Demand Management	Retention	0	0	0	+	+	+	0	0	0	0	0	0	+	+	+	+	+	+	0	0	0	0	0	0	0	0	0
T9	The Management and Development of National and Regional Transport Networks	Retention	0	0	0	+	+	+	0	0	0	0	0	0	+	+	+	+	+	+	0	0	0	0	0	0	0	0	0
T10	Freight	Retention	0	0	0	+	+	+	0	0	0	0	0	0	+	+	+	+	+	+	0	0	0	0	0	0	0	0	0

RS Policy No.	RS Policy Title	Alternative	Biodiversity, Flora and Fauna			Population and Human Health			Soil			Water			Air			Climatic Factors			Material Assets			Cultural Heritage			Landscape		
			S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L
T11	Airports	Retention	0	0	0	+	+	+	0	0	0	0	0	0	-	-	-	-	-	0	0	0	0	0	0	0	0	0	
T12	Priorities for Investment	Retention	?	?	?	+	+	+	?	?	?	?	?	?	?	?	?	?	?	?	?	?	?	?	?	?	?		

### 4.3.1 Likely Significant Effects

#### Climate Change

Policy CC1 stands at the head of the Regional Strategy, reflecting the seriousness of the issue and the role of all other policies in addressing it. Policy CC1 is a generic and aspirational policy which addresses how the spatial planning system can mitigate the impacts of climate change across the West Midlands. The implementation of policy CC1 will result in generally positive outcomes across the SEA themes, but particularly for biodiversity, population and human health and climatic factors, notwithstanding uncertainty over outcomes over the longer term. This reflects the positive intentions of policy but the difficulty in anticipating long term impacts. However, given the broad character of the policy, it is anticipated that the effects of retention in the long term are likely to be broadly similar to the effects of revocation as measures addressing climate change are taken up through the provisions of the NPPF (section 10, para 93-108) which seek to ensure that new development does not contribute to climate change and is resilient to its likely effects.

**The effects of retention of the policy are judged to be broadly positive, neutral or uncertain across the SEA topics.**

#### Urban Renaissance

Policies UR1-UR4 establish the framework for delivering a regeneration-led approach to development across the region's urban areas. Focusing development on the Main Urban Areas (MUAs) is intended to counteract the decentralising forces which are placing pressure on urban fringe and rural areas whilst creating problems of low-demand and investment in existing urban areas. In doing so, benefits for sustainable development are sought and this is reflected in the generally positive outcomes identified in the assessment.

**The assessment has not identified any areas where retention of these policies would have any negative effects – either minor or significant.**

#### Rural Renaissance

Balancing urban regeneration with rural regeneration is the focus of Policies RR1-4, recognising that rural areas can experience similar symptoms of lack of access to services, affordable housing and wider social exclusion. Market towns are recognised as a key focus for economic and social activity and this is reflected in the wide-ranging aspirations of Policy RR3 Market Towns. No significant effects (either positive or negative), nor minor negative effects were identified, reflecting the general aspirational nature of the policies and the detail of implementation being fundamental to location-specific impacts. These would be similar under revocation and retention.

**The assessment has not identified any areas where retention of these policies would have any negative effects – either minor or significant.**



## Communities for the Future

Policies CF1-6 establish a settlement hierarchy approach to the distribution of development (which is quantified only as annual delivery rates and not as an overall region target), focusing the bulk of development on the MUAs to aid regeneration, whilst recognising housing needs (particularly for affordable housing) across the region. The assessment identified a diverse range of potential impacts associated with retention, identifying the negative effects across a range of indicators of accommodating significant growth, yet the positive effects of using previously developed land, for example. Where Core Strategies have been adopted, these demonstrate that Regional Strategy housing targets have been carried forward.

A potential negative effect, particularly over the longer term, is that on water resources. Some parts of the region (notably to the west of Birmingham and the east of Stoke-on-Trent) are currently under water stress in terms of over-abstraction of surface and groundwater. This could be exacerbated by additional development. Measures to address these negative effects will be provided in part through the work of the water companies in the region. Further mitigation in the form of initiatives such as the Code for Sustainable Homes, and the NPPF requirement for local authorities to develop proactive strategies to mitigate the effects of climate change could also help to reduce the likely effects.

**The assessment has identified significant positive benefits (for population and human health) associated with retention of these policies, but potential negative effects associated with the use of already over-exploited water resources (notwithstanding opportunities for their mitigation through sustainable management).**

## Prosperity for All

Policies PA1-15 set out region-wide and sub-regional aspirations for the development of economic vigour and access to opportunities for West Midlands residents. The overarching objective, as set out in PA1, is to focus economic development and growth in the West Midlands in the region's Major Urban Areas. Policy PA1 will bring about sustainable development within the guiding principles of the UK Sustainable Development Strategy 2005 and contribute to the creation of sustainable communities described in the supporting text to policy PA1, in doing so it sets the overarching framework for the remainder of the West Midlands Regional Spatial Strategy.

The only specific requirement set out in policy PA1 is that local plans and Local Development Documents should help to meet obligations on carbon emissions and should adopt a precautionary approach to climate change by avoiding or minimising potential contributions to adverse change and incorporating measures which adapt as far as possible to unavoidable change. This should have positive effects on climatic factors in the short, medium and long term.

**The assessment found that retention would have largely neutral to positive effects, apart from some minor negative impacts associated with Regional Logistic Sites and the promotion of tourism, and these long-term impacts are uncertain.**

### Quality of the Environment

This diverse suite of policies (QE1-QE9, EN1-2, M1-M4, WD1-3) embraces an array of intentions, the majority of which, however, are overarching and generic. Their retention would result in neutral to positive impacts associated with the delivery of sub-regional and region-wide initiatives such as the enhancement of biodiversity and green infrastructure at a landscape scale.

The NPPF places great emphasis on the environment. Contributing to the conservation and enhancement of the natural environment and reducing pollution is one of the core planning principles in the NPPF together with conserving heritage assets in a manner appropriate to their significance.

**Retention of the Regional Strategy is judged to have neutral to positive impacts across the majority of policies reflecting the opportunities for the co-ordination of joint working to achieve biodiversity enhancement at a sub-regional scale, for example.**

### Transport and Accessibility

The approach to transport planning across the West Midlands is established in Policy T1 and elaborated in T2-12. Here the aspiration for a more sustainable approach to this issue through reducing the need to travel and reducing the transport intensity of economic activity, including freight, against criteria for reducing travel need, encouraging cycling and walking as well as reducing lack of mobility caused by income disparities, increasing resilience and providing opportunities and access to services for all. The policy also seeks to improve air quality and reduce greenhouse gas emissions, especially in the region's Major Urban Areas. As such the effects of revocation are judged to be neutral to positive overall, given the opportunities to balance negative impacts with positive measures for changing travel behaviour, for example.

The NPPF recognises the important role that transport plays in facilitating sustainable development and in contributing to wider sustainability and health objectives. It encourages solutions which support reductions in greenhouse gas emissions and reduce congestion. Local authorities are encouraged to work with neighbouring authorities and transport providers to develop strategies for the provision of viable infrastructure to support sustainable developments. Managing patterns of growth to make the fullest possible use of public transport, walking and cycling is one of the core planning principles identified in the NPPF.

The assessment has shown retention is associated with positive effects for population and health, air and climatic factors due to improved air quality and reduced potential for greenhouse gas emissions due to the emphasis on sustainable transport modes. This assessment reflects the positive approach to sustainable transport under the NPPF outlined on the previous paragraph which will be reflected in local

plans and decisions by local authorities. Transport networks transcend local authority boundaries and thus effective networks will require local authorities to work together to achieve sustainable approaches – the Duty to Co-operate provides the mechanism for this to happen.

The Highways Agency will continue to have responsibility for motorways and trunk roads and County Highway authorities and Unitary Authorities will exercise their transport responsibilities in liaison with local authorities and LEPs where appropriate.

Other effects through retention will be largely neutral or uncertain due to the uncertainty over location of particular elements of transport infrastructure. Many of the effects will depend on the ability to change travel behaviour and the demand for transport. There will also be minor negative effects on material assets due to the use of raw materials for the construction and maintenance of transport infrastructure.

**The overall effects of retention are judged to be neutral to positive in character, with the provisions of the NPPF creating a framework for activity through local plans.**

#### 4.4 **Effects of the Partial Revocation of the West Midlands Regional Strategy**

The reasonable alternatives to revocation that have been assessed are:

- Revoking all the quantified and spatially specific policies (for instance where a quantum of development, land for development or amounts of minerals to be extracted or waste disposal is allocated to a particular location in the region) and retaining for a transitional period the non spatial policies; or
- Retaining for a transitional period all the spatially specific policies where a quantum of development or land for development is allocated to a particular location in the region and revoking the non spatial policies, ambitions and priorities; or
- Retention for a transitional period of policies, the revocation of which may lead to likely significant negative environmental effects.

