

Briefing: The Planning White Paper and Nature

November 2020

The planning system and nature's recovery

The planning system in England shapes the use of the landscape around us. From national parks and ancient woodland, to green spaces in cities, our natural environment is profoundly affected by development. Unfortunately, with a 41% species decline in the UK since 1970 and 15% of all species currently threatened, this system has not been working for nature in the way that it should. Important and irreplaceable habitat, such as ancient woodlands have been lost to plantation forestry, increased agricultural activity, increased land and resource use efficiency, land drainage, and urbanisation. Examples such as these are a clear sign that infrastructure and other development is at present more of a threat than an opportunity for nature.

The Covid19 pandemic has also demonstrated the importance of access to nature for communities across England. 11 million people in England live in areas with limited green space and 42% of people from ethnic minorities live in England's most green space-deprived neighbourhoods, compared with just one in five white people. If the planning system fails to deliver for nature, it will also fail to deliver for communities across England.

The Government have set out ambitions to drive nature's recovery in the 25YEP and through the commitment to protect 30% of the land for nature by 2030, however the state of natural decline necessitates a whole suite of robust policies that don't just mitigate further ecological decline, but drive nature's recovery.

Does 'Planning for the Future' deliver for nature?

At present, the 'Planning for the Future' proposals do not meet the criteria to address the ecological challenges we face, and is a missed opportunity to effectively integrate the Government's environmental improvement programme with the planning system. Though there is some incorporation of the Government's ambitions for nature in the White Paper, at present they are weak. In fact, the current proposals risk serious environmental harm.

They would weaken protection for nature in areas designated for growth and renewal, while offering no additional safeguards in areas earmarked for protection. Far from speeding up sustainable development in a way that is compatible with nature's recovery, the proposals risk hastening nature's decline. The planning process needs to take account of the climate and ecological crises and be part of the solution to redress the environmental imbalance that currently exists within our system.

The following proposals are of particular concern:

- The **extension of permitted development rights and automatic permission in principle** over large areas would undermine local ecological diligence that helps identify and protect habitats and species of local, national, and international importance. **The Government should abandon its plans to extend permission in principle to large areas.**

- Proposals to **weaken vital site surveys** would lead to a system which overlooks important habitats, through inadequate environmental information. They also appear to be based on the false premise that environmental regulation is responsible for housing shortages and delayed development in England. **The Government must maintain the role of site-specific surveys in the planning application process.**
- **Proposed abolition of the Duty to Cooperate** and the lack of explicit links between the planning system and Local Nature Recovery Strategies (LNRSs) are lost opportunities for crucial cross-boundary strategic-level planning. LNRSs are not legally linked to the planning system or given any role in informing Local Plans or area mapping, with only a weak duty to “have regard” to LNRSs in setting local environmental policies. **The Government should legally embed LNRSs into the planning system and ensure cross-boundary strategic planning is maintained.**
- **Weakening of Section 106 and the Community Infrastructure Levy** (SIL) risks removing the percentage of developer contributions which are ring-fenced for local green projects, unless dedicated environmental allocations were included in the proposed new levy. These funds are key for creating and maintaining local green and blue spaces and delivering the objectives in the 25 YEP. **In order to safeguard funds for nature, the Government must not weaken Section 106, or in any new reforms must create an equivalent which ensures funds for nature’s recovery.**
- **Proposals to simplify and digitise Local Plans** with a statutory 30 month timeline risk losing important local-level data and knowledge and threaten meaningful and democratic public consultation. Digitisation could be an important part of the planning system and enhance public participation, but the Government **mustn’t replace face-to-face democratic participation in any new reform.**

A vision for the future of planning

The planning system could certainly be improved, however, and the Government has identified some aspects of the system that could be helpfully reformed. We agree that (1) more strategic planning; (2) more capacity for local authorities and statutory agencies; (3) better building design standards; and (4) improved access to data and digitisation, could all help reduce delays and save money in a way that is compatible with nature’s recovery.

A planning system that works for nature would:

1. **Ensure nature’s recovery is embedded into the planning system, with the resources needed to fund it.** This could be done by removing proposals for automatic permission and extensive permission in principle in Growth and Renewal Areas, instead bringing forward new proposals for identifying “highly protected areas” and “nature recovery areas”. These could be an expression of the Local Nature Recovery Strategies and the Nature Recovery Network in the planning system, as outlined in the 25YEP.
2. **Support well-resourced local authorities, with access to up-to-date and thorough data and the skills and systems to inform decision-making.** At present, Local Authorities across England are lacking the resources needed to deliver on Government ambition. For instance, the 25YEP

commitment to create Local Nature recovery Strategies will need ecologists, tree officers and data officers in order to gather the right data and interpret it to form an effective planning system that has all the necessary information on local wildlife sites and ecosystems.

- 3. Give local communities democratic involvement in all aspects of their local planning system (both at the Local Plan development stage and throughout the planning application process) for the protection and enhancement of the natural environment and landscapes around them.** Often, local voices are the last line of defence for important natural habitats, and communities are only really engaged with planning when the threat is very real and imminent. Increasing the quality of engagement and consultation at the Local Plan and through the planning application process level is crucial.

Next steps 2021

MPs should continue to remind the Government that, as currently drafted, the White Paper will undermine the recovery of nature they are seeking to achieve through the Environment Bill and other measures.

If the White Paper leads to legislation as expected, we will be in touch with practical suggestions for constructive amendment.

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