

## Appendix F: West Midlands

### Responses to the scoping stage of the preparation of the Environmental Report.

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. The statutory bodies agreed that the scope and level of detail proposed for the analysis of environmental effects of revocation of the regional strategies was appropriate.

In addition, since this is the first time an environmental assessment had been proposed for the revocation, rather than the creation of a plan, a draft of the Environmental Report was also sent to the statutory consultation bodies for their comments. Since the comments on these drafts were given, a significant amount of policy and legislation has been developed (for instance the publication of National Planning Policy Framework and the introduction of the Duty to Co-operate) and so some of these comments have inevitably been overtaken by events. The comments relevant to the draft report for the West Midlands are presented in summary below, together with how they have been addressed in this Environmental Report.

**Table 1: Summary of statutory body’s responses at the scoping stage**

No	General	Detailed comments	Raised by	Response
1	<b>Scope and Detail</b>	The <b>Environment Agency</b> agreed that the scope and level of detail proposed for the analysis of environmental effects of revocation of the regional strategies was appropriate. <b>Natural England</b> 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. <b>English</b>	<b>Environment Agency, Natural England, English Heritage.</b>	The Environmental Report has been produced to be consistent with the requirements of the SEA Directive. Responses to the detailed points raised at the scoping stage are set out in the rest of the Table.

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No	General	Detailed comments	Raised by	Response
		<p><b>Heritage</b> focussed their comments on the implications for historic environment on the proposed revocation.</p> <p>The West Midlands Regional Strategy policy on urban renaissance focussed development in Major Urban Areas. Water resource management, waste management, environmental services and infrastructure could be delivered more efficiently and sustainably in densely populated areas such as the West Midlands conurbations. The potential negative environmental implications of more dispersed patterns of development could be considered further.</p>		
2	<p><b>Reliance on the Duty to Co-operate and the NPPF</b></p>	<p><b>Environment Agency, Natural England and English Heritage</b> questioned whether the reliance on the draft Duty to Co-operate was sufficient to capture and address cross-boundary issues or cumulative effects of multiple local authorities' local plans.</p> <p>They also commented that references to planning policy assumed existing policies would be carried forward to the new National Planning Policy Framework (NPPF). Since the NPPF was still in its draft form, this needs to be more fully considered. It is also difficult to predict what local authorities will do post revocation of regional strategies so that the environmental effects of their revocation is more likely to be "uncertain" rather than</p>	<p><b>Environment Agency, Natural England, English Heritage, Countryside Council for Wales.</b></p>	<p>The Government has now published the NPPF and developed the statutory instruments to put into place the Duty to Co-operate through the Localism Act and the supporting legislation and policy.</p>

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No	General	Detailed comments	Raised by	Response
		<p>positive.</p> <p>There is still an uncertainty over the extent to which the proposed Duty to Co-operate and legal obligation to contribute to the achievement of sustainable development will enable the level and degree of partnership working across the West Midlands as a whole to deliver the aims of the Regional Strategy especially the objectives for urban and rural renaissance.</p>		
3	<b>Topics to be considered</b>	<p>The Environment Agency considered that the impacts on climate change, water quality and water resources should be fully assessed. The Water Framework Directive should be considered as well as strategic planning of water resources.</p> <p>They considered that the “Quality of the Environment” Chapter of the Regional Strategy is useful in presenting an integrated approach to the environment, through Policies QE1 and QE2, and topic specific policies such as Policy QE5 on the Historic Environment. They queried whether the NPPF would deliver such an integrated approach, particularly across the varying remits of the statutory agencies.</p>	<b>Environment Agency.</b>	Appendix D of the Environmental Report contains an assessment of the effects of retention and revocation of individual policies on climate change, water quality and water resources. Appendix E reviews the baseline condition for each of the SEA topics (including climatic factors and water) and assesses the likely effects on the baseline of retaining and revoking individual policies, the Regional Strategy as a whole and reasonable alternatives.
4	<b>Water Quality</b>	There are currently issues around accommodating growth within existing Waste Water Treatment Works consent limits, and without compromising Water Framework	<b>Environment Agency.</b>	Water quality issues have been assessed under the SEA topic “Water”. This includes the consideration of the topics in Appendix E of the report, and as part of the assessment of the

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		<p>Directive requirements. This issue should be acknowledged in the assessment. The assessment could usefully inform the allocation of growth across catchments, which are likely to be wider than an individual local authority boundary. The assessment should also consider how strategic cross-boundary water quality issues will be dealt with following the revocation of the Regional Strategy.</p>		<p>retention and revocation of individual policies and the overall assessment of the revocation of the West Midlands Regional Strategy and reasonable alternatives. This also takes account of the strategic planning cross-boundary issues.</p>
5	<b>Water resources</b>	<p>The <b>Environment Agency</b> and the <b>Countryside Council for Wales</b> considered that the demand for water is dependent on the number of households, number of occupants and the per capita consumption of occupants. If the post Regional Strategy forecast housing numbers increase, even with the same population and thus lower occupancy, then per capita consumption of water is likely to be higher, resulting in a higher demand for water. Similarly, if the number of houses forecast remained the same and the per capita consumption of water increased, or occupancy increased, then this would also increase the demand for water.</p> <p>Change in water use will be influenced by the individual local authorities post Regional Strategy policies. These effects may not be uniform for all local authorities. Therefore, the net effects on water resources of having a</p>	<b>Environment Agency, Countryside Council for Wales.</b>	<p>Water resources have been assessed under the SEA topic “water”. This includes the consideration of the topics in Annex E of the report, as part of the assessment of the retention and revocation of individual policies and the overall assessment of the revocation of the West Midlands Regional Strategy and reasonable alternatives. This also includes taking account of the strategic planning cross-boundary issues.</p> <p>The revocation and retention of Policy QE9 The Water Environment, including water supply is considered in detail in Appendix D of the Environmental Report.</p>

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		<p>regional strategies or not could be zero, more or less. Increases in housing numbers could be considered against the relevant water companies' Water Resources Management Plan to ensure that the company is able to supply the additional households. The same applies to any redistribution of households within the existing overall housing numbers. Moving planned builds to another local authority area or within a local authority area may shift the demand into a different water company water resource zone. The effects of this on the company's ability to supply the 'additional' houses should be considered.</p> <p>Reasonable alternatives should include keeping selected Regional Strategy environmental policies on matters crossing local authority boundaries, and which form a framework for local plans. Impacts outside regions should be considered for example English developments requiring water supply from Wales is an ongoing issue. The Duty to Co-operate is likely to be inadequate to deal with effects remote from individual local authority areas. In general planning at local level only reduces effectiveness of SEA and limits alternatives.</p>		
6	Waste	Waste plans, required to meet the requirements of the Waste Framework Directive, will need a strong evidence base to support them. The resulting data and	Environment Agency.	The National Planning Policy Framework was published in March 2012. Paragraph 153 of the NPPF makes clear the expectation that local planning authorities should produce a local plan

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		<p>Regional Strategy policies on construction and industrial waste will be used by Waste Planning Authorities to determine the future need and location for waste facilities. Upgraded and agreed evidence could be shared between local authorities at a strategic level, to ensure that facilities are built in the right location and potentially at the right scale.</p> <p>The <b>Environment Agency</b> noted that the local authorities in the West Midlands are continuing to meet to discuss waste planning.</p> <p>The West Midlands Regional Strategy provided clear direction on the management of the region's waste. The agreed apportionment figures and related policy allowed waste planning authorities to plan and monitor consistently for the management of imported waste. Ways could be found to maintain this evidence base which local authorities rely on to address and monitor strategic waste issues. The assessment should consider the impact of the loss of regional waste data on waste planning authorities.</p>		<p>for the area, whilst Section 17 of the Planning and Compulsory Purchase Act 2004 makes it clear that two or more local planning authorities may agree to prepare one or more local development documents. This allows unitary authorities and county councils to work together if they wish. However such plans must still meet the legal and procedural requirements, including the test of soundness required under section 20 of the 2004 Act and Paragraph 182 of the NPPF including for the planning of waste infrastructure.</p> <p>The NPPF also makes it clear that local planning authorities may continue to draw on evidence that informed the preparation of regional strategies to support Local Plan policies, supplemented as needed by up-to-date, robust local evidence. The NPPF (paragraphs 158-177) also sets out in detail the evidence base that is required to underpin the development of local plans and planning decisions. The NPPF states that local planning authorities should work with other authorities and providers to assess the quality and capacity of infrastructure for waste and its ability to meet forecast demands.</p>
7	<b>Climate Change</b>	Climate risk and associated adaptation actions should be assessed to help ensure resilience to future climate change. Local authorities could put monitoring mechanisms in place, as action or inaction by one local	<b>Environment Agency, Scottish Natural Heritage.</b>	Climate change issues are assessed as part of the climatic factors SEA topic, set out in Appendix E of the Environmental Report, and proposals for monitoring including for climatic

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		<p>authority could impact on neighbouring authorities. We suggest that possible mechanisms for monitoring resilience to climate change are considered within the assessment.</p> <p>The Environmental Report stated that local authorities may find it useful to draw on regional data including assessments of the potential for renewable and low carbon energy. This should be considered in greater detail at the next stage of the environmental assessment. Strategic issues need to be addressed</p>		factors are set out in Chapter 5.
8	<b>Growth</b>	<p>Assumptions on future growth, including for housing allocations, are important when making assessments of the potential impacts of revocation of the regional strategies. An assumption that lower levels of growth (than that proposed by the Regional Strategy) may be pursued by local planning authorities may lessen pressures on negative regional trends. However the majority of local authorities in the West Midlands are planning to retain the Regional Strategy figures and some authorities have already adopted Core Strategies that are in line with the Regional Strategy figures. It is possible that some local authorities may decide to increase their housing figures above Regional Strategy targets which could potentially result in</p>	<b>Environment Agency, English Heritage.</b>	<p>In order to better understand the content of local plans, the Environmental Report has taken into account local plan policies on housing, pitches for gypsies and traveller sites, renewable energy, employment, minerals and waste.</p> <p>Baseline data has been expanded and updated in the Environmental Report, including for heritage assets and river basin management plans.</p>