##### 4.4.1 **Revoking all the Quantified and Spatially Specific Policies**

**Table 4.3** summarises the effects of revoking only those policies that are quantified or spatially specific.

Table 4.3 Summary of the Effects of Revoking all the Quantified and Spatially Specific Policies

RS Policy No.	RS Policy Title	Alternative	Biodiversity, Flora and Fauna			Population and Human Health			Soil			Water			Air			Climatic Factors			Material Assets			Cultural Heritage			Landscape					
			S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L			
UR1	Implementing an Urban Renaissance – the MUAs	Revocation	+	+	+ / ?	+	+	+	+	+	+ / ?	0	0	0	?	?	?	+	+	+	0	0	0	?	?	?	+	+	+ / ?			
UR1A	Black Country Regeneration Policies	Revocation	0	0	0	+	+	+	+	+	+	0	0	0	0	0	0	+	+	+	+	+	+	+	+	+	+	+	+			
UR1B	Housing and Employment Land	Revocation	0	0	0	+	+	+	0	0	0	0	0	0	0	0	0	+	+	+	+	+	+	0	0	0	+	+	+			
UR1C	Strategic Office Development in the Black Country	Revocation	0	0	0	+	+	+	0	0	0	0	0	0	0	0	0	+	+	+	+	+	+	0	0	0	+	+	+			
UR1D	Retail Floorspace	Revocation	0	0	0	+	+	+	0	0	0	0	0	0	0	0	0	0	0	0	+	+	+	0	0	0	0	0	0			
UR2	Towns and Cities Outside Major Urban Areas	Revocation	0	0	0	+	+	+	0	0	0	0	0	0	+	+	+	+	+	+	+	+	+	+	+	+	0	0	0			
RR2	The Rural Regeneration Zone	Revocation	0	0	0	0	+	+	0	0	0	0	0	0	0	0	+	0	0	0	0	0	0	0	0	0	0	0	+			
CF1	Housing Within Major Urban Areas	Revocation	- / ?	- / ?	- / ?	+	+	+	0	0	0	0	0	0	-	-	-	0	0	-	-	-	-	0	0	0	0	0	0			
CF2	Housing beyond the Major Urban Areas	Revocation	0	0	0 / ?	0	0	+	0	0	- / ?	0	0	- / ?	0	0	- / ?	0	0	- / ?	0	0	-	0	0	-	0	0	0 / ?	0	0	- / ?
CF3	Levels and distribution of housing development	Revocation	0	0	- / ?	0	+	+	0	0	- / ?	0	-	- / ?	0	0	- / ?	0	0	- / ?	0	0	-	0	0	-	0	0	0 / ?	0	0	- / ?

RS Policy No.	RS Policy Title	Alternative	Biodiversity, Flora and Fauna			Population and Human Health			Soil			Water			Air			Climatic Factors			Material Assets			Cultural Heritage			Landscape					
			S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L			
CF4	The reuse of land and buildings for housing	Revocation	0	0	+ / ?	+	+	+	+	+	+	0	0	0	0	0	0	+	+	+	+	+	+	?	?	?	0	0	0			
CF5	Delivering affordable housing and mixed communities	Revocation	0	0	+	+	+	+	0	0	0	0	0	0	0	0	0	+	0	0	0	0	0	0	0	0	0	0	0	0	0	0
CF6	Managing housing land provision	Revocation	0	0	+ / ?	+	+	+	+	+	+ / ?	0	0	+	0	0	+	+	+ / ?	+	+	+	+	?	?	?	0	0	0			
PA2	Urban Regeneration Zones	Revocation	0	0	0	+	+	+	0	0	0	0	0	0	0	0	0	+	+	+	0	0	0	0	0	0	0	0	0			
PA3	High-Technology Corridors	Revocation	0	0	0	?	?	?	0	0	0	0	0	0	0	0	0	- / ?	0	0	0	0	0	0	0	0	0	0	0			
PA6	Portfolio of Employment Land	Revocation	0	0	0	+	+	+	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0			
PA7	Regional Investment Sites	Revocation	0	0	0	0	0	+	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0			
PA8	Major Investment Sites	Revocation	0	0	0	0	0	+ / ?	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0			
PA9	Regional Logistic Sites	Revocation	0	0	- / ?	+	+	+	0	0	- / ?	0	0	0	0	0	0	- / ?	0	0	0	0	0	0	0	0	0	0	0			
PA11	The Network of Town and City Centres	Revocation	+	+	+	+	+	+	+	+	+	0	0	0	0	+	+	0	?	?	?	?	?	?	?	?	0	0	0			
PA11A	Brierley Hill and Dudley	Revocation	0	0	0	+	+	+	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0			
PA12	Birmingham's Role as a World City	Revocation	0	0	0	+	+	+	0	0	0	0	0	0	0	0	+	0	0	+	0	0	0	+	+	+	0	0	0			

RS Policy No.	RS Policy Title	Alternative	Biodiversity, Flora and Fauna			Population and Human Health			Soil			Water			Air			Climatic Factors			Material Assets			Cultural Heritage			Landscape					
			S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L			
PA13	Out-of-Centre Retail Development	Revocation	+/?	+/?	+/?	+	+	+	+/?	+/?	+/?	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	+/?	+/?	+/?
QE5	Protection and enhancement of the Historic Environment	Revocation	+	+	+	+	+	+	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	+	+	+	+	+	+
M2	Minerals-Aggregates	Revocation	+	+	+	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	+	+	+	0	0	0	0	0	0	+	+	+
WD1	Targets for Waste Management in the Region	Revocation	+	+	+	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	+	+	+	0	0	0	0	0	0	+	+	+
WD2	The Need for Waste Management Facilities – by Sub-Region	Revocation	+	+	+	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	+	+	+	0	0	0	0	0	0	+	+	+
T5	Public Transport	Revocation	0	0	0	+	+	+	0	0	0	0	0	0	+	+	+	+	+	+	0	0	0	0	0	0	0	0	0	0	0	0
T11	Airports	Revocation	0	0	0	+	+	+	0	0	0	0	0	0	-	-	-	-	-	-	0	0	0	0	0	0	0	0	0	0	0	0
T12	Priorities for Investment	Revocation	?	?	?	+/?	+/?	+/?	?	?	?	?	?	?	?	?	?	?	?	?	?	?	?	?	?	?	?	?	?	?	?	?

<b>Score Key:</b>	<b>++</b> Significant Positive effect	<b>+</b> Minor positive effect	<b>0</b> No overall effect	<b>-</b> Minor negative effect	<b>--</b> Significant negative effect	<b>?</b> Score uncertain
<p>NB: where more than one symbol is presented in a box it indicates that the SEA has found more than one score for the category. Where the scores are both positive and negative, the boxes are deliberately not coloured. Where a box is coloured but also contains a ?, this indicates uncertainty over whether the effect could be a minor or significant effect. A conclusion of uncertainty arises where there is insufficient evidence for expert judgement to conclude an effect.</p> <p>The reasons for the assessment are presented in Appendix D for each policy.</p>						
<p>S – short term (less than 0.75 year), M – medium term (between 0.75 and 5 years) and L – long term (&gt; 5 years)</p>						

## Likely Significant Effects

There is only one policy where a potential significant negative environmental effect has been identified: Policy CF3-Levels and Distribution of Housing Development. However, the same effects are also identified for retention of the West Midland Regional Strategy. Neither alternative will remove the need for more houses within the region and the negative environmental consequences which can be associated with this. The identified effect concerns the substantial increase in consumer demand for water in an already water scarce region. Equally, there is also a significant positive effect on the population topic, as the intention of revocation is to boost significantly the supply of housing for example through initiatives such as the Community Infrastructure Levy, New Homes Bonus and the local retention of business rates to allow communities to meet their local housing needs and share the benefits and mitigate the negative effects of growth.

The revocation of policies UR1A, UR1B, UR1C, CF1, CF3, CF4, CF5 were also identified as having significant positive effects on the population topic. These policies support urban regeneration and housing supply. One of the key planning principles set out in the NPPF is to proactively drive and support sustainable development, and includes minimising negative impacts and providing net gains to the community where possible. Local authorities are expected to work collaboratively with neighbouring authorities and Local Enterprise Partnerships to determine the regeneration needs of their areas. The proposed duty to co-operate is expected to play a key role in this and LEPs can also play a key role in assisting local authorities to deliver. This is likely to provide the significant benefits to the community as reflected in the 'population topic'.

Given the provisions for the protection of the historic environment in the NPPF, both cultural heritage and landscape topics are expected to continue to be significantly positively affected under revocation of Policy QE5.

