

WEST MIDLANDS REGIONAL ASSEMBLY- REGIONAL PLANNING BODY

This report has been prepared on behalf of the West Midlands Regional Assembly, the Regional Planning Body, as technical advice to inform the Regional Spatial Strategy Revision process. It is one of a suite of technical reports commissioned to inform the development of spatial policy as part of Phase Two Revision on West Midlands Regional Spatial Strategy.

West Midlands Regional Spatial Strategy - Regional Centres Study REVIEW OF NATIONAL, REGIONAL & SUB-REGIONAL PLANNING POLICY



ROGER TYM & PARTNERS
Planners and Development Economists

 **King Sturge**

Technical Paper 1
February 2006

ROGER TYM & PARTNERS

17 St Ann's Square
Manchester
M2 7PW

t 0161 834 0833
f 0161 834 0818
e manchester@tymconsult.com
w www.tymconsult.com

This document is formatted for double-sided printing.

CONTENTS

1	THE REQUIREMENTS OF NATIONAL PLANNING POLICIES	1
	Introduction	1
	The Government's Objectives.....	1
	Positive Planning for Town Centres: A Plan-led Approach	2
	Development Control	7
	Monitoring and Review	10
	Conclusions and Changes in Emphasis.....	11
2	REGIONAL PLANNING GUIDANCE FOR THE WEST MIDLANDS (ODPM, JUNE 2004) ...	15
	Introduction	15
	Overview, Vision & Challenges.....	15
	The Spatial Strategy	16
	Urban Renaissance	17
	Prosperity for All	17
	Merry Hill	18
	Conclusion.....	18
3	THE BLACK COUNTRY STUDY	19
	Introduction	19
	Implications for the Partial Review of the RSS.....	21
4	WEST MIDLANDS ECONOMIC STRATEGY 2004-2010 (AWM, JANUARY 2004).....	23
	Overall Vision.....	23
	Objectives.....	23
	Mechanisms for Delivery.....	23
	Conclusion.....	24
5	WEST MIDLANDS REGIONAL SUSTAINABLE DEVELOPMENT FRAMEWORK VERSION ONE (WMRA/SWM, JANUARY 2005)	25
	Introduction	25
	Vision.....	25
	Principles and Objectives	25
	Delivery Process.....	26
	The Engagement Process	26
6	CULTURAL LIFE IN THE WEST MIDLANDS - THE REGIONAL CULTURAL STRATEGY 2001-2006 (WEST MIDLANDS LIFE)	29
	Vision.....	29
	Cohesion, Quality of Life and Access for All	29
	Strategic Priorities.....	29
7	BIRMINGHAM CITY-REGION - AT THE HEART OF SUSTAINABLE COMMUNITIES, BIRMINGHAM CITY-REGION FORUM	31
	Introduction	31
	Vision.....	31
	Potential for Growth	31
	Key Challenges.....	32
	Examples of Key Projects	32
	Next Steps	32
8	CONCLUSION	33

1 THE REQUIREMENTS OF NATIONAL PLANNING POLICIES

Introduction

- 1.1 The current national policy context, in so far as it relates to town centres and the location of new retail, office and leisure developments, is set, in the main, by the recently published PPS6 which replaces¹ the 1996 version of PPG6 and the subsequent Parliamentary answers of 5 December 1997 (Raynsford), 11 February 1999 (Caborn) and 10 April 2003 (McNulty). PPS6 also replaces the Government's Responses to the Select Committees of July 1997 and May 2000.
- 1.2 The new PPS6 is structured under four sections which deal with:
- the Government's objectives;
 - the plan-led approach to positive planning for town centres;
 - the assessment of proposed developments; and
 - measuring and monitoring the vitality and viability of town centres.

The Government's Objectives

- 1.3 The very first paragraph of PPS6 makes it clear that *'sustainable development is the core principle underpinning planning'* and that *'the planning system has a key role in facilitating and promoting sustainable and inclusive patterns of development, including the creation of vital and viable town centres'*. The Government's key objective for town centres², therefore, is to promote their vitality and viability (paragraph 1.3).
- 1.4 The Government's second tier objectives are set out in paragraph 1.4; these can be summarised as:
- enhancing consumer choice;
 - supporting efficient, competitive and innovative retail and leisure sectors and improving their productivity; and
 - improving accessibility to existing and new development by a choice of means of transport.
- 1.5 Paragraph 1.5 then sets out the Government's wider objectives; these can be summarised as:
- the promotion of social inclusion by ensuring access to a range of town centre uses and rectifying deficiencies;
 - the regeneration of deprived areas;
 - the promotion of economic growth;
 - the delivery of more sustainable patterns of development; and
 - the promotion of high quality and inclusive design, enhanced public realm and an accessible and safe environment.
- 1.6 Regional planning bodies (RPBs) and local authorities (LPAs) are therefore required to implement these Government objectives by planning positively for the growth and development of town centres, whilst not restricting competition or innovation

¹ See footnote on page 1 of PPS6.

² See footnote 3 on page 5 of PPS6 which states that references to 'town centres' and 'centres' throughout the policy statement apply to all types of centres described in Table 1 of Annex A, i.e. city, town, district and local centres, but not small parades of purely neighbourhood significance.

(paragraphs 1.6 and 1.7). The main town centre uses to which PPS6 applies are retail, leisure, offices and arts, cultural and tourism facilities (paragraph 1.8), with housing said to be *'...an important element in most mixed-use, multi-storey developments'* (paragraph 1.9).

Positive Planning for Town Centres: A Plan-led Approach

Introduction

- 1.7 The introduction to Section 2 of PPS6 calls upon RPBs and LPAs to :
- actively promote growth and manage change in town centres;
 - define a network and hierarchy of centres, each performing their appropriate role to meet the needs of their catchments; and
 - adopt a proactive and plan-led approach to planning for town centres through regional and local planning.
- 1.8 We consider it appropriate to summarise the requirements in a different and more logical order, starting with the role of regional plans.

The Role of Regional Plans

- 1.9 Paragraphs 2.12 to 2.14 of PPS6 set out the requirements placed on RPBs in developing their Regional Spatial Strategies (RSSs). The over-riding requirement is for RPBs to set out a vision and strategy for the region's growth, particularly for higher level centres, and provide a strategic framework for planning at the local level. In particular, RPBs must:
- develop a strategic framework for the development of a network of centres, taking into account the need to avoid an over concentration of growth in the higher level centres;
 - make strategic choices about those centres of regional and sub-regional significance where major growth should be encouraged;
 - identify the need for new centres to be developed in areas of planned major growth;
 - assess the need for additional floorspace in the comparison retail, leisure and office sectors **over the period of the RSS and for five yearly periods within it** and, having regard to capacity and accessibility considerations, they must identify where the identified needs would best be met;
 - monitor and regularly review the implementation of the strategy; and
 - identify the need for major town centre development of regional or sub-regional significance.
- 1.10 However, PPS6 is clear that new or expanded regional or sub-regional shopping centres located in out-of-centre locations are unlikely to meet the requirements of national policy (paragraph 2.14).

Networks and Hierarchies

- 1.11 Paragraphs 2.9 to 2.11 of PPS6 provide further advice in relation to the development the network and hierarchy of centres, but - in this part of the policy statement - the advice is in relation to both the regional and local levels. Thus, authorities must plan carefully how to distribute any identified growth at both regional and local levels. In defining their spatial objectives, RPBs and LPAs:

'...should consider whether there is a need to rebalance the network of centres to ensure that it is not overly dominated by the largest centres, that there is a more

even distribution of town centre uses, and that people's everyday needs are met at the local level' (paragraph 2.9).

- 1.12 Thus, in developing the network and hierarchy, RPBs and LPAs are required to consider:
- i) whether there is a need to avoid over concentration of growth in the higher level centres;
 - ii) the need for investment in those centres requiring to be regenerated; and
 - iii) the need to address deficiencies in the network (paragraph 2.9)
- 1.13 Any change in the role and function of centres - upward or downward - must come through the development plan process, rather than through planning applications, with higher order centres dealt with in the RSS and with lower order centres dealt with through the development plan documents (paragraph 2.10).