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		<p>significant environmental effects.</p> <p>It may become more challenging to accommodate growth in certain river catchments - all available, up to date information should be utilised when carrying out the next stage of the assessment.</p>		
9	<b>Cumulative Effects</b>	<p>The Environmental Report should effectively assess cumulative impacts and mitigation measures of many small adverse impacts on the environment for instance on climate change including greenhouse gas emissions.</p>	<b>Environment Agency.</b>	<p>Cumulative impacts are taken into account in the assessment presented in the Environmental Reports. The approach to the analysis is set out in the methodology in Chapter 3, and a discussion of the impacts is included in Chapter 4. Mitigation measures are considered throughout the report including for individual SEA topics, and the retention and revocation of individual regional policies.</p>
10	<b>Regional Heritage Policies</b>	<p><b>English Heritage</b> noted that some policies are only in Regional Strategies, not in local plans hence there is a risk of “policy gaps” if these regional policies are not saved. They questioned the assumption that local planning authorities will carry forward regional policies to secure the boundaries of Green Belts around historic settlements, and whether existing national heritage policies will be carried forward through the NPPF. They thought that regional heritage policies do not just repeat national policy, but include regionally specific detail. They asked for more material to be included in the historic environment baseline data.</p>	<b>English Heritage, Cadw (Welsh Heritage Body).</b>	<p>The National Planning Policy Framework, published in March 2012, continues to provide protection for heritage assets and designated heritage assets throughout the country. By definition, heritage assets include areas and landscapes, as well as individual buildings and monuments, which have a degree of significance meriting consideration in planning decisions, because of their heritage interest. The significance of a heritage asset is stated to derive not only from its physical presence, but also from its setting.</p> <p>The Government attaches great importance to Green Belts and has maintained strong protection for them in the NPPF. The</p>

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		<p>The national and regional overview of the significance of historic assets will be lost, although the NPPF could underline <b>English Heritage's</b> role in identifying historic character of historic buildings and landscapes which are of more than local significance.</p> <p>The uncertainty in relation to housing numbers could result in planning by appeal, which is more likely to be harmful to historic environment interests. Transitional arrangements should be considered.</p> <p>Many of the sub-regional policies identify sensitive historic environments and settlements and their regeneration needs. The loss of such references will affect the extent to which these issues are clearly flagged for local plan preparation work.</p> <p>No impacts were anticipated from the revocation of the West Midlands Regional Strategy upon Welsh historic assets.</p>		<p>fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and their permanence.</p> <p>The NPPF makes clear, as with previous Green Belt policy, that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.</p> <p>The NPPF also states that a local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Limited exceptions to this are set out in the NPPF, together with other forms of development that are also not inappropriate in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt.</p> <p>The NPPF is also clear that once established, Green Belt boundaries should only be altered in exceptional circumstances. A change to a</p>

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				<p>Green Belt boundary would need to take place through the local plan process, which would involve public consultation and an independent examination. At that time, authorities should consider the Green Belt boundaries having regard to their intended permanence in the long term, so that they should be capable of enduring beyond the plan period.</p> <p>When drawing up or reviewing Green Belt boundaries local planning authorities should take account of the need to promote sustainable patterns of development. They should consider the consequences for sustainable development of channelling development towards urban areas inside the Green Belt boundary, towards towns and villages inset within the Green Belt or towards locations beyond the outer Green Belt boundary. Additional policies are set out to be applied when defining boundaries. Policies for the development of a village in a Green belt are also included.</p> <p>The NPPF states that once Green Belts have been defined, local planning authorities should plan positively to enhance the beneficial use of the Green Belt.</p>
11	<b>Site Specific Analysis</b>	<b>Natural England</b> thought that there needed to be more analysis of site specific issues, for example the policies covering development in Harlow and Great Yarmouth in recognising	<b>Natural England.</b>	The Environmental Report includes an analysis of the content of local plans where Regional Strategy policies include the allocation of a quantum of development or land to an

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		the limitations on available water treatment capacity. If similar levels of development go ahead regardless of the revocation of the Regional Strategies there will be no strategic guidance for local authorities on how to deal with the situation – this potential impact should be acknowledged.		individual local authority or are locationally specific.

## Representations received in response to the first public consultation on the proposed revocation of the West Midlands Regional Strategy

The representations received on the proposed revocation of the West Midlands Regional Strategy have been summarised in the two following tables. The first provides a headline summary of the issues. The responses are grouped under the following themes:

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

**Table 2: Summary of consultation responses – headline issues**

Issue	Summary of consultation responses to the October 2011 Environmental Report	Response
<b>The Overall approach taken to SEA</b>	The <b>Environment Agency</b> supported the broad approach to the analysis presented in the October 2011 Environmental Reports. <b>Natural England</b> 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. <b>English Heritage</b> did not comment on the overall approach taken to the assessment, but had concerns about the potential impacts of the revocation of the West Midlands Regional Strategy on heritage assets. Other respondents thought the analysis was undertaken too late in the plan making process and was not consistent with the requirements of the Directive.	Chapter 1 of this Environmental Report sets out how the report meets the requirements of the SEA Directive.  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 listed in Annex 1 to the SEA Directive. This includes ‘cultural heritage – including architectural and archaeological heritage’.
<b>Assessment</b>	The Statutory Consultees drew attention to more up-to-date	The Environmental Report updates the baseline

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Issue	Summary of consultation responses to the October 2011 Environmental Report	Response
	data that could be included in the Environmental Report, for instance in River Basin Management Plans. Other respondents asked for a revised non-technical summary, for baseline data to be updated, for a more extensive analysis of the potential effects taking into account the content of local plans, the reconsideration of the likelihood of effects and, where significant effects were identified, to set out mitigation measures and give more consideration to monitoring the impacts.	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.
<b>Reliance on the NPPF</b>	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.	The Government published the National Planning Policy Framework in March 2012. The analysis presented in the Environmental Report takes account of the policies set out in the Framework.
<b>Policy Change</b>	Several respondents thought that the revocation of the West Midlands Regional Strategy would weaken certain policies, particularly the delivery of strategic policies.	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.
<b>Reliance on the Duty to Co-operate</b>	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.	The Government has introduced a new Duty to Co-operate and supporting regulations are now in place. Council's 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

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Issue	Summary of consultation responses to the October 2011 Environmental Report	Response
		<p>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 in cross boundary strategic priorities.</p>
<p><b>Individual Topics</b></p>	<p>Respondents raised a number of questions about individual topics. In particular, respondents thought that the revocation of the West Midlands Regional Strategy could impact adversely on Green Belt, gypsies and travellers, housing supply and growth, heritage, waste, biodiversity, renewable energy, transport, water, brownfield land, and flooding.</p>	<p>The Environmental Report contains an assessment of the effects of revocation of the Regional Strategy on each of the topics raised by consultees.</p>

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More detailed information on each respondent's comments is provided in Table 3. Information in the table includes the:

- The overall issue:
- Detailed information on the comments made:
- The respondents who raised the issue; and
- A response.

**Table 3: Responses to the consultation on the initial Environmental Report (published in October 2011)**

No	General	Detailed comments on the initial Environmental Report	Raised by	Response
1	<b>The Overall Approach to SEA</b>	The <b>Environment Agency</b> supported the broad approach to the analysis presented in the Environmental Reports published in October 2011. <b>Natural England</b> 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. <b>English Heritage</b> did not comment on the overall approach taken to the assessment, but had concerns about the potential impacts of the revocation of the West Midlands Regional Strategy on heritage assets. Other respondents thought the analysis was undertaken too late in the plan making process and was not consistent with the requirements of the Directive.	<b>Environment Agency, Natural England, English Heritage, Countryside Council for Wales.</b>	The impact of retaining, partially revoking and fully revoking the West Midlands Regional Strategy has been assessed in detail in the short, medium and long term against the 12 SEA topics. This includes an assessment of cultural heritage – including architectural and archaeological heritage.
2	<b>The Overall Approach to SEA</b>	The consultation on the assessment of the revocation of regional strategies which ran from October 2011 was contrary to the requirements of Article 6(5) of the Directive.	<b>Clyde and Co LLP and Iceni Projects.</b>	The Government disagrees that the consultation process undertaken in October 2011 was contrary to the requirements of Article 6(5) of the Directive which

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No	General	Detailed comments on the initial Environmental Report	Raised by	Response
				<p>states that the “detailed arrangements for the information and consultation of the authorities and the public shall be determined by Member States”. This requirement is transposed into English law by regulation 13 of the Environmental Assessment of Plans and Programmes Regulations 2004.</p> <p>The Environmental Report which was published for public consultation in October 2011, and this further Environmental Report, which takes account of consultation responses, demonstrates the Government’s desire to consult fully on the assessment of the impacts of revocation of the Regional Strategy.</p> <p>Chapter 1 of this Environmental Report sets out the purpose of the consultation and sets out a number of questions on which the Government would particularly welcome responses.</p>
<b>3</b>	<b>The Overall</b>	A number of respondents disagreed with the	<b>Council for the</b>	On 22 March 2012 in the case of

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No	General	Detailed comments on the initial Environmental Report	Raised by	Response
	<b>Approach to SEA</b>	Government's view that SEA was not necessary and therefore considered that the Government was not at liberty to undertake the assessment voluntarily. The Environmental Report should have considered the need for strategic planning for the environment at a spatial tier above the individual local authority.	<b>Protection of Rural England (CPRE), Futures Network West Midlands.</b>	<p>Bruxelles the Court of Justice of the European Union (CJEU) considered whether the SEA Directive applied to a procedure for the total or partial revocation of a land use plan. The Court concluded that where revocation of a plan may modify the state of the environment as examined at the time of adoption of the plan, an SEA will be required to aid consideration of such effects.</p> <p>The Environmental Report assesses the retention, partial revocation and revocation of the West Midlands Regional Strategy which includes a consideration of the impact of removing regional scale environmental strategic policies.</p> <p>This report is prepared in accordance with the SEA Directive.</p>
4	<b>The Overall Approach to SEA</b>	The environmental assessment had been carried out too late in the process, and should have been conducted prior to the initial decisions to revoke the regional strategies. SEA carried out at an early stage	<b>RenewableUK, Royal Society for the Protection of Birds (RSPB),</b>	The Government signalled its proposed intention to remove the regional tier of Government and return decision making on housing