## Proposed Mitigation Measures

Concerning the potentially significant effect on scarce water resources of a growing population and employment, measures in the NPPF as well as the requirement to meet legally binding standards for air and water pollution should provide at least the same level environmental protection as is the case with the retention of the West Midlands Regional Strategy. In addition, water companies, through the completion of the Water Resource Management Plans have a duty to assess water supply and demand in their region on a rolling 5 year basis up to 25 years hence. The water resource planning process sets out, for those water resource zones in deficit (i.e. where demand exceeds supply) the measures needed to address the short fall. In determining future demand, population projections, housing needs and occupancy rates are used along with the effects of climate change on water availability. Preferred management options for each zone are usually a mix of water demand management measures (water metering, voluntary measures), leakage control and with supply measures (boreholes, reservoirs, bulk transfers, desalination plants).

4.4.2 Retaining all the Quantified and Spatially Specific Policies

Table 4.4 summarises the effects of retaining only those policies that are quantified or spatially specific.

Table 4.4 Summary of the Effects of Retaining all the Quantified and Spatially Specific Policies

RS Policy No.	RS Policy Title	Alternative	Biodiversity, Flora and Fauna			Population and Human Health			Soil			Water			Air			Climatic Factors			Material Assets			Cultural Heritage			Landscape		
			S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L
UR1	Implementing an Urban Renaissance – the MUAs	Retention	+	+	+	+	+	+	+	+	+	0	0	0	?	?	?	+	+	+	0	0	0	?	?	?	+	+	+
UR1A	Black Country Regeneration Policies	Retention	0	0	0	+	+	+	+	+	+	0	0	0	0	0	0	0	0	0	+	+	+	+	+	+	+	+	+
UR1B	Housing and Employment Land	Retention	0	0	0	+	+	+	0	0	0	0	0	0	0	0	0	0	0	0	+	+	+	+	+	+	0	0	0
UR1C	Strategic Office Development in the Black Country	Retention	0	0	0	+	+	+	0	0	0	0	0	0	0	0	0	0	0	0	+	+	+	+	+	+	0	0	0
UR1D	Retail Floorspace	Retention	0	0	0	+	+	+	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	+	+	+	0	0	0
UR2	Towns and Cities Outside Major Urban Areas	Retention	0	0	0	+	+	+	0	0	0	0	0	0	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+
RR2	The Rural Regeneration Zone	Retention	0	0	0	+	+	+	0	0	0	0	0	0	0	0	0	+	0	0	0	0	0	0	0	0	0	0	0
CF1	Housing Within Major Urban Areas	Retention	- / ?	- / ?	- / ?	+	+	+	0	0	0	0	0	0	-	-	-	0	0	0	-	-	-	0	0	0	0	0	0
CF2	Housing beyond the Major Urban Areas	Retention	0	0	0 / ?	0	+	+	0	0	- / ?	0	0	- / ?	0	0	- / ?	0	0	- / ?	0	0	-	0	0	0	0	0	0 / ?



RS Policy No.	RS Policy Title	Alternative	Biodiversity, Flora and Fauna			Population and Human Health			Soil			Water			Air			Climatic Factors			Material Assets			Cultural Heritage			Landscape					
			S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L			
CF3	Levels and distribution of housing development	Retention	0	0	- / ?	0	+	+	0	0	- / ?	0	-	- / ?	0	0	- / ?	0	0	- / ?	0	0	-	0	0	-	0	0	0 / ?	0	0	- / ?
CF4	The reuse of land and buildings for housing	Retention	0	0	+ / ?	+	+	+	+	+	+	0	0	0	0	0	0	0	+	+	+	+	+	+	+	+	?	?	?	0	0	0
CF5	Delivering affordable housing and mixed communities	Retention	0	0	+	+	+	+	0	0	0	0	0	0	0	0	0	+	0	0	+	0	0	0	0	0	0	0	0	0	0	0
CF6	Managing housing land provision	Retention	0	0	+ / ?	+	+	+	+	+	+ / ?	0	0	+	0	0	0	+	+	+	+	+	+	+	+	+	?	?	?	0	0	0
PA2	Urban Regeneration Zones	Retention	0	0	0	+	+	+	0	0	0	0	0	0	0	0	0	0	+	+	+	0	0	0	0	0	0	0	0	0	0	0
PA3	High-Technology Corridors	Retention	0	0	0	+	+	+	0	0	0	0	0	0	0	0	0	- / ?	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PA6	Portfolio of Employment Land	Retention	0	0	0	+	+	+	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PA7	Regional Investment Sites	Retention	0	0	0	+	+	+	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PA8	Major Investment Sites	Retention	0	0	0	+	+	+	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PA9	Regional Logistic Sites	Retention	0	0	- / ?	+	+	+	0	0	- / ?	0	0	0	0	0	0	- / ?	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PA11	The Network of Town and City Centres	Retention	+	+	+	+	+	+	+	+	+	0	0	0	0	+	+	0	?	?	?	?	?	?	?	?	?	?	?	0	0	0
PA11A	Brierley Hill and Dudley	Retention	0	0	0	+	+	+	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PA12	Birmingham's Role as a World City	Retention	0	0	0	+	+	+	0	0	0	0	0	0	0	0	0	+	0	0	+	0	0	0	0	0	+	+	0	0	0	0

RS Policy No.	RS Policy Title	Alternative	Biodiversity, Flora and Fauna			Population and Human Health			Soil			Water			Air			Climatic Factors			Material Assets			Cultural Heritage			Landscape					
			S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L	S	M	L			
PA13	Out-of-Centre Retail Development	Retention	+	+	+	+	+	+	+	+	+	0	0	0	0	0	0	+	0	0	+	0	0	0	0	0	0	0	0	+	+	+
QE5	Protection and enhancement of the Historic Environment	Retention	+	+	+	+	+	+	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	+	+	+	+	+	+
M2	Minerals-Aggregates	Retention	+	+	+	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	+	+	+	0	0	0	+	+	+
WD1	Targets for Waste Management in the Region	Retention	+	+	+	0	0	0	0	0	0	0	0	0	0	0	0	+	0	0	0	+	+	+	+	+	0	0	0	+	+	+
WD2	The Need for Waste Management Facilities – by Sub-Region	Retention	+	+	+	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	+	+	+	+	+	+	0	0	0	+	+	+
T5	Public Transport	Retention	0	0	0	+	+	+	0	0	0	0	0	0	+	+	+	+	+	+	+	+	+	0	0	0	0	0	0	0	0	0
T11	Airports	Retention	0	0	0	+	+	+	0	0	0	0	0	0	-	-	-	-	-	-	-	-	-	0	0	0	0	0	0	0	0	0
T12	Priorities for Investment	Retention	?	?	?	+	+	+	?	?	?	?	?	?	?	?	?	?	?	?	?	?	?	?	?	?	?	?	?	?	?	?

<b>Score Key:</b>	<b>++</b> Significant Positive effect	<b>+</b> Minor positive effect	<b>0</b> No overall effect	<b>-</b> Minor negative effect	<b>--</b> Significant negative effect	<b>?</b> Score uncertain
<p><i>NB: where more than one symbol is presented in a box it indicates that the SEA has found more than one score for the category. Where the scores are both positive and negative, the boxes are deliberately not coloured. Where a box is coloured but also contains a ?, this indicates uncertainty over whether the effect could be a minor or significant effect. A conclusion of uncertainty arises where there is insufficient evidence for expert judgement to conclude an effect.</i></p> <p><i>The reasons for the assessment are presented in Appendix D for each policy.</i></p>						
<p><i>S – short term (less than 0.75 year), M – medium term (between 0.75 and 5 years) and L – long term (&gt; 5 years)</i></p>						

## Likely Significant Effects

There is only one policy where a potential significant negative environmental effect has been identified: Policy CF3-Levels and Distribution of Housing Development. However, the same effects are also identified for revocation of the West Midlands Regional Strategy. Neither alternative will remove the need for more houses within the region and the negative environmental consequences which can be associated with this. The identified effect concerns the substantial increase in consumer demand for water in an already water scarce region.

The retention of policies UR1A, UR1B, UR1C, CF1, CF3, CF4, CF5 were also identified as having significant positive effects on the population topic. These policies support urban regeneration and housing supply. One of the key planning principles set out in the NPPF is to proactively drive and support sustainable development, and includes minimising negative impacts and providing net gains to the community where possible. Local authorities are expected to work collaboratively with neighbouring authorities and Local Enterprise Partnerships to determine the regeneration needs of their areas. The proposed duty to co-operate is expected to play a key role in this and LEPs can also play a key role in assisting local authorities to deliver. This is likely to provide the significant benefits to the community as reflected in the 'population topic'.

The retention of these policies may result in some confusion with the intent of the NPPF and how they are to be applied. The NPPF must be taken into account in the preparation of local and neighbourhood plans, and is a material consideration in planning decisions. The NPPF intends to ensure that the local plan is at the heart of the plan-led system and promotes local authorities and communities to plan to meet objectively assessed needs for housing and other forms of development for their areas which should include collaboration with other bodies where appropriate. Since local plans need to be in general conformity with the Regional Strategy, the retention of these policies could create confusion and potential conflict in the planning system. The retention of these policies would therefore be for a transitional period until local plans were revised and updated .