Promoting Growth and Managing Change

- 1.14 Paragraphs 2.3 to 2.8 of PPS6 turn to the role of LPAs in promoting growth and managing change in town centres. Paragraph 2.3 states that LPAs should - within the regional planning context - actively plan for growth and the management of change in town centres over the period of their development plan documents by:
- i) selecting appropriate existing centres to accommodate growth, making the best use of existing land and buildings, but extending the centres where appropriate;
 - ii) managing the role of existing centres through the promotion of specialist activities, or specific types of uses; and
 - iii) planning for new centres of an appropriate scale in areas of significant growth, or where there are deficiencies in the existing network.
- 1.15 Paragraph 2.4 urges that growth should be accommodated, wherever possible, through *'...more efficient use of land and buildings within existing centres'*. However, LPAs *'...should also seek to ensure that the number and size of sites identified for development or redevelopment are sufficient to meet the scale and type of need identified'*.
- 1.16 Where growth cannot be accommodated within existing centres, paragraph 2.5 advises LPAs to plan for:
- i) the extension of the primary shopping area, if there is a need for additional retail provision; and
 - ii) the extension of the town centre, to accommodate other main town centre uses.
- 1.17 Of crucial importance, however, is the Government's recognition that:
- 'Extension of the primary shopping area or town centre may also be appropriate where a need for large developments has been identified and this cannot be accommodated within the centre. Larger stores may deliver benefits for consumers and local planning authorities should seek to make provision for them in this context'* (paragraph 2.6).
- 1.18 However, whilst PPS6 gives recognition to the role of large stores, there is no replication of the provisions of paragraph 3.3 of the now replaced PPG6 which had stated that *'some types of retailers, such as large stores selling bulky goods, may not be able to find suitable sites either in or on the edge of the town centre'*.
- 1.19 Where existing centres are in decline, PPS6 advises LPAs to *'...assess the scope for consolidating and strengthening these centres by seeking to focus a wider range of uses there, promote the diversification of uses and improve the environment'* (paragraph 2.8). However, where a reversal of decline is not possible, LPAs are advised to consider a reclassification of the centre, so as to reflect its revised status in

the hierarchy, and the adoption of policies which allow retail units to change to other uses, whilst seeking to retain vital services such as post offices and pharmacies.

The Role of Plans at the Local Level

- 1.20 Paragraphs 2.15 to 2.18 of PPS6 deal, specifically, with the role of the forward planning system at the local level. Paragraph 2.15 requires LPAs to adopt a positive and proactive approach to planning for the future of all types of centres within their areas. Thus, in line with the RSS and their community strategies, LPAs should, prepare a core strategy development plan document which sets out *'...a spatial vision and strategy for the network and hierarchy of centres, including local centres, within their area, setting out how the role of different centres will contribute to the overall spatial vision for their area'*.
- 1.21 Paragraph 2.16 urges LPAs to work with stakeholders and the community so as to:
- i) assess the need for new floorspace for retail, leisure and other town centre uses, taking account of both quantitative and qualitative considerations;
 - ii) identify deficiencies in existing provision, assess the capacity of existing centres to accommodate new development and identify centres in decline where change needs to be managed;
 - iii) identify the centres where development will be focused, as well as the need for any new centres of local importance;
 - iv) define the extent of the primary shopping area and the town centre on their Proposals Map;
 - v) identify and allocate sites in accordance with the considerations set out in paragraphs 2.28 to 2.51;
 - vi) review existing land use allocations;
 - vii) promote investment in deprived areas by identifying opportunities for growth and improved access;
 - viii) set out criteria based policies for assessing proposals on sites not allocated in development plan documents; and
 - ix) distinguish between primary and secondary frontages.
- 1.22 Paragraphs 2.19 to 2.22 of PPS6 then proceed to highlight the need for high quality and inclusive design, the importance of accessibility and safety and the need for efficient use of land through the promotion of higher-density mixed-use development. Paragraphs 2.23 and 2.26 deal with the management of the evening economy and the need for a range of leisure, cultural and tourism activities and paragraph 2.27 seeks to promote the retention and enhancement of existing markets and, where appropriate, the creation of new ones.

Site Selection and Land Assembly

- 1.23 Paragraphs 2.28 to 2.52 deal with site selection and land assembly in the forward planning process. Paragraph 2.28 sets out the five key considerations for local authorities when they are selecting sites for development; these are to:
- a) *assess the need for development (paragraphs 2.32-2.40);*
 - b) *identify the appropriate scale of development (paragraphs 2.41-2.43);*
 - c) *apply the sequential approach to site selection (paragraphs 2.44-2.47);*
 - d) *assess the impact of development on existing centres (paragraph 2.48); and*
 - e) *ensure that locations are accessible and well serviced by a choice of means of transport (paragraphs 2.49-2.50).'*

- 1.24 These considerations match the development control tests set out in paragraph 3.4 of PPS6. In applying them in the development plan preparation process, LPAs are required to work closely with retailers, leisure operators, developers, other stakeholders and the wider community and paragraph 2.31 makes it clear that LPAs may need to make choices between competing development pressures in their town centres.

Need for Development

- 1.25 Paragraph 2.32 states that need assessments should be carried out as part of the plan preparation and review process, that they should be updated regularly and that LPAs should take account of the regional spatial strategy. Indeed, the LPAs' assessments of need '*...should inform and be informed by the regional needs assessments and form part of the evidence base for development plan documents*'.
- 1.26 Further guidance on the assessment of need is to be published separately. Paragraphs 2.33 and 2.34 of PPS6 make it clear, however, that LPAs should place greater weight on quantitative need for specific types of retail and leisure developments taking into account population change, forecast change in expenditure for specific classes of goods and forecast improvements in productivity in the use of existing floorspace.
- 1.27 Nevertheless, an important qualitative consideration will be the need to improve the range of services and facilities in deprived areas (paragraph 2.35). Another consideration which may be taken into account in the assessment of qualitative need is the degree to which existing shops may be over-trading (paragraph 2.36). However, regeneration and employment impacts - whilst capable of being material considerations - are not indicators of retail need (paragraph 2.37).
- 1.28 LPAs are also required to assess the need for new office floorspace over the development plan document period. Paragraph 2.39 states that they should take account of the RSS which will incorporate employment forecasts and the identification of suitable broad locations where regionally significant office development should be located (paragraph 2.39). LPAs must also take account of the physical capacity of their town centres and their roles in the hierarchy in planning for new office development and they must consider the needs for other main town centre uses.

Appropriate Scale

- 1.29 Paragraph 2.41 states that:

'In selecting suitable sites for development, local planning authorities should ensure that the scale of opportunities identified are directly related to the role and function of the centre and its catchment.'

- 1.30 As a consequence, paragraph 2.42 states that '*...local centres will generally be inappropriate locations for large scale new development...*' and that LPAs '*...should therefore consider setting an indicative upper limit for the scale of developments likely to be permissible in different types of centres...*'. If a need is identified for larger format developments, paragraph 2.43 indicates that sites should be identified within or on the edge of 'city centres' and 'town centres', as defined in Table 1 of Annex A to PPS6.

Sequential Approach to Site Selection

- 1.31 Paragraph 2.44 of PPS6 sets the order of preference in applying the sequential approach, as follows:

- first, locations within existing centres, but subject to caveats relating to suitability, availability and scale in relation to the function of the centre;
- second, edge-of-centre locations, with a preference given to sites that are, or will be, well connected to the centre; and then

- out-of-centre sites, with preference given to sites which are, or will be, well served by a choice of means of transport and those with a high likelihood of forming links with the centre.
- 1.32 It is important to note that the distance threshold for the purposes of the 'edge-of-centre' definition, varies from up to 300 metres from the primary shopping area for retail use, to within 300 metres of a town centre boundary for all other main town centre uses (as set out in Table 2 of Annex A of PPS6). It is also noteworthy that LPAs are required to give weight to those locations that best serve the needs of deprived areas when considering alternative sites at the same level in the sequential ranking (paragraph 2.44).
- 1.33 In line with the earlier advice in the now replaced PPG6, there is a requirement for flexibility and realism on the part of both LPAs and developers/operators when discussing the identification of sites for inclusion in development plan documents. Sites must be available, or likely to become available for development during the development plan document period, and capable of accommodating a range of business models, all parties having been flexible in relation to scale, format, car parking provision and the scope for disaggregation (paragraph 2.45).
- 1.34 A new requirement, however, is for development plan documents to include phasing policies so as to ensure that preferred locations are developed ahead of less central locations (paragraph 2.46).
- 1.35 Further guidance on the sequential approach is to be published separately (paragraph 2.47).

Assess Impact

- 1.36 If LPAs are proposing to allocate sites in 'edge-of-centre' or 'out-of-centre' locations, they must assess the potential impact on centres within the catchment area of the potential development (paragraph 2.48). In our assessment, this provision would seem to confirm that the Government is not seeking to impose a moratorium against 'out-of-centre' development, albeit that such development is likely to be rare. LPAs must also assess the potential impact on other centres of those allocations within a centre which would substantially increase its attraction vis-à-vis other centres (paragraph 2.48).

Ensure Locations are Accessible

- 1.37 Paragraph 2.49 of PPS6 confirms PPG13's aspiration to reduce the need to travel, to reduce reliance on the private car and to ensure that everyone has good access to a range of facilities. As a consequence, in selecting sites for allocation, LPAs are required to have regard to the accessibility of the site by a choice of means of transport and the potential impact of its development on car use, traffic and congestion. In rural areas the focus for development is to be in market towns and large villages.

Other Relevant Matters

- 1.38 After assessing the sites against the five considerations set out in paragraph 2.28 of PPS6, LPAs are able to consider other matters such as physical regeneration, the likely net employment impact, the potential impact on economic growth and the potential impact on social inclusion (paragraph 2.51).

Assembling Sites

- 1.39 Paragraph 2.52 states that LPAs '*...should allocate sufficient sites to meet the identified need for at least the first five years from the adoption of their development plan documents...*' (our emphasis). LPAs are also required to consider the scope for site assembly using their CPO powers in order to ensure that suitable sites are brought forward for development.