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		<p>and with an open mind helps to identify the environmental consequences of revocation and steps which could be taken to mitigate any adverse impacts (such as saving significant environmental policies).</p>	<p><b>Wildlife and Countryside Link.</b></p>	<p>and planning to local authorities in the coalition agreement. Parliament subsequently agreed to the removal of the legal framework for Regional Strategies through the repeal of Part 5 of the Local Democracy, Economic Development and Construction Act 2009 (through section 109 of the Localism Act 2011) and gave the Secretary of State powers to revoke the whole or any part of a Regional Strategy by order.</p> <p>Any decision to revoke the regional strategies has always been dependent on and subject to the outcome of the environmental assessments.</p> <p>The Environmental Report which was published for public consultation in October 2011, and this further Environmental Report, which takes account of responses, demonstrates this and is in accordance with the requirements of the SEA Directive and its objectives.</p>

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No	General	Detailed comments on the initial Environmental Report	Raised by	Response
				The outcome of the consultations on the Environmental Reports will form part of the matters that will be taken into account in deciding whether or not to revoke the regional strategies.
5	<b>The Overall Approach to SEA</b>	The <b>Town and Country Planning Association, RTPI West Midlands, Futures Network West Midlands</b> 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. 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.	<b>Town and Country Planning Association, RTPI West Midlands Branch, Futures Network West Midlands.</b>	The October 2011 Environmental Report was structured around the individual requirements of the SEA Directive. Chapter 1 of this Environmental Report sets out which parts of the report address the requirements of the Directive.
6	<b>Assessment – likelihood of</b>	The assessment had placed unquestioning faith in the environmental benefits of the Government's planning	<b>Levett-Therivel, Treweek</b>	The short, medium and long term impacts of retaining, partially

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	<b>effects</b>	reforms, and seemed to be a justification for revocation rather than objective analysis. The assumptions within the Environmental Report that revocation of the Regional Strategy will have no significant adverse environmental effects were untested and unsupported by evidence.	<b>Environmental Consultants, Collingwood Environmental Planning, RTPI West Midlands, Futures Network West Midlands</b>	revoking and revoking the West Midlands Regional Strategy have been assessed in detail in this Environmental Report for each of the 12 SEA topics.
7	<b>Assessment – cumulative impacts</b>	The Environmental Report should assess the cumulative effects of revocation, in particular the consequent capacity for ‘linked or cumulative, synergistic or secondary effects’ coupled with the need for environmental assessment to adapt to the scale and nature of the plan in question. The assessment should include a consideration of the impact of the revocation of all the Regional Strategies.	<b>Clyde and Co LLP; Levett-Therivel, Treweek Environmental Consultants, Collingwood Environmental Planning.</b>	Chapter 3 of the Environmental Report sets out the assessment methodology for cumulative, synergistic or secondary effects. Chapter 4 contains a consideration of these effects.
8	<b>Assessment - mitigation</b>	No mitigation measures are presented in the Environmental Reports because no impacts have been identified. Explanation and evidence should be presented to support statements in the report that ‘These policies could be delivered by other means than through a Regional Strategy.’	<b>Levett-Therivel, Treweek Environmental Consultants, Collingwood Environmental Planning.</b>	Appropriate mitigation measures are proposed in Chapter 4 of this report, as well as in Appendix D.
9	<b>Assessment – strategic planning</b>	The Regional Strategies provided strategic policies to ensure that development can be planned in a way that is compatible with biodiversity targets. There are similar issues with water supply/demand, for example, under the Water Framework Directive, to ensure that housing development will be compatible with the	<b>Levett-Therivel; Levett-Therivel, Treweek Environmental Consultants, Collingwood</b>	The NPPF, published in March 2012, states that local planning authorities should set out the strategic priorities for their area in their Local Plan. This should include strategic policies to deliver:

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No	General	Detailed comments on the initial Environmental Report	Raised by	Response
		<p>requirements for favourable status and there are knock on implications for European protected sites.</p> <p>The <b>Town and Country Planning Association</b> considered that the Environmental Reports understated the benefits of regional policy which all the original SEAs had identified. They also considered that there was insufficient detail to show how the new planning reform measures would deal effectively with strategic spatial issues.</p> <p><b>Futures Network West Midlands</b> noted that the core concern of the Regional Strategy was to address the continuing decentralisation of population and investment away from the Major Urban Areas within the region. Without effective management to reverse that trend then it is likely that there will be serious long-term environmental consequences including dereliction and under-use of infrastructure within the Major Urban Areas; a greater need for travel as new development becomes dispersed; and greater need to use greenfield as opposed to brownfield sites.</p> <p>Stating that the key purpose of the report should have been to demonstrate how the challenges of regeneration of the Major Urban Areas in the West Midlands and decentralisation to the local level could be met in the absence of an overarching strategy for the region.</p>	<p><b>Environmental Planning, Town and Country Planning Association, Newport and District Civic Society; Marches Local Enterprise Partnership.</b></p>	<p>the homes and jobs needed in the area; the provision of retail, leisure and other commercial development; the provision of infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat); 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> <p>The impact of retaining, partially revoking and revoking the East of England Regional Strategy has been assessed in detail in the short, medium and long term for each of the 12 SEA topics.</p>

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No	General	Detailed comments on the initial Environmental Report	Raised by	Response
		<p><b>CPRE</b> suggested that the most important achievement of the West Midlands Regional Strategy was to underline a balance between urban regeneration and rural renaissance with the emphasis on development being directed to the most run down areas, particularly Stoke-on-Trent and the Black Country. In the case of the Black Country that special attention led to the Phase 1 review, the Black Country Study and subsequently the Joint Core Strategy. This holistic approach had laid the bedrock for work being taken forward by the Black Country Consortium and the Local Economic Partnership.</p> <p>The levels of out migration to the shires from the major urban areas has been running at 10,000 – 12,000 net per annum and the impact of this is exacerbated because of the changes in social mix that resulted increasing deprivation in the cities and reducing higher earners as well as putting pressure on the countryside. Evidence from the Regional Strategy monitoring showed this was an effective approach which was mitigating those trends, albeit they were long term and entrenched. The impact of the recession had made concerns about unemployment and economic deprivation in urban areas even more important, especially as previous recessions suggested they take longer to recover and have more long term impacts. As the SEA says: ‘Disparities within the West Midlands were also increasing, with areas outside the larger industrial centres and rural</p>		

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		<p>parts falling behind. The West Midlands had the highest unemployment rate of any English region.'</p> <p>They considered that the policies pursued by local authorities adjacent to the Major Urban Areas often determine the success or otherwise of regeneration within those areas. But without any strategic framework urban local authorities have limited influence over the policies pursued around them and the authorities pursuing those policies often do not consider regeneration elsewhere to be a priority.</p> <p>The <b>Newport and District Civic Society</b> commented on effects on the market town of Newport in Shropshire. The Society considered that the Regional Strategy policies on rural renaissance were not being implemented and the overall planning focus in the West Midlands was on urban areas. The <b>Marches Local Enterprise Partnership</b> also reflected this approach. They hoped that the NPPF would take the opportunity to focus on the rural parts of the West Midlands which could contribute significant income and trade through exports etc and not simply concentrate resources on urban need and industrial/manufacturing demands.</p>		
10	<b>Assessment - baseline data</b>	Statutory Agencies identified more recent environmental data than that used in the Environmental Reports - such as data used to inform the preparation of the River Basin Management Plans,	<b>Natural England, Environment Agency, Levett-Therivel,</b>	The baseline data has been updated and expanded in the Environmental Report, and described for the 12 SEA topics in

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		<p>and on climate change and sea level rise. Other respondents asked for other baseline data to be updated, for data on human health to be included and for data to better reflect the economic climate. Some respondents asked for maps to be included to better illustrate spatial impacts.</p> <p>The <b>Countryside Council for Wales</b> stated that it was unclear whether the potential impacts of the revocation on neighbouring Welsh environment had been assessed, for example effects on the rivers flowing from Wales to England. They considered that a more robust assessment of the implications for Wales could help improve the future working arrangements across these borders.</p>	<p><b>Treweek Environmental Consultants, Collingwood Environmental Planning, Clyde and Co LLP, Town and Country Planning Association, Futures Network West Midlands, CPRE, Countryside Council for Wales.</b></p>	<p>Annex E. Maps have been included. This data has been used to inform the assessment the strategic environmental impacts of the revocation of the West Midlands Regional Strategy and a number of alternatives.</p>
11	<b>Assessment – material assets</b>	<p>The analysis of material assets could include the full range of infrastructure, employment sites, waste, energy and water use etc.</p>	<p><b>Levett-Therivel, Treweek Environmental Consultants, Collingwood Environmental Planning.</b></p>	<p>The Environmental Report includes an assessment of all 12 SEA topics. This incorporates assessment of waste and minerals, energy, water use, and employment land.</p>
12	<b>Assessment – likely evolution of the environment</b>	<p>The likely evolution of the environment in the absence of the plan should be set out.</p>	<p><b>Levett-Therivel, Treweek Environmental Consultants, Collingwood Environmental</b></p>	<p>In compliance with Annex 1(b) of the SEA Directive, this Environmental Report presents for each of the 12 SEA topics, an assessment of the likely evolution of the baseline without</p>

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			<p><b>Planning, Countryside Council for Wales.</b></p>	<p>implementation of the plan or programme. Uniquely (to date) in this case, “without implementation of the proposed plan or programme” actually refers to the plan to revoke the Regional Strategy. So the evolution of the environmental baseline without the plan will mean in this instance, the evolution of the baseline with the retention of the existing Regional Strategy on place. Therefore, and where appropriate in addition to using projections, this assessment has used the findings of the relevant sustainability appraisal and appropriate assessment to help provide an informed understanding of the likely future evolution of the baseline. This information is contained in Appendix E and presented within each topic chapter.</p>
<p><b>13</b></p>	<p><b>Assessment – SPAs and SACs</b></p>	<p>Information on the existing impacts on SPAs and SACs should be provided.</p>	<p><b>Levett-Therivel, Treweek Environmental Consultants, Collingwood Environmental Planning.</b></p>	<p>The Environmental Report contains an Appendix G listing all SPAs and SACs and the vulnerability of sites has been drawn out where relevant.</p>