As the review of the Regional Strategy which stopped in May 2010 clearly demonstrates, the published figures for housing are known to be too high in some areas and too low in others. In the absence of a mechanism to review the policies in the future, these shortcomings would remain in place until the policies were revoked.

## Proposed Mitigation Measures

Retaining just the quantitative and spatially specific policies and revoking the rest of the Regional Strategy would remove the measures which were included in the Regional Strategy to mitigate the adverse effects of the proposed development. However, as with revocation of the whole Regional Strategy, measures to protect the environment are provided through the NPPF, other national policy and legislation. For example, the duty on water companies to produce Water Resource Management Plans and Drought Management Plans will continue to address the issue of water supply in the region whether or not the Regional Strategy is revoked in full, is partially revoked or is retained. Under the Renewables

Energy Directive, there is a legally-binding target to ensure 15% of energy comes from renewable sources by 2020 in the UK.

4.4.3 Retention of Policies, the Revocation of which may lead to likely Significant Negative Environmental Effects

The assessment has found that there are no policies in the West Midlands Regional Spatial Strategy or Regional Economic Strategy where the act of revocation will cause a significant negative effect whilst retaining the same policy will maintain a significant environmental benefit. As noted above for policy CF3 there is a significant negative effect on water resources; however, this is the same issue for both retention and revocation and will require a similar concerted effort by all interested parties to resolve, irrespective of the presence of the Regional Strategy itself.

4.5 Secondary, Cumulative and Synergistic Effects

In determining the significance of effects of a plan or programme, the SEA Directive requires that consideration is given to (amongst others) secondary, cumulative, synergistic effects on the environment. As a consequence, the potential for the plan for the revocation of the West Midlands Regional Strategy to have secondary, cumulative and synergistic effects on the region and in conjunction with other regional plans has been considered as part of each assessment and a summary of those effects identified is presented in **Table 4.5** against each of the SEA topics. Where relevant, these effects are identified as being short, medium, long term, permanent and temporary, positive and negative. This assessment is relative to the legislative and policy framework that remains in place once the Regional Strategies are revoked.

**Table 4.5 Cumulative Effects of the Plan to Revoke the West Midlands Regional Strategy**

Assessment Topic	Score	Summary
Biodiversity and Nature Conservation (which includes flora and fauna, and the functioning of ecosystems)	+/?	<p>Key indicators for biodiversity are the number and extent of protected areas and their condition. In particular, the Natural Environment White Paper states that 90% of priority wildlife habitats should be in recovering or favourable condition by 2020.</p> <p>This biodiversity resource could be adversely impacted by direct or secondary effects from housing development, particularly in relation to loss of Green Belt, and transport infrastructure as detailed in Appendix E, Biodiversity. In light of the level of development it proposed, the West Midlands Regional Strategy included a number of policies that provided protection and enhancement of biodiversity and nature conservation features which have been assessed in Appendix D resulting in the overall Regional Strategy having a positive cumulative effect on biodiversity, although there is a degree of uncertainty as how quickly and effectively this might be realised.</p> <p>Revocation could increase the number of additional homes delivered or alter the pattern of development in this or adjacent regions and thus the magnitude of the environmental impact, for example, increasing pressure on greenfield land. Revocation of the West Midlands Regional Strategy does not affect the legal requirement set out in the Conservation of Habitats and Species Regulations 2010 that a local planning authority must assess the implications of any plan or project likely to have an adverse effect on the integrity of a European site in accordance with the Habitats Directive. The Directive prohibits the adoption of any such plan or project</p>

Assessment Topic	Score	Summary
		<p>unless it must be adopted for imperative reasons of overriding public interest and there are no alternative solutions. For example, given the continued application of the legal and policy protection given to European and Ramsar sites and to SSSIs and further application of agri-environment schemes it is expected that revocation of the Regional Strategy would not change the positive direction of travel.</p> <p>Achievement of legally binding targets for water and air quality will also be significant contributory factors in improving the quality of areas important for wildlife, while enhanced provisions on aspects such as the delivery and protection of green infrastructure will play an important role in increasing the overall area with significant biodiversity value. Paragraph 114 of the NPPF provides for a policy on the creation, protection, enhancement and management of networks of green infrastructure. In addition, the introduction of Local Nature Partnerships announced in the Natural Environment White Paper which will complement existing local partnerships which deal with matters such as provision of green infrastructure will improve the chances of implementation. Statutory and policy protection for AONBs and National Parks will continue to protect the biodiversity value with these areas, at least in so far as the planning system is concerned.</p> <p>Despite the above commitments, it is recognised that there remain localised concerns on the effects on the biodiversity resource, particularly where habitats are water dependent, which could be impacted by direct or indirect effects from the increased demands for water and the effects on the availability of water arising from the effects of climate change. Severn Trent Water's Water Resource Management Plan seeks to balance such demands, and as it is subject to an appropriate assessment in accordance with the Habitats Directive, the likelihood of post mitigated residual effects remains small, although if they do occur they are most likely to affect non-designated sites and their associated biodiversity.</p>
Population (including socio-economic effects and accessibility)	++/?	<p>The West Midlands Regional Spatial Strategy contains a variety of policies concerning regeneration, housing provision and economic development. There are a range of significant positive benefits anticipated to accrue to communities and revocation is unlikely to affect this. One of the key planning principles set out in the NPPF is to proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. However, this should be in accordance with other policies in the NPPF which seek to minimise environmental effects. This includes minimising impacts on biodiversity and providing net gains where possible (paragraph 109), having access to high quality public transport facilities (paragraph 35) and aiming for a balance of land uses within their area so that people can be encouraged to minimise journey lengths for employment, shopping, leisure, education and other activities (paragraph 37).</p> <p>Local authorities are expected to work collaboratively with neighbouring authorities and Local Enterprise Partnerships to determine the regeneration needs of their areas. The proposed Duty to Co-operate is expected to play a key role in this and Local Enterprise Partnerships can also play a key role in assisting local authorities to deliver. This is likely to provide similar significant benefits as retention of the plan.</p>
Human Health	+	<p>National health related policies/strategies and programmes are primarily related to improving the health of populations and reducing health disparities. The disparities referred to are primarily geographic, ethnic and economic. The West Midlands Regional Spatial Strategy has a range of regeneration-led policies which specifically seeks to re-balance inequalities in service provision and access to jobs and training, improving housing quality and access to green spaces, for example.</p> <p>Revocation will not affect the intent of the policy; as noted above, local authorities are expected to work collaboratively with neighbouring authorities and Local Enterprise Partnerships to determine the regeneration needs of their areas. Similarly, revocation will not remove the need for more houses within the region. Indeed it is Government policy to boost significantly the supply of housing, for example through initiatives such as the Community Infrastructure Levy, New Homes Bonus and the local retention of business rates are intended to encourage a more positive attitude to growth and allow communities to share the benefits and mitigate the negative effects of growth. New homes are to be in locations accessible by sustainable means of transport, walking and cycling in particular are healthy activities and the NPPF is complementary to national initiatives such as the cycle to work scheme.</p> <p>Paragraph 114 of the NPPF provides for a policy (similar to that within the West Midlands Regional Spatial Strategy) to the creation, protection, enhancement and management of networks of green infrastructure. Indeed, paragraph 117 goes further. In addition, the</p>