Designation of New Centres

- 1.40 Paragraph 2.53 repeats the advice that *'new centres should be designated through the plan-making process where the need for them has been established, such as in areas of significant growth, or where there are deficiencies in the existing network of centres, with priority given to deprived areas..... whether this is done at the regional or local level will depend on the size of the proposed centre and its proposed role in the hierarchy of existing centres...'* PPS6 is clear, however, that existing out-of-centre facilities must not be regarded as *'centres'*, unless they are identified as such in the RSS and/or in development plan documents (paragraph 2.54).

Providing for Local Shopping and Other Services

- 1.41 Paragraphs 2.55 to 2.59 are concerned with the provision for local shopping and other services. There is emphasis on the need for a network of local centres, so as to meet people's day-to-day needs and provide a focus for local services. LPAs are encouraged to seek to rectify any deficiencies in local provision, especially in deprived areas, through liaison with the local community, retail operators and other stakeholders. Further guidance on the preparation of strategies for smaller centres is to be published separately.

Rural Centres

- 1.42 Paragraphs 2.60 to 2.64 of PPS6 deal with rural centres. Market towns and villages, as expected, are to be the main service centres in rural areas and the focus for economic development. Paragraph 2.61 states that the Government is committed to helping market towns manage the process of change and to strengthen their role as service centres, but there is little guidance as to how this aspiration is to be achieved.

Development Control

- 1.43 Section 3 of PPS6 sets out the considerations to be taken into account by LPAs in determining planning applications for **all** proposals relating to main town centre uses - whether in the form of new development, redevelopment, extensions, changes of use, renewals of extant planning permissions or applications to vary or remove existing conditions (paragraph 3.1).

- 1.44 First, it is important to note the provisions of paragraph 3.3, which states that:

'The key considerations for identifying sites for allocation in development plan documents, as set out in Chapter 2, apply equally to the assessment of planning applications,' so that Chapter 3 *'...sets out only the additional detail relevant to the consideration of planning applications, and should be read in conjunction with Chapter 2'.*

- 1.45 Thus, paragraph 3.4 sets out the same five tests for applicants as apply to LPAs in allocating sites in the development plan preparation process (as set out earlier in paragraph 2.28). We discuss each test in turn, but before doing so we emphasise the provisions of paragraph 3.5, which states that *'...as a general rule the development should satisfy **all** these considerations'* (our emphasis).

Assessing the Need for Development

- 1.46 The first point to note is that applicants are not required to demonstrate the need for retail proposals located within the primary shopping area, or for other main town centre uses located within the town centre (paragraph 3.8). However, paragraph 3.9 states that *'...need must be demonstrated for **any** application for a main town centre use which would be in an edge-of-centre or out-of-centre location and which is not in accordance with an up to date development plan document strategy'* (our emphasis). There is no minimum floorspace size threshold below which the test of need does not apply.

- 1.47 Additional guidance on the assessment of quantitative need in relation to retail and leisure proposals is set out in paragraph 3.10, which states that the need assessment should be:
- i) based on the assessment carried out for the development plan document, updated as required;
 - ii) related to the class of goods to be sold;
 - iii) assessed, normally, no more than five years ahead; and
 - iv) based on a catchment area that is well related to the size and function of the proposed development and which takes account of competing centres.

Scale

- 1.48 There is no further advice in relation to the issue of scale and paragraph 3.12 merely refers to advice already set out previously in Section 2.

The Sequential Test

- 1.49 Paragraph 3.13 states that the sequential test applies to *'...all development proposals for sites that are not in an existing centre nor allocated in an up-to-date development plan document'*, suggesting that there is no minimum floorspace size threshold below which the sequential test does not apply in relation to new proposals; however, paragraph 3.29 of PPS6 subsequently introduces a threshold, for extensions, of 200 sq.m gross, below which the sequential test does not apply.
- 1.50 Paragraph 3.13 goes on to state that the relevant centres in which to search for sites will depend on:
- the overall strategy set out in the development plan;
 - the nature and scale of the development; and
 - the catchment that the development seeks to serve.
- 1.51 In applying the sequential approach developers and operators are required to demonstrate flexibility in relation to scale, format, car parking provision and the scope for disaggregation. The key purpose of the exercise *'...is to explore the possibility of enabling the development to fit onto more central sites by reducing the footprint of the proposal'* (paragraph 3.16); this may involve a reduction in floorspace, more innovative site layouts, multi-storey development and reduced car parking.
- 1.52 Nevertheless, PPS6 retains the onus on LPAs to *be '...realistic in considering whether sites are suitable, viable and available'* (paragraph 3.16). LPAs are also required to *'...take into account any genuine difficulties, which the applicant can demonstrate are likely to occur in operating the applicant's business model from the sequentially preferable site, in terms of scale, format, car parking provision and the scope for disaggregation, such as where a retailer would be required to provide a significantly reduced range of products'*.
- 1.53 Paragraph 3.17 retains the requirement to apply the test of disaggregation so as to assess whether the constituent parts of a development proposal that comprises several components can be accommodated on sites in sequentially preferable locations. Whilst paragraph 3.18 would seem to reverse the provisions in draft PPS6 - that would have enabled the promoter of a single retail or leisure unit to escape the test of disaggregation - we consider the new advice to be confusing and contradictory; the first sentence of paragraph 3.18 seems to say, in effect, that a single retailer or single leisure operator should not be expected to disaggregate, provided the scope for disaggregation has been demonstrated. This is a nonsense and, in our opinion, an early clarification of the provisions of paragraph 3.18 is essential.

- 1.54 Paragraph 3.19 retains the PPG6 tests of 'availability within a reasonable period of time', 'suitability' and 'viability' in applying the sequential test. However, the phrase '*within a reasonable period of time*' is to be determined on the merits of each particular case.

Assessing Impact

- 1.55 Paragraph 3.20 requires impact assessments to be undertaken for any application for a main town centre use which would be in an edge-of-centre or out-of-centre location and which is not in accordance with an up-to-date development plan strategy. Paragraph 3.20 also provides that:

'Where a significant development in a centre, not in accordance with the development plan strategy, would substantially increase the attraction of the centre and could have an impact on other centres, the impact on other centres will also need to be assessed'.

- 1.56 Paragraph 3.21 retains the PPG6 requirement to assess impact on a cumulative basis, taking into account recent permissions, developments under construction and completed developments. There is also an assertion at the end of paragraph 3.21 that '*...the identification of need does not necessarily indicate that there will be no negative impact*'.

- 1.57 In assessing potential impacts LPAs are required to consider the likelihood of:

- risk to the spatial planning strategy for the area;
- effects on future public or private investment;
- negative and positive (through clawback) impacts on the turnover of existing centres;
- changes to the range of services provided by centres;
- impact on the number of vacant properties in the primary shopping area;
- changes to the physical condition of the centre and to its role in the economic and social life of the community; and
- implications for the evening and night-time economy.

- 1.58 The level of detail and type of evidence required is to be proportionate to the scale of the proposal, but impact assessments will be required for all retail and leisure proposals of over 2,500 sq.m gross and occasionally for smaller developments (paragraph 3.23).

Accessibility

- 1.59 In determining whether proposed developments are genuinely accessible, LPAs should assess distance from existing/proposed public transport facilities, frequency and capacity of public transport services and whether access for pedestrians, cyclists and disabled people is easy, safe and convenient.

- 1.60 LPAs must also assess whether the proposal is likely to have impacts on the overall distance travelled by car, local traffic levels and congestion, having taken account of any public transport and traffic management measures secured as a result of the development.

Local Issues and Material Considerations

- 1.61 Paragraph 3.28 confirms the advice in Chapter 2 in stating that material considerations may include physical regeneration, employment considerations, economic growth and social inclusion.

Extensions to Existing Development

- 1.62 Paragraph 3.29 confirms that all of the development control tests apply equally to proposals for extensions to facilities which are located in edge-of-centre and out-of-centre locations, but there is a floorspace threshold for extensions of 200 sq.m below which the sequential approach does not apply.

Ancillary Uses

- 1.63 Shops proposed as ancillary elements to petrol filling stations, motorway service areas, sports stadia, rail stations, airports and so on must be limited in scale, genuinely ancillary and have a limited range of goods.

Conditions

- 1.64 Paragraphs 3.31 and 3.32 retain PPG6's stance in relation to the use of conditions which are designed to ensure that the character of a development cannot change over time so as to create a form of development which is unacceptable. Such conditions include:
- prevention of sub-division;
 - controls on ancillary elements;
 - limits to internal alterations designed to increase floorspace by specifying the maximum floorspace to be permitted, including any floorspace created by mezzanines; and
 - limits to the ranges of goods to be sold and the mix of convenience and comparison goods.
- 1.65 Conditions are also advocated as a means for resolving issues relating to impacts on traffic and the amenity of local residents - for example, controls on the timing of deliveries.