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No	General	Detailed comments on the initial Environmental Report	Raised by	Response
14	<b>Assessment – method statement</b>	Information should be provided on who has carried out the assessments, details of the consultation with statutory agencies, responses to scoping responses and what problems were faced.	<b>Levett-Therivel, Treweek Environmental Consultants, Collingwood Environmental Planning, RTPI West Midlands, Futures Network West Midlands</b>	Detail of the preparation of the report, consultation with the statutory agencies, responses to scoping comments, and difficulties faced with the analysis are set out in Chapters 1 and 3 and Appendix F of this Environmental Report.
15	<b>Assessment – non technical summary</b>	The non- technical summaries are not consistent with the SEA Directive requirements. They are generic and make assertions that are not based on evidence.	<b>Levett-Therivel, Treweek Environmental Consultants, Collingwood Environmental Planning.</b>	A non-technical summary which is based on the findings of the assessment and consistent with the requirements of the SEA Directive is included in this Environmental Report.
16	<b>Assessment – local plans</b>	<p><b>The Woodland Trust</b> thought that the baseline information in the original SEA of the Regional Strategy identified increasing environmental pressures arising from development. It felt these still needed to be addressed in the absence of the strategy. As a result of this, they believed there should be much more emphasis on the SEA process for Development Plan Documents, with particular emphasis on the effect of cumulative impacts.</p> <p><b>CPRE</b> stated that the reports should have considered appropriate evidence that currently exist, such as changes to Core Strategies made subsequent to the</p>	<b>The Woodland Trust, Friends of the Earth (FOE), CPRE, Futures Network West Midlands, RTPI West Midlands, Professor Alan Townsend.</b>	<p>The Government agrees that Local Plans are subject, and will continue to be subject, to Strategic Environmental Assessment consistent with the requirements of the SEA Directive.</p> <p>Local authorities' planning policies and decisions must reflect, and where appropriate promote, relevant EU obligations and statutory requirements including on the environment.</p>

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		<p>announcement that regional plans would be abolished. They suggested that no such assessment had been made. As a result there were no recommendations about how the plan making process might be improved to address environmental issues, for example, by strengthening the Sustainability Appraisal process at local authority level.</p> <p><b>FOE</b> were concerned that the statement in the Environmental Reports that local authorities would deal with environmental issues was not based on a full analysis of whether local plans do have strong local environmental policies in place similar to those in the Regional Strategies in a situation where they were specifically not supposed to duplicate regional policy; or in areas where there are no local plans. In addition, the assumption that there are 'strong protections' for the environment in national planning policy had been disputed by several NGOs.</p> <p><b>Professor Alan Townsend</b> considered the reference in the reports that the removal of the Regional Strategies would create 'opportunities for securing environmental benefits' to be unfounded. Referring to the North East, as an example, he commented that the experience of <b>CPRE</b> was that economic and commercial pressures would act as a serious threat to a balanced approach to the environment and to development. He also referred to paragraph 1.25 in the Environmental Report where it is stated that</p>		<p>The Environmental Report includes an analysis of the content of local plans at Appendix C, focussing on housing allocation, gypsies and traveller pitches, renewable energy, employment land, minerals and waste.</p>

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		<p>environmental effects cannot be predicted for certain because they depend on local decisions, but disagreed with the view that decisions taken locally will look to maximise positive environmental outcomes for the local area.</p>		
17	<b>Assessment – reasonable alternatives</b>	<p>The environmental assessment had considered too narrow a range of alternatives. The only alternative considered was no revocation. This in turn means that there are no clear recommendations to address the practical question of whether the proposed planning system, centred on the NPPF and local plans, should be modified to address environmental issues that arise from the abolition of regional planning.</p> <p>Other alternatives suggested were:</p> <ul style="list-style-type: none"> <li>• reviewing the Regional Strategies;</li> <li>• revoking the Regional Strategies but saving key policies;</li> <li>• the retention of the Regional Strategy system with regional groupings of local authorities responsible for drafting them and adoption by the Secretary of State;</li> <li>• maintaining the plans and revising certain policies in order to make the plans more acceptable, as well as the possibility of local authorities producing joint development plans to cover specific issues;</li> <li>• revoking certain chapters or parts of the strategies and introducing transitional arrangements.</li> </ul>	<p><b>RSPB, Wildlife and Countryside Link, CPRE, RenewableUK, Clyde and Co LLP, Irish Travellers Movement in Britain, Levett-Therivel, Treweek Environmental Consultants, Collingwood Environmental Planning, Countryside Council for Wales, Futures Network West Midlands, RTPi West Midlands.</b></p>	<p>The Environmental Report draws on the consultation responses and the findings of the assessment to develop a number of alternatives and identifies three reasonable alternatives to complete revocation for assessment.</p>

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No	General	Detailed comments on the initial Environmental Report	Raised by	Response
18	Assessment - monitoring	<p><b>Natural England, CPRE, Futures Network West Midlands, RTPI West Midlands and Town and Country Planning Association</b> considered that it was not clear whether the local authorities, Government or any other body would collate the authorities' monitoring information and assess it to determine where more than local gaps in policy or problem areas were arising.</p> <p>The <b>Town and Country Planning Association</b> suggested that there was a need to monitor the general impact of the Government's planning changes. Consistent and effective monitoring on the effects of the 'Duty to Co-operate' over the next 2-3 years was particularly important, for example, by tracking local plan progress on local authority websites in a systematic but simple way.</p> <p><b>Levett- Therivel, Treweek Environmental Consultants, and Collingwood Environmental Planning</b> suggested that the effects of revocation should be monitored, for example, to track housing completions and development on Greenbelt.</p> <p><b>Clyde and Co LLP</b> considered that not clearly identifying additional, specific methods of monitoring undermined the consultation process.</p>	<p><b>Natural England , CPRE, RTPI West Midlands, Town and Country Planning Association, Levett-Therivel, Treweek Environmental Consultants, Collingwood Environmental Planning, Clyde and Co LLP, Futures Network West Midlands.</b></p>	<p>Proposals for monitoring are set out in Chapter 5 of the Environmental Report.</p>
19	Reliance on the	<p><b>Natural England, the Environment Agency, the</b></p>	<p><b>Natural England,</b></p>	<p>The NPPF was published in March</p>

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No	General	Detailed comments on the initial Environmental Report	Raised by	Response
	draft NPPF	<p><b>Town and Country Planning Association, Countryside Council for Wales, Futures Network West Midlands</b> and <b>CPRE</b> noted that it was difficult to come to a view on the significance of the environmental effects of revocation, prior to the publication of the final NPPF and the implementation of the new “Duty to Co-operate”. <b>CPRE</b> for example, commented that as a result of the wider changes in planning it was inherently difficult to assess the likely impact of the revocation of Regional Strategies. In particular, the content of the final NPPF and future local plans were uncertain and neither of these statements could currently be fully tested. They expressed concern that the Environmental Reports did not give a comprehensive overview of the potential environmental impact of the Government’s intentions.</p> <p><b>Levett- Therivel, Treweek Environmental Consultants</b> and <b>Collingwood Environmental Planning</b> questioned the evidence that the NPPF will be so favourable to the environment or sustainable development, as the NPPF has not been subject to SEA.</p> <p><b>Natural England</b> agreed with the assessment that there was an inherent difficulty in providing an assessment of the NPPF as an alternative, as it was not known how the final version would differ from the consultation draft.</p>	<p><b>Environment Agency, Town and Country Planning Association CPRE, Futures Network West Midlands, RTPI West Midlands, Levett-Therivel, Treweek Environmental Consultants, Collingwood Environmental Planning, Countryside Council for Wales.</b></p>	<p>2012. The NPPF is consistent with the Government’s Natural Environment White paper, and makes it clear that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, and sets out as a core planning principle that planning should recognise the intrinsic character and beauty of the countryside. The Framework also maintains protection for designated areas such as the Green Belt, Areas of Outstanding Natural Beauty, National Parks, and Sites of Special Scientific Interest. It sets out policy for the support of delivery of renewable energy development as well as leisure facilities for the community including theatres.</p> <p>The NPPF is not subject to SEA as it is high level policy and does not fall within the scope of the SEA Directive.</p>

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No	General	Detailed comments on the initial Environmental Report	Raised by	Response
		<p><b>Scottish Power Renewables</b> were of the view that the regional strategies have a key role in ensuring that national policy objectives are met and encourage the wider deployment of renewable energy, making an important contribution to the UK's legally binding renewable energy targets. In particular, the Regional Strategies do and could continue to play a key role in the strategic planning of onshore wind infrastructure. They were therefore concerned that the process for the revocation of regional strategies pre-empted the final NPPF and requested that the Government require local authorities to put in place policies to ensure a contribution to the national renewable energy targets, in line with the National Policy Statement.</p> <p><b>RenewableUK</b> shared the concern about the reliance on the draft NPPF and were concerned that the draft NPPF did not contain a sufficient level of detail to support renewable energy planning.</p> <p>The <b>RSPB</b> and <b>Wildlife and Countryside Link</b> considered it misleading for the Environmental Reports to imply that the planning reform would usher in new policies that, on balance, would make up for the loss of regional strategies. They considered, for example, that even though 'top-down' housing targets were being removed, the stated purpose of planning reform was to create more growth and to deliver more housing. There was no criticism of Regional Strategy</p>		

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		<p>housing figures being too high, only that they were 'top-down'. It therefore followed that local authorities would use similar methodologies and arrive at similar figures when 'objectively assessing' housing need.</p> <p><b>FOE</b> stated that local authorities will have to be guided by the policies in the NPPF. Based on the draft NPPF text, in many cases, local authorities will struggle to take decisions on a 'local' basis to protect the environment. They stated that legal advice obtained by them showed that the concept of local decision-making was outweighed by the wording used in the draft NPPF which is directive on the need to approve development. They also pointed to shortcomings in the NPPF on sustainable development, countryside and biodiversity, transport, water, and climate change mitigation and adaptation.</p> <p>The <b>Wildlife and Countryside Link</b> were concerned that the Environmental Reports relied so heavily on the NPPF, which had not been finalised and was therefore subject to change.</p> <p><b>The Theatres Trust</b> suggested that suitable policy within the NPPF and other measures needed to be in place to ensure the pooling of knowledge on physical and social cultural infrastructure, particularly theatres, if the plans are revoked.</p> <p>The <b>Woodland Trust</b> in their response to the</p>		