Assessment Topic	Score	Summary
		introduction of Local Nature Partnerships announced in the Natural Environment White Paper which will complement existing local partnerships which deal with matters such as provision of green infrastructure will improve the chances of the delivery of the policy.
Soil and Geology (including land use, important geological sites, and the contamination of soils)	-1?	<p>The main adverse impacts on soil are a result of development and land cover under arable and horticulture has decreased by 9.1% between 1998 and 2007 across the UK. The West Midlands Regional Spatial Strategy has no specific policy covering the protection of the best and most versatile land.</p> <p>Policies in the NPPF seek to protect best and most versatile land (i.e. ALC Grades 1-3a); however, given the high percentage of agricultural land in the West Midlands which is classified as best and most versatile and given the scale of likely future development to meet population growth needs, it is likely that some greenfield land will be affected. Paragraph 114 of the NPPF provides for a policy on the creation, protection, enhancement and management of networks of green infrastructure. In addition, the introduction of Local Nature Partnerships announced in the Natural Environment White Paper which will complement existing local partnerships which deal with matters such as provision of green infrastructure will improve the chances of implementation</p> <p>At this stage the cumulative effects remain uncertain although likely to be negative in the short term. However, given the target in the Natural Environment White Paper (NEWP) that by 2030 all of England's soils will be managed sustainably and degradation threats tackled successfully along with further research, there remains the potential for this to be addressed in the long term.</p>
Water Quality and Resources (including as inland surface freshwater and groundwater resources, and inland surface freshwater, groundwater, estuarine, coastal and marine water quality)	-	<p>Water resources across significant parts of the West Midlands are under stress for a variety of reasons including over abstraction and additional development is likely to exacerbate this. Policy QE9 addresses the water environment and the importance of sustainable management of the resources. Revocation is not considered to affect the policy intent as it will be delivered by other policy and legislation by a range of organisations.</p> <p>The NPPF requires under paragraph 94 that local planning authorities should adopt proactive strategies to mitigate and adapt to climate change, taking full account of flood risk, coastal change and water supply and demand considerations. Paragraph 143 also sets out that local planning authorities will need to establish environmental criteria to ensure that permitted operations do not have unacceptable adverse impacts on the natural and historic environment or human health, including from ...impacts on the flow and quantity of surface and groundwater and migration of contamination from the site; and take into account the cumulative effects of multiple impacts from individual sites and/or a number of sites in a locality.</p> <p>Water companies, through the completion of the Water Resource Management Plans have a duty to assess water supply and demand in their region on a rolling 5 year basis up to 25 years hence. The water resource planning process sets out, for those water resource zones in deficit (i.e. where demand exceeds supply) the measures needed to address the short fall. In determining future demand, population projections, housing needs and occupancy rates are used along with the effects of climate change on water availability. Preferred management options for each zone are usually a mix of water demand management measures (water metering, voluntary measures), leakage control and with supply measures (boreholes, reservoirs, bulk transfers, desalination plants).</p> <p>Negative secondary, cumulative and synergistic effects will be avoided by the fact that abstraction from the aquifer will be governed by River Basin Management Plans, Catchment Abstraction Management Strategies (CAMS) and groundwater abstraction licences to manage any over-abstraction. The Environment Agency will continue to work with OFWAT, the water companies and other partners including the local authorities through River Basin Management Planning and CAMS to ensure the timely provision of the appropriate additional infrastructure for water supply to cater for the levels of development in the area in line with their water resource plans required under the Water Resources Management Plan Regulations. In managing water resources secondary, cumulative and synergistic effects on biodiversity sites will need to be taken into account. Nevertheless, additional pressures on water resources either with or without the Regional Strategy remain a concern and are scored negatively accordingly.</p>
Air Quality	0/-	The West Midlands Regional Spatial Strategy does not have any specific policies concerning air quality, and there is mixed air quality across the region closely related to the degree of urbanisation. However, revocation of the Regional Strategy will not affect the current trend in air quality or the localised effects noted. Negative secondary and cumulative effects on current levels of air quality will be avoided by the legal requirement to achieve the air quality standards set by European Directives, underpinned by national and locally derived solutions (for example,

Assessment Topic	Score	Summary
		the Action Plans for Air Quality Management Areas) and this is reflected in paragraph 124 of the NPPF which states that planning policies should sustain compliance with and contribute towards EU limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and the cumulative impacts on air quality from individual sites in local areas.
Climate Change (including greenhouse gas emissions, predicted effects of climate change and the ability to adapt)	+/?	<p>Along with other regions, the West Midlands will be affected by climate change, with impacts likely to be strongly related to increasing occurrence of extreme temperatures and rainfall and their consequences.</p> <p>There are two key aspects to climate change considered in this assessment. The first is the extent to which the region contributes to global emissions of greenhouse gases and the second is the extent to which regional planning facilitates adaptation and mitigation. Growth of housing, transport movement, waste generation and energy use are areas where a secondary effect in terms of increasing carbon dioxide emissions could be seen. In light of the level of development it proposed, the West Midlands Regional Strategy included a number of policies that sought to address transport growth and to achieve more sustainable transport modes and renewable energy targets which would help to reduce the region's contribution to climate change. Planning policy can facilitate adaptation and mitigation of the impacts of climate change and the Regional Strategy included a number of policies relating to avoidance of development in the floodplain, creation of green infrastructure etc.</p> <p>Revocation will not affect the intent (to move towards a low carbon economy) behind these policies. One of the 12 core principles of planning set out in paragraph 17 of the NPPF is to support the transition to a low carbon future, taking full account of flood risk and coastal change, and encourage the reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable resources (for example, by the development of renewable energy). Similarly, paragraph 94 of the NPPF states that local planning authorities should adopt proactive strategies to mitigate and adapt to climate change in line with the provisions of the Climate Change Act 2008.</p> <p>The NPPF seeks to support the move to a low carbon future, by stating that local planning authorities should plan for new development in locations and ways which reduce greenhouse gas emissions; actively support energy efficiency improvements to existing buildings; and when setting any local requirement for a building's sustainability, do so in a way consistent with the Government's zero carbon buildings policy and adopt nationally described standards. Specifically, local planning authorities are expected to identify opportunities where development can draw its energy supply from decentralised, renewable or low carbon energy supplies. From October 2012, the Green Deal will also improve the energy efficiency of the existing housing stock and supporting the drive to lower carbon emissions from households.</p> <p>There is a legally-binding target to ensure 15% of energy comes from renewable sources by 2020 and the UK Renewable Energy Strategy 2009 set out the path to meet it. While this target is 5% higher than that set out in the Regional Spatial Strategy it is not considered likely that revocation would result in significantly different effects than retaining the Regional Spatial Strategy.</p> <p>Following revocation of Regional Strategies, local authorities will be expected to continue to work together across administrative boundaries and with the Environment Agency to plan development that properly minimises the effects of climate change, particularly from flooding and coastal change. For flooding matters, local authorities already have a Duty to Co-operate under the Floods and Water Management Act 2010. This contains provisions that cover regional working and co-operation such as the bringing together of lead local flood authorities (unitary and county councils), who will have a Duty to Co-operate, to develop local strategies for managing local flood risk. In addition, the Flood Risk Regulations 2009 imposes a duty on the Environment Agency and lead local flood authorities to determine whether a significant flood risk exists in an area and if so to prepare flood hazard maps, flood risk maps and flood risk management plans.</p>
Waste Management and Minerals	+	<p>The policies of the West Midlands Regional Spatial Strategy reinforce aspects of national policy that will need to apply across the region if waste generation is to be successfully decoupled from economic growth. It respects the European and national policy context and, in seeking to achieve the required shift towards more sustainable waste management, builds on principles set out in the Waste Strategy for England and PPS10.</p> <p>Ensuring timely provision of appropriate facilities will have significant benefits on human health while reduce the amount of waste imported into the region should reduce traffic levels and have benefits for air quality. The reduction in the amount of waste disposed of to landfill will reduce</p>



Assessment Topic	Score	Summary
		<p>the risk of water contamination and emission of green house gases (i.e. methane). However, modern waste management practice seeks to prevent this.</p> <p>Viewing waste as a resource will have significant benefits to material assets from example by replacing primary aggregate with recycled construction waste and making effective use of recovered energy.</p> <p>The furtherance of mineral extraction, whilst avoiding any environmental sensitive areas remains a position that allows for further use of a non-renewable resource (and is reflected in the negative score against this topic). It is still likely that demand for minerals resources and the amount of waste generated will increase by virtue of the level of development therefore cumulative effects are likely to be negative (as would have been the case with retention). However, ensuring timely provision of appropriate waste management facilities will have significant secondary benefits on human health.</p>
Cultural Heritage (including architectural and archaeological heritage)	++/?	<p>Revocation will not affect the intent behind the Regional Spatial Strategy policies, as existing legislation protecting listed buildings, scheduled monuments, conservation areas and registered parks and gardens remain in place.</p> <p>Paragraphs 126 - 141 of the NPPF set out strong national policy on conserving and enhancing the historic environment. It states that local planning authorities should set out in their local plan a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats.</p> <p>When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be.</p> <p>The most important cultural heritage sites are subject to statutory protection. This is supported by national planning policy for the protection and conservation of the historic environment. Following revocation of Regional Strategies, local authorities would still need to continue to work together on conservation, restoration and enhancement of the heritage and historic environment.</p> <p>In planning for the historic environment, local authorities should continue to draw on available information, including data from partners, to address cross boundary issues; they should also continue to liaise with English Heritage to identify and evaluate areas, sites and buildings of local cultural and historic importance. Therefore, in the long term, revocation is likely to have a positive cumulative effect on heritage.</p>
Landscape and Townscape	+/?	<p>The West Midlands is home to several landscapes of national importance and landscape conservation was a specific policy in the West Midlands Regional Spatial Strategy (QE6). Revocation will not affect the intent behind the Regional Strategy policies as existing legislation and policy remain including protection for valued landscapes and nationally designated areas (which are also subject to statutory protection). Paragraph 115 of the NPPF maintains the policy basis for the legislation, stating that: <i>Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty.</i>The NPPF also maintains the policy previously contained in PPS7 that local planning authorities should set criteria based policies against which proposals for any development on or affecting protected landscape areas will be judged (paragraph 113), while landscape character assessments should be prepared where appropriate (paragraph 170). Furthermore, Paragraph 114 of the NPPF provides for a policy on the creation, protection, enhancement and management of networks of green infrastructure. In addition, the introduction of Local Nature Partnerships announced in the Natural Environment White Paper which will complement existing local partnerships which deal with matters such as provision of green infrastructure will improve the chances of implementation.</p>

Score Key:	Significant Positive ++	Positive +	No significant effects 0	Negative -	Significant negative --	Uncertain?	No relationship n/a
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The plan to revoke the Regional Strategies is however national in scope as well as applying to the eight regions. In consequence the wider implications and effects of the plan have also been considered.