Monitoring and Review

- 1.66 Paragraph 4.1 of PPS6 suggests that comprehensive monitoring is essential to the effective planning and management of town centres. Reference is made to the provisions of the Planning and Compulsory Purchase Act 2004, which requires RPBs and LPAs to submit Annual Monitoring Reports that include analysis of performance against defined core output indicators, those of most relevance being:
- the amount of completed retail, office and leisure development (Indicator 4a); and
 - the percentage of completed retail, office and leisure development in town centres (Indicator 4b).
- 1.67 Paragraph 4.3 identifies three further matters to be kept under review, as follows:
- *'the network and hierarchy of centres (at both the regional and local levels);*
 - *the need for further development (as set out in Chapter 2); and*
 - *the vitality and viability of centres (at the local level)'*

Measuring Vitality and Viability

- 1.68 The final paragraph of PPS6 sets out the key indicators to be used in measuring the vitality and viability of town centres and in monitoring their health; these can be summarised as follows:
- the diversity of main town centre uses (by number, type and amount of floorspace);
 - the amount of retail, leisure and office floorspace in edge-of-centre and out-of-centre locations;

- the potential capacity for growth or change in the network;
- retailer representation;
- shopping rents;
- the proportion of vacant street level property;
- commercial yields;
- pedestrian flows;
- accessibility;
- customers' and residents' views and behaviour;
- perception of safety and occurrence of crime; and
- the state of the town centre's environment.

Conclusions and Changes in Emphasis

- 1.69 In our assessment, the provisions of PPS6 reflect the Government's wider emphasis on the need to plan, monitor and manage at both the regional and local planning levels; indeed the key changes in national policy emphasis arising as a result of PPS6 are:
- i) a requirement for a much more proactive plan-led approach to planning for town centres through regional and local planning;
 - ii) much more emphasis on the need to develop a network and hierarchy of centres at both the regional and local levels; and
 - iii) a much greater involvement on the part of the public sector in the management and implementation of changes in town centres and in the monitoring of their vitality and viability.
- 1.70 Thus, RPBs are required to:
- i) set a vision and strategy for the region's growth and a strategic framework for planning at the local level;
 - ii) develop a strategic framework for the development of a network of centres;
 - iii) make strategic choices about those centres of regional and sub-regional significance where major growth is to be encouraged;
 - iv) identify the need for new higher order centres;
 - v) assess the need for additional floorspace in the comparison retail, leisure and office sectors over the period of the RSS and for five yearly periods within it;
 - vi) identify where needs would best be met having regard to capacity and accessibility considerations; and
 - vii) identify the need for major town centre development of regional or sub-regional significance.
- 1.71 In turn RPBs and LPAs are required to consider:
- i) whether there is a need to avoid an over-concentration of growth in the higher level centres;
 - ii) the need for investment in those centres requiring to be regenerated; and
 - iii) the need to address deficiencies in the network.
- 1.72 In preparing their development plan documents within the context set by the RSS, LPAs, in turn, must:

- i) select appropriate existing centres to accommodate growth, making the best use of existing land and buildings, but extending the centres where appropriate using tools such as the Action Plans, CPOs and strategies to improve transport, land assembly, crime prevention and design;
 - ii) manage the role of existing centres through the promotion of specialist activities, or specific types of uses; and
 - iii) plan for new centres of an appropriate scale in areas of growth, or where there are deficiencies in the existing network.
- 1.73 Where growth cannot be accommodated within existing centres, LPAs are to plan for the extension of the primary shopping area, if there is a need for retail provision, and for the extension of the town centre as a whole to accommodate other main town centre uses.
- 1.74 The key considerations to apply in selecting sites for development remain similar to those identified in PPG6 and subsequent ministerial statements. However, there is more emphasis given to the issue of scale, so that LPAs are to consider setting indicative upper limits for the scale of development likely to be permissible in different types of centres.
- 1.75 Strong emphasis continues to be given to the sequential approach, but it does not appear that the Government is seeking to impose a moratorium against out-of-centre development, albeit that such development will be rare. If there is a need for larger stores, and they cannot be accommodated within the existing primary shopping area, they are to be directed to edge-of-centre locations. The guidance is unclear as to whether an individual retailer or leisure operator faces the test of disaggregation (paragraph 3.18), but all parties must demonstrate flexibility in relation to scale, format, design and the amount of car parking in seeking to promote development within existing centres.
- 1.76 We consider, however, that the new guidance is not particularly informative for LPAs that have town centres which face significant physical and environmental constraints to their expansion, such as spa towns, cathedral cities and so on. Nor is the policy statement of much assistance in helping RPBs and LPAs to choose between competing uses where the needs in the retail, leisure, office and cultural sectors are projected to substantially exceed the ability of existing centres - or indeed expanded centres - to accommodate them. Conversely, the new guidance provides little practical guidance for local authorities in relation to mechanisms for stemming decline - for example, how are post offices and pharmacies to be saved in declining local centres?

Remaining Inadequacies of PPS6

- 1.77 PPS6 represents a substantial improvement on earlier guidance. We consider, however, that the new guidance is not particularly informative for LPAs that have town centres which face significant physical and environmental constraints to their expansion, such as spa towns, cathedral cities and so on. Nor is the policy statement of much assistance in helping RPBs and LPAs to choose between competing uses where the needs in the retail, leisure, office and cultural sectors are projected to substantially exceed the ability of existing centres - or indeed expanded centres - to accommodate them. Conversely, the new guidance provides little practical guidance for local authorities in relation to mechanisms for stemming decline - for example, how are post offices and pharmacies to be saved in declining local centres?
- 1.78 We consider that the guidance given in the new PPS6 in relation to the creation of new centres (paragraphs 2.53 and 2.54) is totally inadequate. How are such new centres to become 'town centres' for the purpose of the Annex A typologies; how are RPBs and LPAs to benefit from the negative experience of some of the New Towns; and how is the scale of such new centres to be determined? Furthermore, the provisions of paragraphs 2.14 and 2.54 of PPS6 - in relation to the treatment of existing out-of-

centre shopping centres - are of little assistance to the Regional Planning Body (RPB) in dealing with the unique set of circumstances which exist at Brierley Hill/Merry Hill and at the Waterfront (or at what might be described as 'Greater Merry Hill'). The latter already serves as a strategic location for retail, office and leisure activity and the Brierley Hill Area Development Framework - which was adopted by the Council as supplementary planning guidance in June 1999 - envisages the introduction of a wider range of town centre uses including housing, civic, community and health facilities, the introduction of charges for car parking, and improved public transport. The issue for the RPB, however, is at what point in time should Greater Merry Hill benefit from status as a 'town centre' for the purposes of PPS6.

- 1.79 Finally, we note the Government's intention to publish further guidance on undertaking assessments of the need for, and the likely impact of, proposals for retail and leisure developments (paragraph 2.38 of PPS6) and further guidance in relation to the sequential approach (paragraph 2.47 of PPS6).

2 REGIONAL PLANNING GUIDANCE FOR THE WEST MIDLANDS (ODPM, JUNE 2004)

Introduction

- 2.1 The Office of the Deputy Prime Minister (ODPM) published Regional Planning Guidance for the West Midlands (RPG11) on 16 June 2004. RPG11 became the Regional Spatial Strategy (RSS) on commencement of the Planning & Compulsory Purchase Act 2004 and it forms part of the development plan for the purposes of Section 38(6) of the Act. However, paragraph 1.31 of RPG11 recognises that it *'...does not fully accord with the advice in PPG11...'* and that *'... it is insufficiently regionally specific in places...'* Of fundamental importance in the context of the Regional Centres Study is the recognition of the need for an early review of various aspects of RPG11, including the strategy for town and city centres. Thus, paragraph 7.58 of RPG11 requires the Regional Planning Board (RPB) to identify the investment priorities within the strategic network of centres in order to:
- support urban regeneration;
 - achieve a balanced network;
 - minimise the risk of harm elsewhere;
 - assist vulnerable centres; and
 - support the sustainability agenda.
- 2.2 In addition, the RPB will be required to indicate where significant development would not be appropriate and to utilise the work of the Black Country Study in identifying the future role of Merry Hill and the timing of any future large-scale development at that location.

Overview, Vision & Challenges

- 2.3 It should be appreciated at the outset that RPG11 of 2004 proposes a fundamental shift in policy direction compared to that set out in its precursor of 1998. The 1998 version sought to accommodate out-migration from the metropolitan area to towns within the surrounding zone, referred to as the Central Crescent and including the towns of Warwick/Leamington, Stratford, Worcester, Kidderminster/Stourport, Bridgnorth, Telford, Stafford, Lichfield and Tamworth. This previous approach has underperformed in relation to the regeneration of the major urban areas and remoter rural areas, in relation to the provision of affordable housing, and in promoting development in the north and west of the Region. In particular, there is a growing concern that the continuing decentralisation of population from the West Midlands, North Staffordshire and Coventry conurbations is threatening the economic, social and physical environment of the Region. The replacement RPG11 therefore seeks to re-weight the balance in favour of the major urban areas (MUAs) by seeking a step change in investment and regeneration in these areas.
- 2.4 Paragraphs 1.12 to 1.16 of RPG11 encourage the RPB to further develop its polycentric approach and to better understand the functional inter-relationships between places within and, where appropriate, outside of the Region.
- 2.5 The long-term vision for the West Midlands Region, within the Government's overarching aim of achieving sustainable development, is set out in paragraph 2.2 of RPG11, as follows:

'The overall vision for the West Midlands is one of an economically successful, outward looking and adaptable Region, which is rich in culture and environment, where all people, working together, are able to meet their

aspirations and needs without prejudicing the quality of life of future generations.'