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No	General	Detailed comments on the initial Environmental Report	Raised by	Response
		<p>revocation of the West Midlands Regional Strategy, thought it impossible to assess the impact of the loss of the Regional Strategy without being able to assess it against the NPPF. They also commented that the SEA implies that the NPPF and planning reform in general will lead to less development, particularly in the absence 'top down targets', but felt this is contradictory to every other message emanating from the Government, as the stated purpose of the current planning reforms is to encourage economic growth. Paragraph 1.6 of the SEA document states that the NPPF sits within the broader context of national policy and legislation such as the National Environment White Paper. The draft NPPF did not however reflect the NEWP.</p>		
20	<b>Assessment - policy change</b>	<p><b>Natural England</b> noted that the revocation of the Regional Strategies would require local planning authorities to incorporate relevant environmental policies, previously included in the Regional Strategy, into their local plans or to rely on NPPF policies. The full effect of revoking individual Regional Strategy policies was therefore likely to depend greatly on where individual local authorities were in their local plan-making process. Where local authorities had not yet adopted core strategies, in the absence of regional strategies, they considered that it may be much more difficult for them to develop locally tailored evidence-based policies.</p> <p><b>The Environment Agency</b> welcomed the</p>	<p><b>Natural England, The Environment Agency, RSPB, Wildlife and Countryside Link, Theatres Trust, RenewableUK, FOE, Countryside Council for Wales, RTPI West Midlands, Future Network West Midlands,</b></p>	<p>The NPPF, published in March 2012, sets out the Government's planning policies for England.</p> <p>The NPPF emphasises the need for local planning authorities to plan strategically. The NPPF states that local planning authorities should set out their strategic priorities for their area in their Local Plan. This should include strategic policies to deliver the homes and jobs needed in the area; the provision of retail, leisure and other commercial</p>

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		<p>Environmental Report highlighting which parts of current national policy and guidance were important to help avoid significant adverse environmental impacts. Where local authorities had adopted Core Strategies that were developed with a backdrop of the Regional Strategy, a robust NPPF would need to ensure that any potential policy gaps were filled.</p> <p>The <b>RSPB</b> proposed that the Government should not revoke the Regional Strategies in full. They suggested that saving key environmental policies until they were replaced by equivalent local plan policies would significantly mitigate the risk of environmental harm. Saved policies should be kept in place during a transitional period while local plans were updated, which could easily coincide with the transitional period in which the NPPF was translated into local plans.</p> <p>The <b>Wildlife and Countryside Link</b> suggested that Government and its agencies should work together with local authorities and their partners in each region to identify which Regional Strategy policies should be saved, while local plans were updated to incorporate those policies.</p> <p>The <b>RSPB</b> and the <b>Wildlife and Countryside Link</b> considered that revocation would remove a raft of policies on issues, such as those on the natural environment and renewable energy, that were largely not contentious, and the product of close cooperation</p>	<p><b>CPRE.</b></p>	<p>development; the provision of infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat); 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> <p>The NPPF also makes clear that, where it would be appropriate and assist the process of preparing or amending Local Plans, Regional Strategy policies can be reflected in Local Plans by undertaking a partial review focusing on the specific issues involved. Local planning authorities may also continue to draw on evidence that informed the preparation of Regional Strategies to support their Local Plan policies, supplemented as needed by up-to-</p>

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		<p>between local authorities and other interested parties.</p> <p>The <b>Theatres Trust</b> stated that the proposed revocation of the Regional Strategies could have adverse social effects. The Regional Strategies included measures for local authorities to work collaboratively 'to increase investment in physical and social infrastructure'. This may not take place on such a scale, even with the Duty to Co-operate, if Regional Strategies are revoked. The Theatres Trust believes that this would have ensured that cultural facilities were in place for communities to share and that places exchange knowledge when creating new buildings or networks, so that resources were not squandered by the repetition of mistakes. Thus, it was suggested that measures needed to be in place to ensure the pooling of knowledge on physical and cultural infrastructure, which also affect theatres, if the Regional Strategy is revoked.</p> <p><b>RenewableUK</b> were of the view that the revocation of the Regional Strategies would create a policy gap which would affect the ability of local authorities to make informed decisions. They did not believe that a reliance on national policy and the Duty to Co-operate was sufficient to ensure that the UK met its renewable energy generation and carbon emissions reduction targets.</p> <p><b>FOE</b> were concerned that the SEAs of the revocation</p>		<p>date, robust local evidence.</p> <p>Climate change is one of the core land use planning principles which the NPPF expects should underpin both plan-making and decision-taking. Local planning authorities are expected to adopt proactive strategies to mitigate climate change and co-operate to deliver strategic outcomes which include climate change. They should plan for new development in locations and ways which reduce greenhouse gas emissions (including through transport solutions which support reductions in greenhouse gas emissions); actively support energy efficiency improvements to existing buildings; and promote energy from renewable and low carbon sources. These strategies are expected (paragraph 94 of the NPPF) to be in line with the objectives and provisions of the Climate Change Act 2008. There is a legal requirement on local planning authorities to ensure their Local Plan (taken as a whole)</p>

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		<p>of the Regional Strategies do not fully assess the environmental impacts of the incoherent policy context that would arise. They recommended that to fill the gap left by the Regional Strategies, local plans should absorb the regional evidence bases for renewable energy resources, and 'save' renewable energy target and adaptation policies where this would otherwise leave a gap in local frameworks. They added that the loss of the Regional Strategy left a gap in the consideration of the global impacts of a local authority's areas consumption/ indirect impacts. They were of the view that the footprint approach at a regional level specifically aimed to counter a strictly localist approach of local authorities. They were concerned that local authority plans would only consider local resource management and the whole footprint approach would be lost. They considered it essential that the evidence base section of the draft NPPF was revised to include the concept of footprinting to acknowledge the burden of resource use within a local authority on other areas. They therefore recommended that local authorities 'save' relevant policies where this would plug a gap in their existing local planning framework until the next appropriate review date; and DCLG should maintain the regional evidence bases for local authorities to draw upon for local plans and cross boundary co-operation.</p>		<p>includes policies designed to tackle climate change and its impact. This complements the sustainable development duty on plan-makers and the expectation that neighbourhood plans will contribute to the achievement of sustainable development. The NPPF has underlined (paragraph 93) that responding to climate change is central to the economic, social and environmental dimensions of sustainable development.</p>
21	<p><b>Reliance on the Duty to Co-operate</b></p>	<p><b>Natural England</b> and the <b>Environment Agency</b> welcomed the emphasis given to cross boundary working which could potentially promote partnership</p>	<p><b>Natural England, Environment Agency, English</b></p>	<p>The Government recognises the importance of strategic planning. The NPPF, published in March</p>

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		<p>working and offer a more strategic approach to spatial planning. However, both organisations commented that the Environmental Reports did not identify how the Duty to Co-operate would work in practice or replace the co-ordination provided by the regional strategies and the various working groups that existed within this structure. <b>Natural England</b> also considered that there was too much reliance on the assumption that local planning authorities would continue to work together on strategic issues under the Duty to Co-operate. It was noted that the Duty would not apply to private sector companies who provide public services such as water and sewerage, energy and telecommunications, many of which would have a key role to play in infrastructure planning. The <b>Environment Agency</b> stated that common intelligence and joint working arrangements were needed between partner local authorities and other key organisations to develop an integrated approach to planning.</p> <p>The <b>Environment Agency</b> referring to the Duty to Co-operate accepted that local authorities would work with adjacent councils, but not at a range of scales including a catchment scale. They considered that this was important as building development at the top of a catchment could increase run-off and cause flooding many miles downstream. They suggested that this is recognised so that the Duty to Co-operate could fully support strategic planning at a local level.</p>	<p><b>Heritage , RSPB, RenewableUK, Town and Country Planning Association, FOE, Clyde and Co LLP, Futures Network West Midlands, CPRE, Professor Alan Townsend.</b></p>	<p>2012, makes clear that strategic priorities across local boundaries are properly co-ordinated and clearly reflected in individual local plans.</p> <p>Strategic matters such as housing, infrastructure and transport connections are vital to attract investment into an area and generate economic growth. However, for strategic planning to work on the ground, councils need to work together and with a range of bodies. In some cases, such as planning for waste facilities or flood prevention, cooperation will be necessary with authorities well beyond an authority's own border.</p> <p>Many local authorities are already working collaboratively to produce sound plans. The Duty to Co-operate formalises those arrangements by creating a statutory requirement to co-operate to ensure that local plans are effective and deliverable on cross-boundary matters. The duty requires authorities to work</p>

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		<p><b>Natural England</b> accepted that it was possible that cross-boundary impacts may be assessed between adjoining authorities, but were unclear how the cumulative impacts of multiple authorities' plans would be assessed to take into account issues occurring within broader environmental boundaries, such as water catchments. Both the <b>Environment Agency</b> and <b>Natural England</b> sought further clarification on mechanisms which could be employed to ensure that likely cumulative, in-combination and cross-boundary environmental impacts, are identified, assessed and monitored as part of the Local Plan process and Duty to Co-operate.</p> <p><b>English Heritage</b> noted how critical it was that the Duty to Co-operate was taken forward by local authorities and public bodies to ensure that the strategic planning issues are successfully addressed, based on a shared understanding of local needs and the wider context. However, they saw a danger that the wider perspective gained through strategic planning would be lost. They suggested that the NPPF and any guidance issued to support it; may assist with this by encouraging strategic analysis through sub-national partnerships in appropriate circumstances.</p> <p><b>Futures Network West Midlands</b> commented that there can be no serious challenge to the view that</p>		<p>together constructively, actively and on an ongoing basis in relation to strategic cross-boundary issues in local plans.</p> <p>The Government recognises that the duty needs to be sufficiently robust to secure effective planning on cross-boundary issues, and the legislative requirement was strengthened during the development of the Localism Act, working with a broad range of external expert bodies. The stronger duty requires councils to demonstrate how they have complied with the duty as part of the independent examination of local plans. This could be, for example, by way of 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 may mean that local authorities may not pass the examination process.</p>