A key principle of regional planning was to seek to provide consistency and efficiency in the provision of housing, employment and associated infrastructure, along with the protection and enhancement of environmental resources. Notwithstanding counter arguments as to the effectiveness with which a Regional Strategy might be implemented, their revocation raises issues as to the cumulative impacts and unintended consequences of their replacement through a localised approach.

In respect of setting local housing targets, over the medium and longer term, reliance on locally-generated housing figures could yield an increasing difference between authority areas within regions. Tensions may arise, where the Duty to Co-operate and housing market assessments require an agreed strategy to accommodate growth that is not viewed as equitable by the co-operating authorities. This could create disparities which are difficult to reconcile without significant interventions. However, under revocation there is also the opportunity for adjacent authorities in previously different regions to explore joint working which may help address some of the potential issues that could arise.

At a broader scale, there could be an increasing diversification of regional circumstances across the country, accentuating issues such as the north-south divide with wider socio-economic consequences and reliance on other policy instruments for their resolution. Macro-scale trends such as the decentralisation of population from urban areas are arguably more difficult to address through local initiatives, as is regeneration which might be more efficiently tackled through regional-scale policy. National transport policies such as HS2 and other measures to improve the effectiveness of national transport networks and the ease of accessibility between regions will become increasingly important to counter such potential effects.

If an effect of abolition is inter-regional differences then environmental effects could be exacerbated in some areas. For particular regions, this could be critical for resources such as water which, whilst addressed through mechanisms such as Water Resource Management Plans and the Environment Agency River Basin Management Plans, could be affected by absence of the strategic overview of regional planning which would seek to balance regional environmental capacity and the need for growth.

For the protection and enhancement of environmental resources more generally, the cumulative effects of the absence of regional policy frameworks and associated resources is harder to determine over the longer term. Whether Regional Strategies specifically relating to biodiversity and landscape resources, for example, can adequately realise their potential in the absence of a unifying policy framework is uncertain. Here, the cumulative impacts could be associated with increasingly lost opportunities to plan strategically for these interests.

The provision of renewable energy has been an issue which regional planning arguably seemed to be particularly fitted to help guide. Development of strategic renewable energy-generating capacity, whilst to some extent modified through co-operation, could over the longer term lead to sub-optimal provision as

localised interests perhaps come to the fore, and issues over the equity of provision and national interests are increasingly difficult to reconcile. As with the enhancement of natural resources, this could present a lost opportunity, only recognised over the longer term.

## 4.6 In summary

The assessment of the revocation of the West Midlands Regional Strategy has shown that there will be significant positive effects, although these will be largely similar to those that would arise were the Regional Strategy to be retained.

For many policies, it is difficult to identify specific differentiation between the effects of retention and revocation, given the strategic nature of the Regional Strategy policies and the degree to which they already devolved responsibility to local authorities. The provisions of the NPPF means that a basic framework for the delivery of sustainable development is in place which is compatible with the principles employed in the Regional Strategy. Local plans can therefore readily deliver the aspirations and proposals of the Regional Strategy, using additional mechanisms such as the Duty to Co-operate. However, additional uncertainty is introduced, particularly over the long term delivery of aspirations relating to biodiversity and landscape enhancement, for example which arguably benefit from regional and sub-regional co-ordination.

Where it occurs, differentiation is most clear in respect of housing and employment allocations where the negative effects of top-down allocations could be tempered by more detailed understanding of environmental capacity issues and possibly more diverse and locally-specific spatial distributions of development (e.g. less reliance on urban extensions). However, in the opinion of AMEC, revocation does score more uncertainly in the short and medium term. This is due to the transition period for those authorities who need need to establish the arrangements under the Duty to Co-operate to deliver such strategic policies and then reflect them in its adopted plan. The application of the NPPF's presumption in favour of sustainable development and its policies to boost the supply of housing will help where plans or policies are absent, silent or out of date.

In the case of a policy that provides a strategic direction and whose requirements extend beyond the boundaries of a single authority, such as strategic employment sites, there may be a difference in the short and medium term between retention and revocation. Equally, the work of the LEPs will continue to drive and support economic growth across the West Midlands, promoting strategic employment locations in Birmingham-Solihull and Black Country areas in particular as well promoting related infrastructure development. Efforts to stimulate growth in the more peripheral areas will continue under the partnership of the LEP and the emerging local plans for the area. Retention is likely to have significantly positive effects on the population topic and negative effects on biodiversity, air, water and material assets, in part because of the clarity and certainty provided. However, as in the previous example, revocation there will be some uncertainty until authorities define, agree and implement the Duty to Co-operate. However the application of the NPPF's presumption in favour of sustainable development and its policies to boost the supply of housing will help where plans or policies are absent, silent or out of date.

Under revocation, a number of policies that contain regional targets (such as those for brownfield land and renewable energy) will be lost. In the case of brownfield land, the NPPF does require preferential use of brownfield land and local planning authorities can still set local targets; however, the removal of the specific target could reduce the amount of brownfield land reused for development and lead to an increase in development on greenfield sites. In the case of renewable energy, the NPPF seeks to support the move to a low carbon future, by stating that local planning authorities should plan for new development in locations and ways which reduce greenhouse gas emissions. Specifically, local planning authorities are expected to identify opportunities where development can draw its energy supply from decentralised, renewable or low carbon energy supplies. Local effects however, will depend on decisions taken by local authorities in consultation with their communities, and by businesses and other partners, on the future scale, nature and location of housing and other development in order to meet identified need.

A number of issues are arguably more efficiently and effectively addressed across wider areas than local authority boundaries, in particular strategic employment sites, major infrastructure provision, biodiversity planning, climate change mitigation and adaptation, and renewable energy. Whilst the Duty to Co-operate could well address a wide range of strategic issues, such as the delivery of green infrastructure, it is AMEC's opinion that there is uncertainty as to how this might work, particularly in the short to medium term, both by topic and geographically. Some issues such as renewable energy, biodiversity enhancement or landscape conservation, which typically benefit from being planned at a wider geographical scale, may not have their potential realised.

More widely, and over the longer term, inter- and intra-regional differences could be magnified as a result of the sum of local decisions which reflect strongly varying circumstances such as housing demand. Equally, one of the key planning principles set out in the NPPF is to proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. This includes minimising negative impacts and providing net gains to the community where possible. Local authorities are expected to work collaboratively with neighbouring authorities and Local Enterprise Partnerships to determine the regeneration needs of their areas, for example.

Mitigation of the effects of revocation is likely to be diverse and perhaps sub-regionally specific. For example, in planning for water provision as part of new development, there is likely to be greater reliance on Water Resource Management Plans and co-operation between interested parties. Similarly, for issues such as biodiversity, greater co-operation and guarantees of funding could be required to achieve a similar outcome to that intended under the Regional Strategies.

## 5. Conclusions and Key Findings

### 5.1 What are the Environmental Effects of Revocation of the West Midlands Regional Strategy?

The assessment has identified that the revocation of the West Midlands Regional Strategy will be likely to result in a range of environmental effects across all of the topics identified in the SEA Directive.

The aspiration for the West Midlands Regional Spatial Strategy is to develop an “economically successful, outward looking and adaptable region, which is rich in culture and environment, where all people, working together, are able to meet their aspirations and needs without prejudicing the quality of life of future generations” by: adopting positive measures to address the relative decline in the Regional economy in both urban and rural areas; reversing the movement of people and jobs away from the Major Urban Areas (MUAs) and ensuring there is a greater equality of opportunity for all; tackling road and rail congestion; and d) achieving a more balanced and sustainable pattern of development, across the region, including rural areas. The policies for the West Midlands Regional Spatial Strategy and the Regional Economic Strategy are complementarily designed to achieve this vision.

With the revocation of the West Midlands Regional Strategy, local authorities and others will need to prepare and implement their local plans and other planning policy documents and to take planning decisions having due regard to the NPPF. The assessment of the revocation of the Regional Strategy has shown that there will be significant positive effects, although these will be largely similar to those if the strategy were retained. This reflects the fact that in some areas, such as provision for local employment and housing needs whilst protecting and enhancing environmental capital, the intent will be continued through other government policy, notably the NPPF. In some areas of policy the NPPF strengthens previous Regional Strategy commitments.