- 2.6 Within the overall vision is the ambition to secure a Region with '*...diverse and distinctive cities, towns, sub-regions and communities, with Birmingham as a "World City" at its heart*' (paragraph 2.4d). The Regional Sustainability Action Framework (2000) had anticipated the need for a fundamental change of direction, so that paragraph 3.4 of RPG11 identifies the following four major challenges in seeking to realise the vision for the Region:
- **urban renaissance** - developing the major urban areas in such a way that they can meet their own economic and social needs, so as to reverse the decentralisation of jobs and people facilitated by earlier strategies;
 - **rural renaissance** - addressing more effectively the major changes which are challenging the traditional roles of rural areas and the countryside;
 - **diversifying and modernising the Region's economy** - ensuring that opportunities for growth are linked to needs, so as to reduce social exclusion; and
 - **modernising the transport infrastructure of the West Midlands** - to support the sustainable development of the Region.

The Spatial Strategy

- 2.7 RPG11's Spatial Strategy can be broadly summarised as enabling all parts of the Region to sustainability meet their own needs, in a mutually supportive way. Paragraphs 3.6 to 3.10 explain how different responses will be required in different parts of the Region, but that those responses should be complementary to each other. However, in both the MUAs and in the Region's other large settlements there is a need for '*...a balanced network of vital and vibrant town and city centres as the strategic focus for major retail, leisure and office developments*'. Indeed, five sub-regional foci are identified outside the MUAs, these being Hereford, Rugby, Shrewsbury, Telford and Worcester.
- 2.8 Paragraph 3.11 goes on to state that:
- 'The key to the Spatial Strategy is achieving an urban renaissance in the four MUAs of Birmingham/Solihull, the Black Country, Coventry and the North Staffordshire conurbation. Nonetheless, the ultimate aim of the Spatial Strategy is a Region made up of a dynamic network of places, all important in their own right and with distinct characteristics, but with reinforcing economic, cultural and social functions. An important part of this is the development of a balanced network of town and city centres (PA11) that will act as the focus for major investment in retail, leisure and office developments.'*
- 2.9 Thus, each of the MUAs needs to develop enhanced economic and social roles; each of the major shire towns beyond the MUAs must act as a focus for new investment so as to meet the economic, social and cultural needs of surrounding rural areas; and other main towns and villages must deliver improved local services and their own distinctive roles and character. The emphasis is very much on a role for each place, but with all places abiding by the principle of complementarity.
- 2.10 Four of the ten Spatial Strategy Objectives set out in paragraph 3.14 of RPG11 are particularly relevant to the Regional Centres Study, these being:
- 'c) to create a joined-up multi-centred Regional structure where all areas/centres have distinct roles to play;*
 - e) to support the cities and towns of the Region to meet their local and sub-regional development needs;*

- i) to promote the development of a network of strategic centres across the Region; and
- j) to promote Birmingham as a world city.

Urban Renaissance

- 2.11 The four major urban areas (MUAs) within the Region are to be the main focus of urban renaissance. The MUAs are the major economic driver and source of employment opportunities for the Region and contain over half its population. The central aim of the RPG is to reverse decentralisation from these areas to the more rural parts of the Region. The four MUAs, and the role of each as envisaged by RPG, is set out below:
- Birmingham - strengthening its role as the regional capital with emerging world city status;
 - the Black Country - continuing its economic, physical and environmental renewal focused around improved infrastructure and the regeneration of town and city centres (including Walsall, West Bromwich and Wolverhampton) in order to create modern and sustainable communities;
 - Coventry - continuing to build upon its reputation as a forward looking City, which along with Solihull and Warwickshire, can help create an important growth engine for the Region with links to the growing parts of the South East and East Midlands regions; and
 - North Staffordshire - building upon its traditional strengths of ceramics and engineering, but realising its potential as an accessible location with good links to the East Midlands and the North West.
- 2.12 Rejuvenated city, town and local centres are seen as being crucial in the creation of high quality living and working environments and as foci for regeneration (Policy UR1v and paragraphs 4.15 to 4.18). Indeed, Policy UR3: 'Enhancing the role of City, Town and District Centres' recognises that city, town and district centres, and in particular, those centres identified in the network of town and city centres in Policy PA11, should be enhanced to play a leading role in the Region's urban renaissance and as drivers of economic growth. UR3 states that this will be achieved by (*inter alia*) developing place-specific strategies that promote their sense of identity and local distinctiveness.
- 2.13 Outside the MUAs, twelve 'local regeneration areas' (LRAs) are identified by Policy UR2, based on those areas that contain at least one of the most deprived 20 per cent of wards nationally. Nine of the LRAs contain centres that are within the network of 25 strategic town and city centres identified by Policy PA11, namely: Kidderminster, Tamworth, Telford, Stafford, Burton, Cannock, Rugby, Redditch and Worcester. Policy UR2 encourages local authorities and other agencies to develop regeneration strategies, and improve access between concentrations of local deprivation within the LRA towns and areas of economic opportunity

Prosperity for All

- 2.14 The future performance of the Region's economy is seen as being critical to the success of the Spatial Strategy, with a clear link between economic performance and quality of life. A spatial focus for economic activity is given through the identification of:
- iv) six Regeneration Zones (five urban and one rural), reflecting the priorities of the Regional Economic Strategy (Policy PA2);
 - v) three High-Technology Corridors (Policy PA3); and
 - vi) a network of 25 town and city centres (Policy PA11).

- 2.15 The purpose of the network of 25 centres identified under Policy PA11 is explained in paragraphs 7.54 to 7.67 of RPG11. Paragraph 7.54 emphasises that the health of the centres *'...will be a major determinant of the quality of life for everyone'* and paragraph 7.55 emphasises the need for complementarity between centres in promoting polycentricity. Thus, RPG11 does not set out a formal hierarchy of roles for the centres, other than identifying Birmingham as the regional capital and an international city (Policy PA12). Instead the role of the centres is meant to be complementary, within the 'polycentric' concept³. Nevertheless, the ten centres in the network which are within the MUAs are seen as having a *"key role"* to play in achieving urban renaissance and a number of centres are highlighted as being *"particularly vulnerable"*.
- 2.16 Policy PA11 seeks to ensure that the network of 25 strategic town and city centres is the focus for major new retail developments (that is, those with gross floorspace of 10,000 sq.m and above, excluding floorspace dedicated to the retailing of convenience goods), and large-scale leisure and office developments (that is, those with a gross floorspace of 5,000 sq.m and above). However, paragraph 7.58 requires the RPB to undertake further work to inform an early review of the strategy for town and city centres, including identification of the centres where major new retail, leisure and office investment should be focussed; and paragraph 7.63 refers to the role of the Centres Working Group in advising on the appropriateness of large-scale development proposals for all key town centre uses.
- 2.17 To support the drive to focus significant retail development in the strategic town and city centres, Policy PA13 does not envisage that *'...any further large-scale (10,000 sq.m gross) out-of-centre retail developments or extensions to existing developments will be required during the period covered by this RPG'*.

Merry Hill

- 2.18 RPG11 recognises Merry Hill as *'... an important regional shopping destination, which may have the potential to assist in the regeneration of the South Black Country and West Birmingham Regeneration Zone'*. However, it notes that this regeneration role must be balanced with the regeneration needs of other strategic and vulnerable centres. RPG11 states (paragraph 7.64) that the RPB should reach a strategic view on the following:
- regeneration priorities within the Region/Black Country sub-region;
 - the balance between centres, in particular which centres in the region/sub-region should be the focus for major growth to assist their regeneration; **and then**
 - the role of Merry Hill and, if appropriate, the **timing** of any future large-scale development there.
- 2.19 Paragraph 7.64 goes on to state that the RPB's view on Merry Hill should be informed by the Black Country Study and the work on creating a balanced network of centres. It also provides that any further expansion of Merry Hill should be subject to improvements to public transport and the introduction of parking charges compatible with other major centres in the network.

Conclusion

- 2.20 Whilst the present study is clearly of fundamental importance to the early review of RPG11, we consider it to be important to note, at this stage, that the broad thrust of RPG11's existing policies - in so far as they relate to the enhancement of the network of centres - is in line with the strategic provisions of PPS6.

³ As put forward in 'A Polycentric Framework for the West Midlands' (Ecotec, 2000).