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		<p>there are many issues which need to be addressed across wider areas than those within individual local planning authority boundaries. This gap might partly be addressed if strategic local authorities (unitary and county councils) were given new powers to complement their existing role in minerals and waste planning but the government does not appear to be considering such an option. Alternatively, Local Economic Partnerships (LEPs) may in due course help fill the gap, but their effectiveness was yet to be proven, exposing the West Midlands to unnecessary environmental, economic and social risks. In any event, co-operative and collective action between authorities would continue to be required.</p> <p>They commented that the West Midlands had a long and largely successful history of mutual co-operation. However, they identified the need to acknowledge the role played by both formal and informal structures at regional level in achieving this. Whilst they noted inclusion in the new Act of a 'Duty to Co-operate', this duty is untested and "there will inevitably be tensions between the Coalition's localism agenda and the embodiment of local discretion in statute with the Duty to Co-operate. There was little or no guidance on what the duty meant in practice nor was it clear what effective sanctions could be applied if local authorities and the myriad of other organisations and businesses involved in the planning process failed in this duty."</p>		<p>This is a powerful sanction. Where local planning authorities have failed to co-operate on cross boundary matters it is also likely that their Local Plan will not be deliverable and as such they may be found unsound.</p> <p>As a further check, the Localism Act and local plan regulations require local authorities to prepare a monitoring report to be published and made available at least once every 12 months. This includes a requirement to report action taken under the duty and these reports may also indicate where action has not been taken. This will ensure that local authorities are fully accountable to local communities about their performance under the Duty to Co-operate.</p> <p>In recognition of the breath of bodies involved in effective strategic planning, the duty's requirements extend beyond local planning authorities and county councils to include a wide range of</p>

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		<p>While the <b>RSPB</b> welcomed the strengthening of the Duty to Co-operate during its Parliamentary passage, they remained sceptical that the duty would deliver contentious forms of development where it is needed or effective strategic planning for the natural environment. They were concerned by the unsubstantiated assumption that the Duty to Co-operate would overcome the strategic vacuum left by the revocation of the Regional Strategies. They stated, as an example, that there was no recognition of the shortcomings caused by having multiple plans being developed over multiple time and spatial scales, and the difficulties this would cause in terms of assessing the cumulative impacts of development.</p> <p><b>RenewableUK</b> also expressed the view that the Duty to Co-operate provisions in the Localism Act appear weak, with no clear means of ensuring that local authorities would co-operate productively. They considered that a lack of strategic action on mitigation and adaptation to climate change was likely to result in significant and unpredictable effects on biodiversity, flora and fauna. Other elements, such as population, human health etc. would also be adversely affected.</p> <p>The <b>Town and Country Planning Association</b> indicated that it had made clear that the Duty to Co-operate had a range of significant limitations - having a narrow remit, a retrospective sanction and no defined or specific outcomes. They considered that</p>		<p>bodies that are critical to local plan making. The bodies, which are listed in local plan regulations, are:</p> <ul style="list-style-type: none"> <li>• the Environment Agency;</li> <li>• the Historic Buildings and Monuments Commission for England;</li> <li>• Natural England;</li> <li>• the Mayor of London;</li> <li>• the Civil Aviation Authority;</li> <li>• the Homes and Communities Agency;</li> <li>• Primary Care Trusts;</li> <li>• Marine Management Organisation</li> <li>• Office for Rail Regulation</li> <li>• the Highways Agency;</li> <li>• Transport for London;</li> <li>• Integrated Transport Authorities; and</li> <li>• Highway authorities</li> </ul> <p>The NPPF makes clear that local planning authorities should work collaboratively with private sector bodies, utility and infrastructure providers.</p>

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		<p>even where joint cooperation was enthusiastically entered into by local authorities the nature of cooperation would be on a smaller spatial scale and with a tighter remit and much less resource than the statutory Regional Strategy process. They considered that this may lead to increased environmental impacts and may limit effective responses on renewable energy and catchment scale or coastal flood risk.</p> <p><b>FOE</b> considered that revocation would leave a gap in both planning policy on environmental issues and in a regional understanding of them. They considered that the Duty to Co-operate was unlikely to provide an effective response to the wider pattern of unsustainable pressures and growing regional inequalities in England. They suggested that the duty does not require co-operation on any specific issues. Issues which are by their nature spatial and cross-boundary, for example, river basin management, flood risk, green infrastructure, and transport, would suffer from the removal of the Regional Strategy. While, for example, river basin management plans are developed by the Environment Agency, local authorities and others, the context for local decision-making on planning applications will still lack regional spatial awareness of the larger than local and cumulative impacts of decisions. This will lead in many cases to poor planning, and increased negative environmental impacts. They were concerned that there are no sanctions for local authorities who fail to</p>		<p>As indicated above, the NPPF states that local planning authorities should set out the strategic priorities for their area in their Local Plan. This should include strategic policies to deliver: the homes and jobs needed in the area; the provision of retail, leisure and other commercial development; the provision of infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat); 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>

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		<p>co-operate, while local authorities who have failed to persuade neighbouring authorities to co-operate would suffer if the Inspector judged their plan to be unsound as a result.</p> <p><b>Clyde and Co LLP</b> considered that it was not adequate to base the environmental assessment on the expectation that authorities would co-operate. It was therefore inappropriate for the assessment of likely effects, as encapsulated within the Environmental Reports, to be predicated on that basis.</p> <p>Another consultee (<b>Professor Alan Townsend</b>) suggested that a number of policy areas would be under threat from relying on the Duty to Co-operate, such as, climate change, river flooding, AONBs, reducing unnecessary travel, congestion and emissions, reducing deprivation and retailing.</p> <p><b>CPRE</b> were concerned that the assessment for the West Midlands Regional Strategy did not address the question of how the effective removal of strategic planning will impact upon the environment. The assessment admitted that the goal of cross boundary cooperation is merely 'an expectation'. While there is indeed a 'Duty to Co-operate' included within the Localism Act it remains to be seen the extent to which this duty will, in practice, encourage or oblige local authorities to work together; particularly on</p>		

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		<p>environmental issues. <b>CPRE</b> specifically highlighted that in the West Midlands there are a range of issues where cross boundary working is needed to deliver the optimum environmental outputs. For example, in areas such as transport, water and wildlife fragmentation it is self-evident that such cooperation is often essential. We have serious reservations as to whether this cooperation will properly take place given the removal of the primary mechanism to achieve it.</p> <p><b>Futures Network West Midlands</b> noted that the report leant heavily on the alleged protection offered by national policy contained in the draft NPPF. They commented that at many points in the Environmental Report the assertion was made that the environmental protections provided in the Regional Strategy would not disappear with its revocation, as policy at national level would provide sufficient coverage.</p>		
22	<b>Individual Topics - Access to Data</b>	Referring to the comment in the Environmental Reports that local authorities can continue to draw on available information, including data from partners, to address cross-boundary issues, it was not clear whether data previously collated as part of the Regional Strategy preparation process would remain up-to-date, or whether coordinated monitoring mechanisms would continue to exist in the future	<b>Town and Country Planning Association, RTPI West Midlands, Futures Network West Midlands, CPRE.</b>	The NPPF, published in March 2012 makes it clear that local planning authorities may also continue to draw on evidence that informed the preparation of regional strategies to support Local Plan policies, supplemented as needed by up -to-date, robust local evidence. The NPPF (paragraphs 158-177) also sets out in detail the evidence base that is required to underpin the

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				development of local plans and planning decisions.
23	<b>Individual Topics - Green Belt</b>	<p><b>JC Consultants</b> considered that the Environmental Report misrepresented the intended effect of revoking Regional Strategies by saying that it “will provide opportunities for securing environmental benefits because their revocation would remove threats to local environments” and that (through Green Belt policy) revocation “brings many environmental benefits including safeguarding the countryside and preventing urban sprawl.”</p> <p><b>CPRE</b> felt that given the difficulties many local authorities in the region had in identifying sufficient land for existing housing requirements it was hard to see how the threats to Green Belt and greenfield land could be anything other than increased.</p> <p><b>RTPI West Midlands</b> commented that references in the Environmental Report to greater protection of the Green Belt, following the revocation of regional strategies belied the fact that Green Belt policy remained virtually unchanged within the draft NPPF. Green Belt boundaries were therefore still expected to be drawn to allow for the longer term needs of development, meaning that any change in attitude towards Green Belt protection adopted by local authorities could only emerge as a result of political influence and hence must have environmental implications elsewhere.</p>	<b>JC Consultants, CPRE, RTPI West Midlands.</b>	<p>The NPPF, published in March 2012, makes it clear that the Government attaches great importance to Green Belts, and overall that the planning system should recognise the intrinsic character and beauty of the countryside. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and their permanence. Green Belt serves five purposes:</p> <ul style="list-style-type: none"> <li>(i) to check the unrestricted sprawl of large built-up areas;</li> <li>(ii) to prevent neighbouring towns merging into one another;</li> <li>(iii) to assist in safeguarding the countryside from encroachment;</li> <li>(iv) to preserve the setting and special character of historic towns; and</li> <li>(v) to assist in urban</li> </ul>

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				<p>regeneration, by encouraging the recycling of derelict and other urban land.</p> <p>The NPPF states that once Green Belts have been defined, local planning authorities should plan positively to enhance the beneficial use of the Green Belt, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land. The general extent of Green Belts across the country is already established. New Green Belts should only be established in exceptional circumstances, for example when planning for larger scale development such as new settlements or major urban extensions.</p> <p>If proposing a new Green Belt, local planning authorities should: demonstrate why normal planning and development management</p>

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				<p>policies would not be adequate; set out whether any major changes in circumstances have made the adoption of this exceptional measure necessary; show what the consequences of the proposal would be for sustainable development; demonstrate the necessity for the Green Belt and its consistency with Local Plans for adjoining areas; and show how the Green Belt would meet the other objectives of the NPPF .</p> <p>Local planning authorities with Green Belts in their area should establish Green Belt boundaries in their Local Plans which set the framework for Green Belt and settlement policy. The NPPF also states that once established, Green Belt boundaries should only be altered in exceptional circumstances, through the preparation or review of the Local Plan. At that time, authorities should consider the Green Belt boundaries having regard to their intended permanence in the long</p>