The revocation of the West Midlands Regional Strategy removes a number of quantitative based policies such as housing where specific dwelling allocations are made to individual local authorities. In the absence of this regional context it will be the responsibility of local authorities to work together under the Duty to Co-operate to best meet the needs of their areas in the most appropriate way having regard to the NPPF and where appropriate other policy and legislation (for example, the Government's planning policy for traveller sites published in March 2012). The Duty to Co-operate will require new ways of working for local authorities and this may lead to some delay in putting in place local plans and other planning policy or in establishing what the development needs are of their area having regard to the needs of others areas as well, an example being their housing market area which is likely to include a number of local authorities. It is AMEC's view that the net effect of this may be a slowing down of development in the short and medium term as the new approaches are implemented - this in turn may lead to a reduction in the positive and negative environmental effects over this short term. The application of the NPPF's presumption in favour of sustainable development and its policies to boost the supply of housing will help where plans or policies are absent, silent or out of date.

The only area where revocation of the Regional Strategy would lead to significant negative effects is in relation to water and in particular on water supply and it should be noted that similar policy performance is recorded for the retention alternative. Further development of a scale similar to that proposed in the West Midlands Regional Strategy is likely to have significant negative effects as identified, despite the positive impacts of the individual water policies set out in the Regional Strategy. The effects are likely to be minimised as far as possible through the operation of the region's water companies and through the application of policies in the NPPF and elsewhere which are designed to secure efficient water usage.

The assessment has also considered the reasonable alternative of retaining the West Midlands Regional Strategy. This has resulted in the identification of broadly similar environmental effects to revocation although there are important differences in short term effects as indicated above and potentially longer term through potentially greater uncertainty related to the effectiveness of implementation of some regional and sub-regional aspirations. Other reasonable alternatives assessed were partial revocation of the West Midlands Regional Strategy either by:

- Revoking all the quantified and spatially specific policies and retaining for a transitional period the non spatial policies, ambitions and priorities; or
- Retaining for a transitional period all the spatially specific policies where a quantum of development or land for development is allocated to a particular location in the region and revoking the non spatial policies, ambitions and priorities; or
- Retention for a transitional period of policies, ambitions and/or priorities, the revocation of which may lead to likely significant negative environmental effects.

These also resulted in the identification of similar environmental effects to full revocation although there are some important differences in the short and medium term as indicated above.

## 5.2 Proposals for Monitoring

It is a requirement of the SEA Directive to establish how the significant effects of revoking the Regional Strategy will be monitored. Article 10(2) of the SEA Directive specifically states that, where appropriate, existing monitoring arrangements may be used to assess the success of the appropriate plan in achieving its objectives. It does not require that targets be developed for the SEA itself.

CLG's Business Plan<sup>27</sup> under section 5 'Put Communities in charge of planning' includes specific monitoring actions for the department regarding the local plan making progress by authorities and on compliance with the duty to co-operate. The results of this monitoring will provide clarity over the extent of any delay in adoption of revised local plans. When reviewing the effects of the final decision on revocation, it is proposed that CLG will make periodic reference to the following metrics and sources of information contained in **Table 5.1**. The proposed indicators reflect those identified in the course of the gathering the evidence for this assessment, namely the review of plans, strategies and programmes and

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<sup>27</sup> CLG May 2012, Business Plan 2012-2015

collation of baseline information. They are proposed in part to minimise any additional burdens associated with collection and analysis of monitoring data.

Any resulting analysis of long term trends in the indicators will be used to consider whether any further mitigation or intervention is needed for the two categories identified in the SEA Directive, namely:

- The significant effects identified in the assessment that may give rise to irreversible damage, where appropriate, relevant mitigating measures can be taken; and
- Uncertain effects where monitoring would enable preventative or mitigating measures to be undertaken. .

Based on the findings of this assessment, the effects that should therefore be monitored include:

- Significant effects on water (RS Policy CF3).

Monitoring measures have also been proposed where there have been uncertain effects identified and these include:

- Uncertain effects on biodiversity (RS Policy CC1, UR1, UR3, UR4, CF1-4, CF6, PA1PA9, PA10, PA13-15, QE1-2, QE4, EN1, T12).
- Uncertain effects on population and human health (RS Policy CC1, UR2-4, RR3-4, PA7-8, PA12, QE1, T12).
- Uncertain effects on soil (RS Policy UR1, CF2-3, CF6, PA1, PA9, PA13, T12).
- Uncertain effects on water (RS Policy CF2-3, PA1, T12).
- Uncertain effects on air (RS Policy UR1-4, RR2, CF2-3, PA1, PA3, PA9-10, PA12-13, T12).
- Uncertain effects on climatic factors (RS Policy CC1, UR3, CF2-3, CF6, PA1, PA11-13, T12).
- Uncertain effects on material assets (RS Policy UR4, PA11, T12).
- Uncertain effects on cultural heritage (RS Policy CC1, UR1, UR4, CF1-4, CF6, PA1, PA11-12, EN1, T12).
- Uncertain effects on landscape (RS Policy CC1, UR2, CF2-3, PA1, PA10, PA13-15, QE1-2, EN1, T12).

Taking this into account, of the 12 topics considered in this SEA, it is proposed that monitoring should focus on the following indicators and sources of information, as set out in **Table 5.1**.

Table 5.1 Potential Environmental Monitoring Indicators

SEA Topics	Monitoring Measure	Source(s) of Information
<b>Biodiversity, Flora and Fauna</b>	<p>Annual (where information allows) trends in:</p> <ul style="list-style-type: none"> <li>• Condition reports for designated sites</li> <li>• Threatened habitats and species</li> <li>• Populations of countryside birds</li> <li>• Surface water biological indicators</li> </ul>	<p>JNCC report under Article 17 of the Habitats Directive (completed every 6 years) on the conservation status of protected habitats            Joint Nature Conservation Committee  <a href="http://www.jncc.gov.uk/page-4241">http://www.jncc.gov.uk/page-4241</a>  <a href="http://jncc.defra.gov.uk/page-4239">http://jncc.defra.gov.uk/page-4239</a>  <a href="http://jncc.defra.gov.uk/page-4238">http://jncc.defra.gov.uk/page-4238</a>  <a href="http://jncc.defra.gov.uk/page-4235">http://jncc.defra.gov.uk/page-4235</a>  <a href="http://www.sssi.naturalengland.org.uk/Special/sssi/report.cfm?category=R.RF">http://www.sssi.naturalengland.org.uk/Special/sssi/report.cfm?category=R.RF</a>            Department for Environment, Food and Rural Affairs (Defra)  <a href="http://www.defra.gov.uk/statistics/environment/inland-water/">http://www.defra.gov.uk/statistics/environment/inland-water/</a>            The Environment Agency (EA) are responsible for monitoring water quality under the Water Framework Directive</p>
<b>Population</b>	<p>Annual (where information allows) trends in:</p> <ul style="list-style-type: none"> <li>• Employment Information</li> <li>• Population</li> <li>• Housing and additional net dwellings</li> </ul>	<p>Office of National Statistics reports, specifically Regional Trends and Regional Gross Value Added            Department for Communities and Local Government (DCLG) statistics: Annual net additional dwellings, Housebuilding: permanent dwellings completed by tenure and region</p>
<b>Human Health</b>	<p>Annual (where information allows) trends in:</p> <ul style="list-style-type: none"> <li>• National Statistics – Long term illness, etc.</li> <li>• Crime</li> <li>• Deprivation</li> <li>• Access to and quality of the local environment</li> </ul>	<p>Office of National Statistics (ONS) on health            Home Office, Crime Survey for England and Wales            DCLG statistics: Indices of Deprivation            ONS (proposed measures of wellbeing)</p>
<b>Soil and Geology</b>	<p>Annual (where information allows) trends in:</p> <ul style="list-style-type: none"> <li>• Land use</li> </ul>	<p>DCLG statistics</p>
<b>Water</b>	<p>Annual (where information allows) trends in:</p> <ul style="list-style-type: none"> <li>• % of catchments with good ecological status</li> <li>• Water resource availability</li> <li>• Per capita water consumption</li> </ul>	<p>EA &amp; Defra  <a href="http://www.defra.gov.uk/statistics/environment/inland-water/">http://www.defra.gov.uk/statistics/environment/inland-water/</a>            Severn Trent Water</p>

SEA Topics	Monitoring Measure	Source(s) of Information
<b>Air</b>	Annual (where information allows) trends in: <ul style="list-style-type: none"> <li>• Number of AQMAs</li> <li>• Number of AQMAs were exceedances occurred.</li> </ul>	Defra Defra
<b>Climatic factors</b>	Annual (where information allows) trends in: <ul style="list-style-type: none"> <li>• Emission of greenhouse gases</li> <li>• Number of properties at risk of flooding</li> </ul>	Department for Energy and Climate Change (DECC) Statistical Release: Local and regional CO2 emissions  EA
<b>Material Assets</b>	Annual (where information allows) trends in: <ul style="list-style-type: none"> <li>• Volume of construction waste and proportions recycled</li> <li>• Volume of hazardous waste</li> <li>• Volume of controlled wastes and proportions recycled</li> <li>• Volume of minerals extracted</li> </ul>	EA  EA EA West Midlands Mineral Planning Authorities
<b>Cultural heritage, including architectural and archaeological heritage</b>	Annual (where information allows) trends in: <ul style="list-style-type: none"> <li>• % of heritage assets of different types that are at risk</li> </ul>	English Heritage 'Heritage at risk report'
<b>Landscape and Townscape</b>	Annual (where information allows) trends in: <ul style="list-style-type: none"> <li>• Change in AONBs (area, threats and quality)</li> <li>• Changes in Conservation Areas</li> <li>• Percentage who are very or fairly satisfied with local area</li> <li>• Trend in number of vacant dwellings</li> </ul>	National Association of AONBs  English Heritage (if 2003 survey repeated)  ONS (proposed measures of wellbeing) DCLG <a href="http://www.communities.gov.uk/documents/housing/xls/1815794.xls">http://www.communities.gov.uk/documents/housing/xls/1815794.xls</a>



## 5.3 Quality Assurance

The Government's Guidance on SEA contains a quality assurance checklist to help ensure that the requirements of the SEA Directive are met. Those relevant to this stage have been highlighted below.