3 THE BLACK COUNTRY STUDY

Introduction

- 3.1 We have noted earlier that paragraph 1.31 of RPG11 recognises that the existing guidance *'...does not fully reflect the advice in PPG11...'* and that *'...it is insufficiently regionally specific in places...'*. Paragraph 1.21 proceeds to identify the Black Country Study as particularly important *'...in resolving the many inter-connected issues affecting this part of the Region...'* and that it will *'...advise on a broad range of issues including regeneration priorities, the strategic role of town centres and Merry Hill, urban capacity, identification of employment land, scope for environmental and town centre improvements and ways of improving access to regeneration sites...'*
- 3.2 The overall aim of the Black Country Study was to find ways to:
- i) reverse the trend of out-migration;
 - ii) raise income levels so as to match the UK average by 2033;
 - iii) change the socio-economic mix by attracting and retaining people with higher skill levels; and to
 - iv) transform the environment so as to create safe, attractive and healthy places to live and work.
- 3.3 Thus, the Black Country Study is aspirational and it reflects the Black Country Consortium's vision, as set out in *Looking Forward: The Black Country in 2033*, published in February 2005. The Black Country Study will form a key input into the Phase I review of the Regional Spatial Strategy; the study comprises a set of technical studies which relate to:
- i) the economy, including the report by GHK entitled *Long Term Economic and Employment Strategy for the Black Country*;
 - ii) strategic centres, which are covered in GVA Grimley's *Study of Black Country Centres*⁴.
 - iii) transport, including studies by PRISM and MDS Transmodal on regional logistics;
 - iv) the environment, including a report produced by Lovejoy entitled *'Broadening Horizons - A Vision of the Black Country Urban Park'*;
 - v) housing, including the CSR Partnership's report entitled *'Black Country Housing - Market Thinkpiece'*, population and household forecasts produced by Mott McDonald, an urban capacity study by Halcrow and a report on the restructuring of the housing market by ECOTEC; and
 - vi) the sustainability appraisal produced by Entec.
- 3.4 Together these studies suggest that ambitious targets would need to be met over the next 30 years if the overall aims of the Black Country Study⁵ are to be achieved in a sustainable manner. These year 2031 targets include:
- raising incomes to 90 per cent of the UK average (equivalent to the UK average excluding London);
 - creating 160,000 new jobs (net gain of 95,000);
 - raising skill levels, with at least a further 100,000 people gaining qualifications at or above NVQ3 level;

⁴ Roger Tym & Partners was a sub-contractor to GVA Grimley on this project.

⁵ The targets are set out on page 9 of the Black Country Study: Choices Consultation Report.

- creating over 400,000 sq.m gross of comparison goods retail floorspace;
 - providing for a further 101,000 jobs in office based service sectors, with 1.45 million sq.m of additional office floorspace;
 - transforming 4,000 hectares of existing employment land so as to provide quality locations for modern business and a transfer of land to meet housing requirements;
 - accommodating an additional 71,000 households by 2031; and
 - environmental improvement through the growth of the Black Country as an 'Urban Park' and preparation of an overall landscape plan.
- 3.5 Thus, we must emphasise that the Black Country Study is vision-led and that it assumes a transformation of market trends and socio-economic circumstances. In contrast much of the forecasting work undertaken in the Regional Centres Study - and particularly in relation to the forecast change in office based service jobs and in relation to retail expenditure - make more use of past trends. Thus, in undertaking the Regional Centres Study, we have given careful consideration to the issue of the extent to which any gains in market share for the Black Country are likely to be offset by displacement from elsewhere in the Region.
- 3.6 The elements of the Black Country Study which are of most importance to the Regional Centres Study are:
- i) GVA Grimley's Study of Black Country Centres; and
 - ii) GHK's Long Term Economic and Employment Strategy for the Black Country.

The GVA Grimley Study

- 3.7 The GVA Grimley Study recommends a network of four strategic centres for the Black Country, these centres being Wolverhampton, Brierley Hill/Merry Hill, Walsall and West Bromwich. Dudley is not identified as a strategic centre, except in relation to tourism and culture. However, in order to secure more balance across the network of four centres, GVA Grimley advocates a significant 'step change' expansion of West Bromwich and a modest increase in market share for Walsall.
- 3.8 The study's overall conclusion in relation to the future role of Brierley Hill/Merry Hill is as follows:
- '...RSS should identify Brierley Hill as a strategic centre and support the current initiatives for expansion of comparison retail, leisure, offices and residential uses up to 2011 subject to meeting preconditions of accessibility for alternative means of transport/modal split. Thereafter, the centre has the potential for significant further growth, but this should be reviewed depending on the pace of economic growth and progress towards achieving the necessary scale of investment in the other defined centres.'*
- 3.9 The 'current initiatives' for Brierley Hill/Merry Hill are defined as being those set out in the Council's Supplementary Planning Guidance of June 1999, which envisages:
- 43,500 sq.m gross of new comparison floorspace;
 - 50,000 sq.m gross of new office floorspace;
 - 20,000 sq.m of new mixed-leisure floorspace;
 - an expanded area of civic, community and health facilities;
 - the integration of Brierley Hill district centre with Merry Hill (the retail centre) and the Waterfront (the office and leisure location);
 - improved public transport; and
 - the introduction of car parking charges at Merry Hill.

- 3.10 However, GVA Grimley stipulates that any further expansion of Brierley Hill/Merry Hill must be reviewed depending on the pace of progress in achieving the necessary scale of investment in Wolverhampton, Walsall and West Bromwich.
- 3.11 Thus, GVA Grimley envisages that each of the Black Country's four strategic centres should offer comparable key components - a higher order comparison retail offer, leisure, entertainment and cultural facilities and its own employment base - but with each having a distinct character, as follows:

'Wolverhampton as a major heritage centre, the traditional capital of the Black Country, with its university and administrative functions; Walsall with its industrial heritage blend of historic architecture and new developments, vibrant evening economy and cultural offer; Brierley Hill as a major shopping and commercial leisure destination; and West Bromwich reborn as a new city centre with sub-regionally significant retail and commercial leisure provision and providing one of the major office and employment locations in the Black Country.'

- 3.12 The GVA Grimley study utilises ambitious forecasts in relation to population and expenditure and it calculates an overall quantitative comparison need in the period up to 2031 of approximately 408,000 sq.m sales area, of which approximately 277,000 sq.m is expected to be accommodated in the four strategic centres. Appendix 8 sets out the key data inputs used in the Study of Black Country Centres and compares them to the data inputs used in this Regional Centres Study; any differences in the data are made explicit and are justified, as required by paragraph 4.1 of the brief for the regional study.

The GHK Study

- 3.13 The GHK study includes the preparation of employment forecasts for the Black Country to the year 2030 (Table 4.3 of the GHK study) and it provides estimates for future floorspace requirements (Table 4.9a of the GHK study). In the financial and business services sector the office stock is projected to increase from 1.2million sq.m in the year 2003 base year to 2.0million sq.m in the year 2030, a net gain of 800,000 sq.m assuming future employment densities.

Implications for the Partial Review of the RSS

- 3.14 The over-riding requirement is for RPBs to set out a vision and strategy for their Region's growth, particularly for higher level centres, and provide a strategic framework for planning at the local level. In particular, RPBs must:
- develop a strategic framework for the development of a network of centres, and consider whether there is a need to avoid an over-concentration of growth in the higher level centres;
 - make strategic choices about those centres of regional and sub-regional significance where major growth should be encouraged;
 - identify the need for new centres to be developed in areas of planned major growth;
 - assess the need for additional floorspace in the comparison retail, leisure and office sectors over the period of the RSS and for five yearly periods within it and, having regard to capacity and accessibility considerations, they must identify where the identified needs would best be met;
 - monitor and regularly review the implementation of the strategy; and
 - identify the need for major town centre development of regional or sub-regional significance.

- 3.15 We must emphasise, however, that the partial review of the RSS will not be a one-off exercise. In our assessment, the provisions of PPS6 reflect the Government's wider emphasis on the need to plan, monitor and manage at both the regional and local planning levels; indeed the key changes in national policy emphasis arising as a result of PPS6 are:
- i) a requirement for a much more proactive plan-led approach to planning for town centres through regional and local planning;
 - ii) much more emphasis on the need to develop a network and hierarchy of centres at both the regional and local levels; and
 - iii) a much greater involvement on the part of the public sector in the management and implementation of changes in town centres and in the monitoring of their vitality and viability.
- 3.16 However, we consider that the guidance given in the new PPS6 in relation to the creation of new centres (paragraphs 2.53 and 2.54) is totally inadequate. How are such new centres to become 'town centres' for the purpose of the Annex A typologies; how are RPBs and LPAs to benefit from the negative experience of some of the New Towns; and how is the scale of such new centres to be determined? Furthermore, the provisions of paragraphs 2.14 and 2.54 of PPS6 - in relation to the treatment of existing out-of-centre shopping centres - are of little assistance to the RPB in dealing with the unique set of circumstances which exist at Brierley Hill/Merry Hill and at the Waterfront (or at what might be described as 'Greater Merry Hill'). The latter already serves as a strategic location for retail, office and leisure activity and the Brierley Hill Area Development Framework - which was adopted by the Council as supplementary planning guidance in June 1999 - envisages the introduction of a wider range of town centre uses including housing, civic, community and health facilities, the introduction of charges for car parking, and improved public transport. The issue for the RPB, however, is at what point in time should Greater Merry Hill benefit from status as a 'town centre', for the purposes of PPS6.
- 3.17 Another key issue for the RPB will be an appraisal of the implications of the Black Country vision for the remainder of the Region; thus the RPB must assess the extent to which the gains in the Black Country are likely to be at the expense of the remainder of the Region as opposed to representing a larger share of the UK cake, but with displacement and competition impacts occurring beyond the Region.
- 3.18 The broad thrust of RPG11's existing policies - in so far as they relate to the enhancement of the overall network of centres - is in line with the strategic provisions of PPS6. However, there is a need for the RPB to positively identify those centres in the Region where major new retail, office and leisure development is to be focused, so as to: support urban regeneration; achieve a balanced network; minimise the risk of harm elsewhere; assist vulnerable centres; and support the sustainability agenda - hence, the prime purpose set out in paragraph 3.1 of the brief for the Regional Centres Study.