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				<p>term, so that they should be capable of enduring beyond the plan period.</p> <p>When drawing up or reviewing Green Belt boundaries local planning authorities should take account of the need to promote sustainable patterns of development. They should consider the consequences for sustainable development of channelling development towards urban areas inside the Green Belt boundary, towards towns and villages inset within the Green Belt or towards locations beyond the outer Green Belt boundary.</p> <p>Additional policies are set out to be applied when defining boundaries. Policies for the development of a village in a Green belt are also included.</p> <p>The NPPF makes clear, as with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved</p>

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				<p>except in very special circumstances. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.</p> <p>The NPPF also states that a local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Limited exceptions to this are set out in the NPPF, together with other forms of development that are also not inappropriate in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt.</p> <p>The NPPF also includes specific policy on renewable energy projects and Community Forests in the Green Belt.</p>

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				<p>The housing policies in the NPPF clearly state that when local planning authorities are ensuring their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, this is consistent with the policies set out in the NPPF, including policies on the protection of Green Belts.</p> <p>In addition, the presumption in favour of sustainable development makes a clear reference to Green Belts when it lists policies in the NPPF that indicate that development should be restricted.</p> <p>The policies set out on the Cambridge Green Belt are repeated in the Local Plan for Cambridge and as such revocation of the Regional Strategy would not change the status of the Green Belt around Cambridge.</p>
24	<b>Individual Topics - Gypsies and Travellers</b>	<b>The Garden Court Chambers Gypsy &amp; Traveller Team</b> considered that the revocation of Regional Strategies would have a detrimental effect upon the	<b>The Garden Court Chambers Gypsy &amp;</b>	It is the Government's view that Local authorities are best placed to understand the needs of their

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		<p>provision of sites for Gypsies and Travellers. They considered that the view in the Environmental Reports that sufficient sites would be delivered by local authorities without regional or national supervision was misconceived. They were therefore disappointed that consideration had not been given to the alternative option of retaining those regional policies relating to the provision of sites for Gypsies and Travellers. <b>Community Law Partnership</b> supported these comments and added that revocation would lead to a decrease in the provision of new sites which would have an inevitable result in the numbers of Gypsies and Travellers on unauthorised encampments and unauthorised developments increasing. <b>Friends, Families and Travellers</b> also supported these comments and stated that they objected most strongly to the proposals to abolish Regional Strategies and, at the very least, considered that an option which retains a regional perspective should be retained for the provision of Gypsy and Traveller sites.</p> <p>The <b>National Federation of Gypsy Liaison Groups</b> also disagreed with the conclusions in the Environmental Reports that revocation was unlikely to have any significant environmental effect on human health, population, cultural heritage or the historic environment. The revocation of policies relating to the</p>	<p><b>Traveller Team, Community Law Partnership, Friends, Families and Travellers, National Federation of Gypsy Liaison Groups.</b></p>	<p>communities. The Government has produced new planning policy for traveller sites that reflects this. The policy published in March 2012<sup>1</sup> makes it clear that its overarching aim is to ensure fair and equal treatment for travellers, in a way that facilitates their traditional and nomadic way of life while respecting the interests of the settled community.</p> <p>Local planning authorities when preparing their Local Plans should set pitch targets for gypsies and travellers and plot targets for travelling show people which address the likely permanent and transit site accommodation needs of travellers in their area, working collaboratively with neighbouring local planning authorities. The policy makes it clear that local authorities should set their targets based on robust evidence of need that will be tested at the Local Plan examination.</p>

<sup>1</sup> <http://www.communities.gov.uk/documents/planningandbuilding/pdf/2113371.pdf>

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		<p>provision for Gypsies, Travellers and Travelling Showpeople, would have a significant impact as a direct result of the fact that without a regional framework, local authorities were likely to, and already were, including reduced pitch numbers in their Development Plan Documents. The resulting lack of suitable accommodation was directly related to poor health and lower life expectancy, difficulty in accessing education opportunities, which contributed to poor living conditions, for example, on unauthorised sites. Unauthorised sites also impacted on the environment, for example if they were not suitably located there could be local impacts on the landscape.</p>		<p>This includes:</p> <ul style="list-style-type: none"> <li>(i) identifying and updating annually, a supply of specific deliverable sites sufficient to provide five years' worth of sites against their locally set targets;</li> <li>(ii) identifying a supply of specific, developable sites or broad locations for growth, for years six to ten and, where possible, for years 11-15;</li> <li>(iii) considering the production of joint development plans that set targets on a cross-authority basis, to provide more flexibility in identifying sites, particularly if a local planning authority has special or strict planning constraints across its area.</li> </ul> <p>The Duty to Co-operate will ensure that local authorities work together constructively, actively and on an ongoing basis in relation to these cross boundary matters in local plans.</p>

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				<p>The proposal to abolish Regional Strategies is part of a wider package of measures that will work alongside the reformed and decentralised planning system and are aimed at securing fair and effective provision of authorised sites for travellers. This includes the new traveller policy, Traveller Pitch Funding, the New Homes Bonus, reforms to enforcement measures to tackle unauthorised sites (via the Localism Act); improved protection from eviction for local authority traveller sites (via application of the Mobile Homes Act) and training for local authority councillors on their leadership role in site provision.</p>
25	<p><b>Individual Topics –Housing Supply</b></p>	<p><b>CPRE</b> commented that housing density remained a critical issue in achieving the best use of land. The Environmental Report, however, did not examine whether the impact of the lack of strategic density targets would be likely to exacerbate that problem and whether that would lead to increased land take, particularly on green field sites. The reliance on local plans was likely to lead to a patchy and inconsistent approach.</p> <p><b>RTPI West Midlands</b> commented that the West</p>	<p><b>Town and Country Planning Association, CPRE, RTPI West Midlands, Futures Network West Midlands.</b></p>	<p>The NPPF, published in March 2012, and the Duty to Co-operate address this issue. The NPPF makes clear that local planning authorities should work collaboratively with other bodies to ensure that strategic priorities across local boundaries are properly coordinated and clearly reflected in individual Local Plans. These strategic priorities include</p>

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		<p>Midlands Regional Strategy was based on a culture of stemming out-migration from the conurbations to the shire districts in an attempt to bolster urban regeneration and house building in the Major Urban Areas. Whether or not this was (or would have been) effective, the SEA needed to judge the impact of removing the Regional Strategy and the implications of adopting a locally-based approach in terms of differing migration patterns and the implications of this in terms of the solution of recognised social and economic problems such as housing delivery and environmental impact.</p> <p><b>Futures Network West Midlands</b> noted that the report stated that "It is clear that the revocation of regional strategies and their top-down targets will provide opportunities for securing environmental benefits because their revocation would remove certain current policies which present a threat to local environments". This statement appears principally to be a reference to regional housing targets which in their view had, in the West Midlands, provided over many years an effective mechanism for balancing the level and distribution of new housing with other considerations, including support for urban renaissance and protection of, and amendments to, the Green Belt. Abandonment of an existing mechanism for managing potential conflicts would not remove the underlying pressures for new housing.</p>		<p>the need to develop strategic policies to deliver the homes and jobs needed in the area.</p> <p>The NPPF states that joint working should enable local planning authorities to work together to meet development requirements which cannot wholly be met within their own areas – for instance, because of a lack of physical capacity or because to do so would cause significant harm to the principles and policies of the NPPF. As part of this process, they should consider producing joint planning policies on strategic matters and informal strategies such as joint infrastructure and investment plans.</p> <p>Local planning authorities will be expected to demonstrate evidence of having effectively co-operated to plan for issues with cross-boundary impacts when their Local Plans are submitted for examination. The Local Plan will be examined by an independent inspector whose role is to assess</p>

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				<p>whether the plan has been prepared in accordance with the Duty to Co-operate, legal and procedural requirements, and whether it is sound.</p> <p>The NPPF states that Local planning authorities may make an allowance for windfall sites in their five-year supply if they have compelling evidence that such sites have consistently become available in the local area and will continue to provide a reliable source of supply. Any allowance should be realistic having regard to the Strategic Housing Land Availability Assessment, historic windfall delivery rates and expected future trends, and should not include residential gardens. This policy, together with the approach to the use of brownfield land and other policies aimed at the protection and enhancement of the environment, aims to ensure that housing development is located in a way that is consistent with the principles of sustainable development.</p>

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26	Individual Topics - Heritage	<p><b>English Heritage</b> was concerned about the loss of the strategic analysis of the distinctive characteristics of the historic environment in each region, which it considered could often only be identified at a greater than local level. It was also concerned about gaps left by the abolition of regional level historic environment policies, and suggested that this should be considered urgently within Local Plan reviews.</p>	<p><b>English Heritage.</b></p>	<p>The National Planning Policy Framework continues to provide protection for heritage assets throughout the country. By definition, heritage assets include areas and landscapes, as well as individual buildings and monuments that have a degree of significance meriting consideration in planning decisions, because of their heritage interest. The significance of a heritage asset is stated to derive not only from its physical presence, but also from its setting.</p> <p>The NPPF includes as one of its core planning principles that planning should conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations. 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</p>

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				<p>threats. In doing so, they should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance.</p> <p>In developing their strategy, local planning authorities should take into account: the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring; the desirability of new development making a positive contribution to local character and distinctiveness; and opportunities to draw on the contribution made by the historic environment to the character of a place.</p> <p>The strategy in a Local Plan can identify heritage assets of local and more than local importance, including those of national and international importance.</p>