**Table 5.2 Quality Assurance**

<b>Objectives and Context</b>	
The plan's purpose and objectives are made clear.	Presented in <b>Section 2</b> .
Environmental issues, including international and EC objectives, are considered in developing objectives and targets.	International and European objectives and targets are identified in <b>Appendix E</b> .
SEA objectives are clearly set out and linked to indicators and targets where appropriate.	<b>Section 3.1</b> presents the SEA Topics and Table 5.1 links these to indicators.
Links to other related plans, programmes and policies are identified and explained.	<b>Appendix E</b> identifies relevant plans, programmes and policies.
<b>Scoping</b>	
The environmental consultation bodies are consulted in appropriate ways and at appropriate times on the content and scope of the Scoping Report.	<p>The Consultation Bodies in England<sup>28</sup> were consulted on the scope and level of detail of the environmental reports on 6 May 2011 for five weeks. The equivalent bodies in the Devolved Administrations were also consulted on the reports for regions on their boundaries.</p> <p>Their comments were used as the basis for deciding the scope and level of detail of the material included in the environmental reports. Consideration was also given to more detailed textual comments provided by the consultation bodies.</p> <p><b>Section 1.5.2</b> presents information on scoping consultation.</p>
The SEA focuses on significant issues.	<b>Section 3.2</b> sets out the scope of the assessment. These issues reflect the views of the scoping consultees as detailed in <b>Section 1.5.2</b> . The significant issues are identified in Appendix E for each of the 12 SEA topics.
Technical, procedural and other difficulties encountered are discussed; assumptions and uncertainties are made explicit.	<b>Section 3.5</b> identifies the technical difficulties encountered in completing this report.
Reasons are given for eliminating issues from further consideration.	No issues were eliminated from further consideration.
<b>Alternatives</b>	

<sup>28</sup> The Environment Agency, English Heritage and Natural England

Realistic alternatives are considered for key issues, and the reasons for choosing them are documented.	Alternatives were identified in <b>Section 2.4</b> .
Alternatives include 'do minimum' and/or 'business as usual' scenarios wherever relevant.	Alternatives were identified in <b>Section 2.4</b> .
The environmental effects (both adverse and beneficial) of each alternative are identified and compared.	Refer to <b>Section 4, 5</b> and <b>Appendix D and E</b> .
Inconsistencies between the alternatives and other relevant plans, programmes or policies are identified and explained.	Refer to <b>Section 2.4</b> .
Reasons are given for selection or elimination of alternatives.	These are presented in <b>Sections 2.4</b> and <b>5</b> .
<b>Baseline Information</b>	
Relevant aspects of the current state of the environment and their likely evolution without the plan are described.	Refer to <b>Appendix E</b> where baseline information is provided for each SEA topic considered.
Characteristics of areas likely to be significantly affected are described, including areas wider than the physical boundary of the plan area where it is likely to be affected by the plan where practical.	Refer to <b>Appendix C, D and E</b>
Difficulties such as deficiencies in information or methods are explained.	These are stated throughout the report where appropriate.
<b>Prediction and Evaluation of Significant Environmental Effects</b>	
Effects identified include the types listed in the Directive (biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage and landscape) as relevant; other likely environmental effects are also covered as appropriate.	These are set out in <b>Appendix D and E</b> and summarised in <b>Section 4 and 5</b> .
Both positive and negative effects are considered, and the duration of effects (short, medium, or long term) is addressed.	These are set out in <b>Appendix D and E</b> and summarised in <b>Section 4 and 5</b> .
Likely secondary, cumulative and synergistic effects are identified where practicable.	These are set out in <b>Appendix D and E</b> and summarised in <b>Section 4</b> .
Inter-relationships between effects are considered where practicable.	These are set out in <b>Appendix D and E</b> and summarised in <b>Section 4 and 5</b> .
The prediction and evaluation of effects makes use of relevant accepted standards, regulations and thresholds.	Refer to individual topic chapters in <b>Appendix E</b> and <b>Section 3.4.2</b> .
Methods used to evaluate the effects are described.	These are described in <b>Section 3.4</b> .
<b>Mitigation Measures</b>	
Measures envisaged to prevent, reduce and offset any significant adverse effects of implementing the plan or programme are indicated.	These are set out in <b>Appendix D and E</b> and summarised in <b>Section 4 and 5</b> .
Issues to be taken into account in project consents are identified.	If relevant, these are set out in <b>Appendix D and E</b> and summarised in <b>Section 4 and 5</b> .

<b>Environmental Report</b>	
Is clear and concise in its layout and presentation.	The layout of the Environmental Report is set out in <b>Section 1.6</b> . The structure was subject to early consultation and review as part of scoping.
Uses simple, clear language and avoids or explains technical terms.	The Environmental Report has been written in plain English as far as the technical nature of the report allows.
Uses maps and other illustrations where appropriate.	Figures and tables have been used throughout the SEA Report and in <b>Appendix E</b> where appropriate.
Explains the methodology used.	This is presented in <b>Section 3</b> .
Explains who was consulted and what methods of consultation were used.	This is covered in <b>Section 1.5</b> .
Identifies sources of information, including expert judgement and matters of opinion.	References to information sources are provided throughout the report and <b>Appendix E</b> where appropriate.
Contains a non-technical summary covering the overall approach to the SEA, the objectives of the plan, the main options considered, and any changes to the plan resulting from the SEA.	An <b>NTS</b> is provided as a stand alone document to the Environmental Report.
<b>Consultation</b>	
The SEA is consulted on as an integral part of the plan-making process.	<p>The completed previous Environmental Reports were sent to the Consultation Bodies in England and the equivalent bodies in the devolved administrations and simultaneously published for public consultation on 20 October 2011. The consultation period ended on 20 January 2012. As the Environmental Reports dealt with the effects of the revocation and not the adoption of plans, there were no draft plans to consult on.</p> <p>This Environmental Report will be published for consultation in autumn 2012.</p>
Consultation Bodies and the public likely to be affected by, or having an interest in, the plan or programme are consulted in ways and at times which give them an early and effective opportunity within appropriate timeframes to express their opinions on the draft plan and Environmental Report.	<p>The completed Environmental Reports were sent to the Consultation Bodies in England and the equivalent bodies in the devolved administrations and simultaneously published for public consultation on 20 October 2011.</p> <p>This Environmental Report will be published for consultation in autumn 2012.</p>
<b>Decision-making and Information on the Decision</b>	
The Environmental Report and the opinions of those consulted are taken into account in finalising and adopting the plan or programme.	This will be included in the Post Adoption Statement (to be issued following consultation).
An explanation is given of how they have been taken into account.	This will be included in the Post Adoption Statement (to be issued following consultation).

Reasons are given for choosing the plan or programme as adopted, in the light of other reasonable alternatives considered.	This will be included in the Post Adoption Statement (to be issued following consultation).
<b>Monitoring Measures</b>	
Measures proposed for monitoring are clear, practicable and linked to the indicators and objectives used in the SEA.	These are presented in <b>Section 5.2</b> .
Monitoring is used, where appropriate, during implementation of the plan or programme to make good deficiencies in baseline information in the SEA.	Details of this are provided in <b>Section 5.2</b> .
Monitoring enables unforeseen adverse effects to be identified at an early stage (these effects may include predictions which prove to be incorrect).	Details of this are provided in <b>Section 5.2</b> .
Proposals are made for action in response to significant adverse effects.	This will be set out in the Post Adoption Statement (to be published following consultation).

5.4 **Next Steps**

This Environmental Report will be presented for consultation until Thursday 24 January 2013. Feedback received from consultees in relation to the SEA will be documented and considered in reviewing the proposals to revoke the Regional Strategies. A Post Adoption Statement will summarise how the SEA and the consultation responses have been taken into account and how environmental considerations have been integrated into the final decisions regarding the proposals to revoke the Regional Strategies.



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