4 WEST MIDLANDS ECONOMIC STRATEGY 2004-2010 (AWM, JANUARY 2004)

Overall Vision

- 4.1 The West Midlands Economic Strategy (RES) - *Creating Advantage* - was approved in January 2004. The RES was first published in 1999 and the 2004 version updates the strategy up to 2010. Both the 1999 and updated Strategy share the same approach, which is based on the following vision:

'The West Midlands will be recognised as a world class region in which to invest, work, study, visit and live and the most successful in creating wealth to benefit all of its people.'

- 4.2 The delivery of the RES is closely aligned with the West Midlands Objective Two Programme whose priorities - developing a diverse and dynamic base, creating the conditions for growth, and regenerating communities - coincide with the elements of the core strategy of the RES. Moreover, the updated RES was prepared in parallel with RPG and the provisions of the two documents are complementary and mutually reinforcing, particularly in relation to the theme of 'urban renaissance'.

Objectives

- 4.3 The recently adopted RES is based on the same four "pillars" of activity that underpinned the 1999 Strategy, as detailed below:
- Pillar One: Developing a diverse and dynamic business base - supporting enterprise and innovation and securing inward investment to establish, retain and grow more businesses in the West Midlands.
 - Pillar Two: Promoting a learning and skilful region - raising skills levels to ensure the workforce meets the needs of present and potential employers in the region.
 - Pillar Three: Creating the conditions for growth - securing improvements to the region's transport, communication and infrastructure to support the development of a diverse and dynamic business base.
 - Pillar Four: Regenerating Communities in the West Midlands - focusing resources in places of greatest needs to ensure that communities enjoy a better quality of life.

Mechanisms for Delivery

- 4.4 In order to provide the necessary focus for action, the RES sets out three key mechanisms through which the Strategy will be delivered:
- six regeneration zones (five urban and one rural);
 - three high technology corridors; and
 - the adoption of a business cluster strategy.
- 4.5 The Regeneration Zones (RZs) encompass areas of the Region where there is both significant need - in terms of high unemployment and multiple deprivation, as measured by income, employment, health, education, housing and child poverty - and substantial opportunities. The RZs, which are not based on local government administrative boundaries, are an attempt to overcome the perceived weaknesses of past regeneration initiatives where there was a lack of connectivity and confusion between the priorities and activities of policy interventions. The strategy for the RZs is therefore to adopt an integrated approach to these problems and avoid dealing with the issues in isolation.

- 4.6 Each Zone has a Partnership Board comprising public, private and voluntary sector representation. Zone Implementation Plans, which set out the strategies for the next three year period for each Zone (2003-2006) and are updated annually, have been adopted for each Zone. Advantage West Midlands (AWM) provides the bulk of the funding for key projects within the RZs. The RES states that:

'Public sector funding for Zone Implementation Plans over the next three years is coming from a substantial proportion of Advantage West Midlands funding together with European and local partner funding and will total around £400 million'.

- 4.7 The aim of the three High Technology Corridors (HTCs) is to diversify the Region's business base, support enterprise and innovation and grow more technology based and high value-added businesses. The three corridors make use of the Region's universities and other research institutions and they are being progressed by sub-regional partnerships.
- 4.8 The strategy for Business Clusters seeks to improve collaboration between companies in the same field, improve access to new technologies, research and development and improve business support and business supply chains. Ten clusters have been identified, two of which - medical technologies and new media for education and entertainment - are embryonic in terms of their current presence within the Region. Cluster development will be promoted strongly in the HTCs.

Conclusion

- 4.9 There is a significant degree of geographical overlap between the Major urban Areas identified in the spatial strategy of RPG11 and the five urban Regeneration Zones identified in the RES; these urban areas are clearly to be the focus for both economic development and physical regeneration initiatives. However, the High Tech Corridors (HTCs) extend to Telford in the northwest direction, to Worcester and beyond in the southwest direction and to Warwick/Leamington Spa in the southeast direction. As a consequence, Policy PA3 of RPG11 seeks to reduce potential pressure on the greenfield sites within these, preferring to concentrate development either within the MUAs, or at specific nodes within the HTCs, as shown on the Prosperity for All diagram on page 68 of RPG11

5 WEST MIDLANDS REGIONAL SUSTAINABLE DEVELOPMENT FRAMEWORK VERSION ONE (WMRA/SWM, JANUARY 2005)

Introduction

- 5.1 Version One of the West Midlands Regional Sustainable Development Framework (RSDF) was published in January 2005 by Sustainability West Midlands (SWM) on behalf of the West Midlands Regional Assembly (WMRA). This is in accordance with the Government's request for each English region to produce an RSDF to provide a point of reference for regional activity on sustainability. The RSDF is intended to assist the owners and authors of the Region's strategies, policies, plans and projects in ensuring that their work contributes to the delivery of a more sustainable West Midlands.
- 5.2 Version One of the RSDF will be replaced by a second version later in 2005, because new guidance on RSDFs is expected following the publication, in March 2005, of the new UK Government Sustainable Development Strategy

Vision

- 5.3 Nevertheless, the existing version of the RSDF is already closely tied to existing sustainability principles, objectives, indicators and measures of progress, and it builds on ongoing sustainability work in the region. It sets out a Vision for a sustainable West Midlands, by building on the two best known definitions of sustainable development⁶ whilst embracing an aspiration to achieve economic growth that does not result in high costs to the environment and to society, which the RSDF asserts has frequently happened in the past. Thus, the RSDF's Vision for a Sustainable West Midlands is:

'an economically successful, outward looking and adaptable region, rich in culture and environment where all people, working together, are able to meet their aspirations and needs without prejudicing the quality of life of future generations.'

- 5.4 The RSDF urges a more holistic approach to development than in the past, so that social, environmental and economic interests are considered simultaneously, and where natural resources are used more prudently and efficiently.

Principles and Objectives

- 5.5 The RSDF then sets out nine over-arching sustainable development '*principles*', based on those contained in the previous 1999 version of the UK Sustainable Development Strategy. These principles are as follows:
- i) **putting people and communities first** - put the long-term needs of people and communities at the centre of strategy development and policy decisions;
 - ii) **taking an holistic view** - consider the wider social, economic, environmental and economic implications of our decisions and activities;
 - iii) **whole life costing** - take account of the full costs and benefits of our decisions even if they cannot easily be valued in money terms;

⁶ The Brundtland Report, World Commission on Environment and Development (1987); and UK Sustainable Development Strategy (1999).

- iv) **living within our means** - respect the limits of the earth's ability to provide resources and absorb pollutants and waste;
 - v) **the Precautionary Principle** - do not use a lack of scientific certainty to postpone measures to prevent damage;
 - vi) **the perpetrator pays** - make those responsible for degradation pay for it;
 - vii) **embracing diversity** - recognise and value diversity in culture, lifestyle, environment and so on;
 - viii) **valuing the environment** - recognise the importance of the environment to quality of life, well-being and the economy; and
 - ix) **consideration beyond the Region** - take account of the national and global implications of our activities.
- 5.6 Thus, the RSDF states that these nine principles should influence all our activities; moreover, they are said to underpin the Framework's four key regional objectives, which are:
- develop thriving sustainable communities;
 - enhance and protect the environment;
 - ensure prudent and efficient use of natural resources; and
 - develop a flourishing, diverse and stable economy.
- 5.7 These four objective themes are then further broken down into a series of 28 more specific sub-objectives, with seven in each of the four themes.

Delivery Process

- 5.8 Section two of the RSDF focuses on the process for delivering sustainable development in the West Midlands. Of critical importance is the need to consider the potential impacts on the Region's sustainable development objectives - both positive and negative - in their broadest sense from the beginning of the strategy and policy development process. The RSDF then provides detailed guidance on each of the six stages in the process, which are defined as:
- scope the issues by providing early identification of how a strategy is likely to impact on the Region's sustainable development objectives, whether positive or negative;
 - identify measures to maximise positive impacts and to mitigate or compensate for negative impacts and identify performance targets for each of the Region's sustainable development objectives;.
 - identify the key points where decisions will be made which will lead to impacts and put forward ideas on how they can be influenced;
 - undertake a sustainability appraisal so as to confirm that sustainability principles have been addressed;
 - consult stakeholders to ensure that sustainability issues relevant to these groups have not been forgotten; and
 - monitor the Region's performance against the objectives, using indicators which will be developed in the next version of the RSDF.