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27	<b>Individual Topics - Waste</b>	<p>The <b>Environment Agency</b> commented that the assessment of waste policies was quite comprehensive, but they were concerned with the second sentence in the last paragraph on page 61 of the Environmental Report which stated that, “local waste authorities already work together, and with other bodies, on strategic issues that cross local authority boundaries and may work together to produce joint waste plans if they wish”. As waste plans are currently produced at county and unitary level, they questioned whether the Government was suggesting wider than county waste plans. If that was the case, they recommended that further details are provided on how this will be applied.</p> <p>The <b>Woodland Trust</b> commented that the draft NPPF had stated that waste would be considered in a National Waste Management Plan. No date has yet to be given for the publication of this plan. Therefore there will be a lack of environmental protection in the interim which has not been accounted for.</p>	<b>Environment Agency, Woodland Trust.</b>	<p>The National Planning Policy Framework was published in March 2012. Paragraph 153 of the framework makes clear the expectation that local planning authorities should produce a local plan for the area, whilst Section 17 of the Planning and Compulsory Purchase Act 2004 makes it clear that two or more local planning authorities may agree to prepare one or more local development documents. This allows unitary authorities and county councils to work together if they wish. However such plans must still meet the legal and procedural requirements, including the test of soundness required under section 20 of the 2004 Act and Paragraph 182 of the NPPF.</p>
28	<b>Individual Topics - Biodiversity</b>	<p>On the basis of the content of the consultation draft of the NPPF, <b>Natural England</b> disagreed with the statement in Section 1.2 of the Environmental Reports that the NPPF “maintains protection of the Green Belt, Areas of Outstanding Natural Beauty, National Parks, Sites of Special Scientific Interest and other environmental designations which protect landscape character, stop unsustainable urban sprawl and</p>	<b>Natural England, Woodland Trust, Scottish Natural Heritage.</b>	<p>The NPPF was published in March 2012. The finalised version makes it clear that the planning system should protect and enhance valued landscapes, minimise impacts on biodiversity, provide net gains in biodiversity where possible, and contribute to the</p>

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		<p>preserve wildlife”.</p> <p>The <b>Woodland Trust</b> highlighted how in ‘Making Space for Nature’ Lawton set out that planning at different geographical scales was vital to inform conservation decisions. It also sets out that planning is pivotal in maximising the contributions of the existing network and ensuring that new components are sited in effective locations. The Trust believed that ‘Nature Improvement Areas’ recommended by Lawton would be very difficult to implement without the Regional Strategy in place.</p> <p><b>Scottish Natural Heritage</b> suggested that the Environmental Reports should address the protection and enhancement of networks to allow species dispersal throughout Britain. They considered that value could be added to the Environmental Reports if they identified a framework for establishing networks of green infrastructure across all the regions of England, with the potential to link with Wales and Scotland, rather than just to propose partnerships across local authority boundaries.</p>		<p>Government’s commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are resilient to current and future pressures.</p> <p>The NPPF also states that local plans contain a clear strategy for enhancing the natural, built and historic environment, and supporting Nature Improvement Areas where they have been identified.</p> <p>The NPPF also asks that, in order to minimise impacts on biodiversity and geodiversity, planning policies should: plan for biodiversity at a landscape-scale across local authority boundaries; identify and map components of the local ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity, wildlife corridors and stepping stones that connect them and areas identified by local partnerships for habitat restoration or creation.</p>

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				<p>The NPPF also states that local planning authorities should work with Local Nature Partnerships to assess existing and potential components of ecological networks.</p>
29	<p><b>Individual Topics - Renewable Energy</b></p>	<p><b>RenewableUK</b> were concerned that the SEA process failed to fully account for the impact that the removal of the Regional Strategies would have on the ability of local authorities to plan for renewable energy infrastructure, and the corresponding ability of the UK to meet its target of generating 15% of all energy from renewables by 2020. Overall, they suggested that there will be significant environmental effects of revoking the regional plans, if guidance and support for renewable energy development was not strengthened. Under existing proposals, the key mechanisms for strategic planning and renewable energy would be lost.</p>	<p><b>RenewableUK.</b></p>	<p>The NPPF, published in March 2012, includes as one of the core land-use planning principles that planning should support the transition to a low carbon future in a changing climate, including to "...encourage the use of renewable resources (for example, by the development of renewable energy)". The NPPF makes clear that planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure.</p> <p>The NPPF contains a number of policies aimed at encouraging the</p>

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				<p>development of renewable energy development including that local planning authorities should : have a positive strategy to promote energy from renewable and low carbon sources; design their policies to maximise renewable and low carbon energy development while ensuring that adverse impacts are addressed satisfactorily, including cumulative landscape and visual impacts; consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure the development of such sources; support community-led initiatives for renewable and low carbon energy, including developments outside such areas being taken forward through neighbourhood planning; and in line with the objectives and provisions of the Climate Change Act 2008.</p> <p>In addition, NPPF policies on strategic planning for infrastructure include the need to plan for energy</p>

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No	General	Detailed comments on the initial Environmental Report	Raised by	Response
				infrastructure including heat.
30	<b>Individual Topics - Transport</b>	<p>FOE considered that the removal of the Regional Strategies would in some cases have a negative environmental effect as their transport policies were stronger than those presented in the draft NPPF.</p> <p>CPRE considered that transport remains a major concern across the region. A key issue for the West Midlands was to ensure that accessibility is improved while potential environmental impacts are reduced.' They accepted that some schemes could be delivered by local authorities or jointly by local authorities but the report failed to address whether the overall co-ordination of transport policy would suffer as a result of the abolition of Regional Strategy.</p>	<b>FOE, CPRE.</b>	<p>The NPPF, published in March 2012, includes a number of core planning principles. These include the need to actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable. The NPPF makes it clear that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. The transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel. Encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion. In preparing Local Plans, local planning authorities should therefore support a pattern of development which, where reasonable to do so,</p>

Appendix F: SEA of the Revocation of the West Midlands Regional Strategy

No	General	Detailed comments on the initial Environmental Report	Raised by	Response
				<p>facilitates the use of sustainable modes of transport. The NPPF also states that local authorities should work with neighbouring authorities and transport providers to develop strategies for the provision of viable infrastructure necessary to support sustainable development, including large scale facilities such as rail freight interchanges, roadside facilities for motorists or transport investment necessary to support strategies for the growth of ports, airports or other major generators of travel demand in their areas.</p> <p>The NPPF is clear that plans and decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. It also says 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,</p>

Appendix F: SEA of the Revocation of the West Midlands Regional Strategy

No	General	Detailed comments on the initial Environmental Report	Raised by	Response
				leisure, education and other activities.
31	<b>Individual Topics - Water</b>	<p>The <b>Environment Agency</b> welcomed the reference to the Water Framework Directive (WFD) and drew attention to the fact that the Water Framework Directive is one of their top priorities and it gives them an opportunity to plan and provide a better water environment. They therefore would like the importance of the WFD to be recognised in the final National Planning Policy Framework.</p> <p>The <b>Woodland Trust</b> commented that the Environmental Report failed to recognise that environmental issues are not static. For example, water quality and demand on water required strategic policies that the Regional Strategy set out. They considered that issues such as sea level rise and flooding could only be approached strategically; incremental approaches by different local planning authorities could never be truly effective in tackling such a threat.</p> <p>The <b>Countryside Council for Wales</b> noted that whilst reference is made to Water Company Water Resource Plans there is no reference to which of the water companies plans (either approved or in development) were considered. No reference has been made to the fact that a large proportion of water resources used in the West Midlands (Severn Trent)</p>	<b>Environment Agency, Woodland Trust, Countryside Council for Wales.</b>	<p>The NPPF, which was published in March 2012, is clear that local planning authorities should work with other bodies to assess the capacity of water supply infrastructure, and should set out in the Local Plan their strategic priorities and policies for the provision of such infrastructure.</p> <p>More generally the NPPF tells local planning authorities to adopt strategies to mitigate and adapt to climate change and take full account of water supply and demand considerations. New development should be planned to avoid increased vulnerability to the range of impacts arising from climate change, which could include more frequent droughts. Where appropriate, risks should be managed through suitable adaptation measures, including through the planning of green infrastructure.</p>

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No	General	Detailed comments on the initial Environmental Report	Raised by	Response
		<p>are derived from Wales and that some of these sources are subject to strict protection under European legislation. They may also be subject to the planning policies of a devolved administration.</p>		<p>The NPPF also clearly states that planning policy decisions must reflect and where appropriate promote relevant EU obligations – which include, for example, obligations under the Water Framework Directive.</p>
32	<p><b>Individual Topics - Brownfield land</b></p>	<p>Respondents noted that the Environmental Report set out a number of environmental issues of strategic significance affecting the West Midlands, which were linked by the common thread of population growth. CPRE pointed out that the West Midlands is experiencing rapid levels of population growth; a trend that shows no sign of abating and which is frequently exacerbating environmental problems from habitat fragmentation to climate change.</p> <p>Revocation, combined with the Government's wider reforms to the planning system, had seen the abandonment of policies aimed at making re-use of previously developed land a priority. They submitted that this was likely to lead to increased urban sprawl and environmental degradation. It was felt that the goal of urban regeneration would suffer significantly through the abandonment of this 'brownfield first' policy - with negative consequences for the environment.</p> <p>Futures Network West Midlands considered that it was likely that the abolition of the national priority for</p>	<p><b>CPRE, Futures Network West Midlands, RTPI West Midlands.</b></p>	<p>The NPPF was published in March 2012. One of the 12 planning principles set out in the NPPF is that planning should encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value. The NPPF makes it clear that local planning authorities may continue to consider the case for setting a locally appropriate target for the use of brownfield land (paragraph 111).</p>

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No	General	Detailed comments on the initial Environmental Report	Raised by	Response
		'brownfield first' would make it much harder to achieve the regeneration and renaissance of major urban areas.		
33	<b>Individual Topics - Flooding</b>	The <b>Environment Agency</b> welcomed the recognition that local authorities should continue to work together on issues that cross local authority boundaries, alongside the Lead Local Flood Authorities' (LLFA) duties on flood risk management and the complementary duty in the Floods and Water Management Act on bodies to cooperate. The provision of technical guidance, including on flood and coastal erosion risk, to complement the NPPF would support LLFAs and help achieve the Duty to Co-operate.	<b>Environment Agency.</b>	In March 2012 the Government published the NPPF which contains policies to manage the risk of flooding through the planning system, together with technical guidance on flooding. The NPPF also states that local planning authorities should set out the strategic priorities for their area in their Local Plan. This should include strategic policies to deliver: the provision of infrastructure for flood risk and coastal change management.