Dear Kerry

**Consideration of alternative levels of population**

During the discussion on the overall approach I suggested that part of the consideration of reasonable alternatives in the assessment of environmental impact was alternative levels of housing provision, I referred to the EU guidance and the example it contained. *Please find attached both documents. I set out briefly below the context for the guidance as well as the relevant page references to the point I was making.

The framework does allow for different levels of housing requirement to be considered within a district as a response to assessed environmental impact (Framework paragraphs 152 and 179).

**Statutory Instrument 2004 No. 1633 ENVIRONMENTAL PROTECTION “The Environmental Assessment of Plans and Programmes Regulations 2004” part 3 12 (2) which states:**

(2) The report shall identify, describe and evaluate the likely significant effects on the environment of—

(a) implementing the plan or programme; and

(b) reasonable alternatives taking into account the objectives and the geographical scope of the plan or programme.

These regulations transpose into English law the EU directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment.

Regulation 12 2 a) and b) and schedule 2 reflect Article 5 and Annex 1 of the directive. Article 5 (1) states:

**Article 5(1)**

Where an environmental assessment is required under Article 3(1), an environmental report shall be prepared in which the likely significant effects on the environment of implementing the plan or programme, and reasonable alternatives taking into account the objectives and the geographical scope of the plan or programme, are identified, described and evaluated. The information to be given for this purpose is referred to in Annex I.

In its guidance on implementation (Implementation of Directive 2001/42 on the Assessment of the Effects of Certain Plans and Programmes on the environment ), the EU commission states in paragraph 5.11:

The obligation to identify, describe and evaluate reasonable alternatives must be read in the context of the objective of the Directive which is to ensure that the effects of implementing plans and programmes are taken into account during their preparation and before their adoption

The guidance on implementation provides the following advice in paragraph 5.13 on the identification of alternatives:

The text of the Directive does not say what is meant by a reasonable alternative to a plan or programme. The first consideration in deciding on possible reasonable alternatives should be to take into account the objectives and the geographical scope of the plan or programme. The text does not specify whether alternative plans or programmes are meant, or different alternatives within a plan or programme. In practice, different alternatives within a plan will usually be assessed (e.g. different means of waste disposal within a waste management plan, or different ways of developing an area
within a land use plan). An alternative can thus be a different way of fulfilling the objectives of the plan or programme. For land use plans, or town and country planning plans, obvious alternatives are different uses of areas designated for specific activities or purposes, and alternative areas for such activities. For plans or programmes covering long time frames, especially those covering the very distant future, alternative scenario development is a way of exploring alternatives and their effects. As an example, the Regional Development Plans for the county of Stockholm have for a long time been elaborated on such a scenario model.

For plans covering long timeframes, and the CS would be included in such a definition, the guidance specifically suggests that alternative scenarios are a way of generating alternatives and assessing their effect.

The example of the Regional Plan for Stockholm Region (the latest edition of which is the RUFS 2010) is of particular relevance as it is a land use plan and in table 1 on page 37 it sets out the high and low alternatives for population and employment trends between 2010–2030. The following pages 38 and 39 discuss the implication of both scenarios. On page 53 the plan discusses the range of housing and apartments that will be required to meet these alternatives and states that the municipalities need to plan to facilitate the additional housing according to the Low alternative, and be prepared for the High alternative, by 2030.

In the section 5 of the plan “Environmental assessment – separate compilation for RUFS 2010 it states:

- The plan’s structure is motivated by the expected growth of the economy and population, which is estimated to be somewhere between the plan’s two development alternatives – High and Low. This means that the population of Stockholm County may increase by 260,000–445,000 from 2010 to 2030.

- According to the environmental impact report, the exhibition proposal was assessed to mean that the region has a substantially smaller environmental impact in 2030 than if the region developed according to the other alternatives studied.

The EU guidance does not support the council’s position that by defining a dwelling requirement as an “objective” it absolves the SA from considering the impact of alternative levels of dwelling provision.

The example provided by the EU guidance expressly set out a range of dwelling requirements which are to be accommodated and assessed both the impact of this range and other alternatives in their Environmental Assessment.

I trust this is of assistance.

Roland G Bolton
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* Link to document 1:  

Document 2 is listed in the Examination Library as ED289a