The Engagement Process

- 5.9 The RSDF concludes by emphasising the importance of successfully engaging those who will implement sustainable development, with the long term aim being to reach a point where sustainable development comes naturally to people. This will require a

capacity building process. To this end the RSDF encourages policy partnerships and policy steering groups to appoint a Sustainable Development Champion - who will be involved in strategy formulation from its inception, ensuring that the region's sustainable development principles and objectives are systematically considered - and to work with an external Sustainable Development Ambassador, who will be a source of guidance and advice.

6 CULTURAL LIFE IN THE WEST MIDLANDS - THE REGIONAL CULTURAL STRATEGY 2001-2006 (WEST MIDLANDS LIFE)

Vision

6.1 West Midlands LIFE is one of eight regional consortia in England set up by the Department for Culture, Media and Sport in 1999 to promote a joined up approach to culture and the creative industries⁷. The resultant Cultural Strategy presents LIFE's common vision for the future and a framework for region-wide development in the period 2001-2006.

6.2 The vision encapsulates six aspirations for the West Midlands:

'A very special place...offering the best you can find anywhere...with the widest range of choices...for the greatest number of people...contributing to prosperity for all...and making a lasting difference.'

Cohesion, Quality of Life and Access for All

6.3 The importance of culture to the cohesion of communities in the West Midlands is a key theme running strongly through the entire Cultural Strategy. Indeed, the Strategy recognises that culture is central to the quality of life and learning of the Region's residents and its visitors, and that everyone should have access to high-quality cultural facilities. Thus, the Strategy calls on all cultural agencies *'...to ensure that existing choices are preserved and sustained, that these choices include more opportunities to participate actively throughout life, that new choices are created where there are evident gaps or where new interests create new demands and that minority cultures are more fully represented in both programming and management'*. Moreover, the Strategy states that: *'It is in the interest of us all that no-one should be excluded from cultural involvement'*, and that *'access for all is a first priority among agencies and organisations throughout the cultural sector.'*

Strategic Priorities

6.4 The Strategy's Action Plan identifies 18 strategic priorities, many of which are geared towards the breaking down of existing barriers to participation in cultural facilities - whether physical, economic, social or mere lack of information. These priorities may be summarised, as follows:

- enhance the national and international recognition of cultural activity in the West Midlands;
- encourage visitors to the Region on the basis of its wealth of cultural and creative activities;
- celebrate sub-regional and local cultural identity;
- promote the need for quality in all aspects of cultural activity;
- preserve the best and encourage the new;
- encourage educational providers to ensure that all children have access to the best in cultural education and beyond as adults;

⁷ West Midlands LIFE includes representatives of all specialist agencies with region-wide responsibilities for the arts, sport, museums, heritage, libraries, archives, creative industries and tourism. IT works closely with GOWM, the WMLGA, the National Lottery distributors, with the Regional Chamber and with AWM.

- to share best practice in cultural activities;
- to fill strategic gaps in cultural choices and meet new demands;
- monitor cultural activity using consistent data;
- ensure that all residents and visitors have access to the very best range of cultural activities;
- target resources, outreach and promotional activity to contribute to better social inclusion;
- promote networking of cultural activities via information technology;
- enhance the recognition of the economic benefits of investment in cultural activities;
- provide business support to cultural practitioners;
- encourage the development of physical and virtual clusters of cultural activities and creative businesses;
- ensure that the principles of sustainable development are enshrined in plans for cultural activities;
- ensure that the Cultural Strategy is reflected in other strategic development plans at a regional and local level; and
- to champion the priorities for the cultural life of the Region.

6.5 In short, the Cultural Strategy promotes the enhancement of cultural activities as a fundamental plank in improving the quality of life for all people, in accordance with wider sustainable development priorities.

7 BIRMINGHAM CITY-REGION - AT THE HEART OF SUSTAINABLE COMMUNITIES, BIRMINGHAM CITY-REGION FORUM⁸

Introduction

- 7.1 The Birmingham City-Region Forum is one of eight similar consortia established for England's major 'regional cities', the others being, Bristol, Leeds, Liverpool, Manchester, Newcastle, Nottingham and Sheffield. Each City Region was invited by the joint Working Group on Cities, Regions and Competitiveness - set up by ODPM in April 2002 in recognition that the major City-Regions are the principal economic engines of the regions - to produce an individual prospectus setting out its long term vision for sustainable economic growth and how it can contribute to enhancing regional competitiveness. The Birmingham Forum's discussion paper provides a useful summary of the Birmingham City-Region Prospectus and takes it forward by setting out a basic vision, from which clear actions can be developed so as to achieve increased productivity and growth.
- 7.2 The City-Region is defined to encompass the whole of the metropolitan area, including the cities of Wolverhampton and Coventry, and an arc of non-metropolitan districts to the north, east and south of the conurbation. The City-Region, with a population of some 3 million, is the second largest in the UK.

Vision

- 7.3 The Vision for the City-Region over the next twenty to thirty years, as set out in the discussion paper, is to:

'...create a truly dynamic City-Region with Birmingham as its lead city, but as part of a polycentric whole, which is the equal of other European cities in terms of competitiveness, which re-establishes the value of urban living as a focus for economic, social and cultural activity, and which supports the mutual interdependence of the conurbation with the role and aspirations of the City-Region's freestanding towns and rural areas.'

Potential for Growth

- 7.4 The Forum believes that the City-Region is well-placed to achieve growth by virtue of: its function as a central connections node located at the heart of the UK's road and rail systems; the presence of two leading research universities, four other nationally recognised universities and internationally recognised science parks; its status as an international gateway for the UK, containing international conference facilities; and the diverse economic and social make-up of its resident population.
- 7.5 The growth agenda described in the discussion paper is aligned with the regional vision for urban renaissance and growth set out in the Regional Spatial Strategy, in that it seeks to maximise the potential of the Major Urban Areas (MUAs). In particular, the discussion paper identifies opportunities for economic and population growth along three corridors, each of which are linked to the revitalised city centre of Birmingham; these are: eastwards to Coventry encompassing key transport and convention facilities within the M42 corridor; south west along the urban Central Technology Belt corridor; and westwards through the Black Country.

⁸ The Birmingham City-Region Forum is a consortium of the West Midlands Regional Assembly, Government Office of the West Midlands, and the following local authorities: Birmingham City Council, Dudley MBC, Lichfield DC, North Warwickshire BC, Sandwell MBC, Solihull MBC, Tamworth BC, Walsall MBC and Wolverhampton City Council.

Key Challenges

- 7.6 However, the discussion paper highlights four key challenges that will have to be overcome if the Forum's vision for the City-Region is to be delivered. Firstly, the paper acknowledges that the necessary transport infrastructure required to support sustainable economic growth remains under extreme pressure. Secondly, there is a need for major spatial re-shaping across the urban area in order to provide a supply of sites and premises which are appropriate for investment, whilst minimising the use of greenfield land. Thirdly, further acceleration of progress is needed in enhancing the Region's skills base in order to support growing opportunities in the knowledge economy. Finally, to ensure long-term sustainability, the paper highlights the need to link housing opportunities with economic developments.

Examples of Key Projects

- 7.7 The paper then identifies a series of examples of key projects that will need to be implemented in order to deliver effective urban renaissance; these include: the construction of an effective Light Rapid Transit network for the City-Region core; provision of 'bus showcase' facilities; the restructuring of the Black Country as an 'Urban Park' to create new environments for the attraction and retention of knowledge workers and businesses; the acceleration of investment in high quality educational facilities; acceleration of investment in the City-Region's High Technology Corridors; expansion of Coventry city centre into the Swanswell area; continued major environmental upgrades to, and investments in, Birmingham, Wolverhampton and Coventry city centres and in the Black Country's strategic centres; and development of a framework for the identification, location and delivery of major cultural assets of regional and national significance.

Next Steps

- 7.8 The paper acknowledges that overcoming the key challenges and implementing the planned ambitious growth will require substantial investment. Thus the City-Region Forum proposed to make presentations to the Midlands Way Steering Group, to develop an action plan, to submit an expression of interest to ODPM regarding housing market restructuring, to progress the Coventry Visioning exercise and to work with the Black Country Consortium in progressing the Black Country Study.

8 CONCLUSION

- 8.1 The West Midlands is experiencing a fundamental shift in policy direction, with the emphasis on sustainability, polycentricity and renaissance. At long last the planning, economic, cultural and social policy agendas are working in the same direction, with a determination to make particular progress in the Region's Major Urban Areas. Indeed, the ultimate goal is to reverse the long-term trends of population loss and underperformance in relation to economic activity, the environment and social progress. The network of strategic town and city centres has been identified as being a key driver for the enhanced performance of the Region in the future.