

ENVIRONMENTAL AUDIT COMMITTEE INQUIRY - 25-YEAR ENVIRONMENT PLAN

A submission of evidence by the Campaign to Protect Rural England

February 2018

Introduction

The Campaign to Protect Rural England (CPRE) campaigns for a beautiful and living countryside. We work to protect, promote and enhance our towns and countryside to make them better places to live, work and enjoy, and to ensure the countryside is protected for now and future generations.

CPRE is a member of Wildlife and Countryside Link and supports their submission to this Inquiry. This submission addresses aspects of the inquiry of most relevance to CPRE.

Key points

1. **The Government need to develop and deliver the commitments in the Plan now.** While CPRE welcomes the Plan and its high level of ambition, many of the proposals in the Plan are lacking in detail. The Government needs to clarify how new commitments will be funded, implemented and monitored.

There was no formal consultation on the Plan itself so it is vital that stakeholders are closely involved in the development of specific commitments. For example, proposals for a 'net environmental gain' approach should be consulted on urgently. The Plan also contains a commitment to develop metrics to monitor the implementation of the Plan 'within 6 months' i.e. by July. Organisations such as CPRE have useful contributions to make to this process.

2. **Further Government action is needed beyond that included in the Plan if the Government is to meet its manifesto commitment to enhance the environment.** Additional actions include: introducing a deposit return system for drinks containers; ensuring that existing national and local policies are effectively managing noise and light pollution on the ground; and addressing the significant impact road building has on the environment.

The Government also need to recognise that land is a finite resource and more needs to be done to ensure it is treated as such and delivers multiple benefits. Seeking efficient use of land should be a national policy objective. A Land Use Strategy for England would help achieve this, as would reporting rates of land consumption, an indicator recommended by the United Nations for Sustainable Development Goal 11.

Questions

Ambition and Reporting

To what extent does the Plan set a sufficiently ambitious agenda across Government?

CPRE welcomes the Government's vision for improving the natural environment demonstrated in the 25-year Plan. Many of the proposals contained in the Plan set an ambitious agenda, and if they are developed and delivered effectively they will lead to significant enhancement of the natural environment. Whether this is a sufficiently ambitious agenda across Government depends not only on the development of comprehensive metrics and ongoing monitoring but on the integration of the 25-year Plan goals, targets and actions in cross-Government policy.

How far do the objectives, targets and indicators set out in the plan reflect a higher level of ambition than existing targets (including European Union targets and the Sustainable Development Goals) and current performance?

CPRE has assessed proposals in the Plan relevant to our remit. Our view on whether they reflect a higher level of ambition than existing targets is shown below:

Chapter 1: Using and managing land sustainably

Commitment	Higher level of ambition?	Comment
Net environmental gain	?	Whether this has a positive or negative impact will depend upon the detail of the proposal. The Plan lacks clarity about how it will be delivered in practice. The existing situation needs improvement - there is currently an inconsistent approach to offsetting environmental damage by developers, and the enforcement of any planning conditions by local authorities. However, the Government's policy of not increasing overall burdens on developers, ensuring growth and reducing costs, complexity and delays for developers does not put the natural environment centre stage in development, nor is it clear where the burden to provide 'net environmental gain' lies.
Environmental protections in national planning policy will be maintained & strengthened	✓	No details about how this will be achieved, but the forthcoming review of NPPF will be an opportunity to implement this.
New development will happen in the right places	✓	A higher level of ambition although based on current performance this would require a step-change in Government policy and significant changes to the NPPF.
Enhancement of the Green Belt	✓	No detail about how this will be done or funded, beyond Plan stating that the Community Forest programme will be revived. Delivery should prioritise

		investment in Green Belt e.g. from agricultural funding, long-term Management Plans and creation of new Green Belts.
A new environmental land management scheme	?	This could go beyond the existing environmental requirements and schemes currently available under the EU Common Agricultural Policy. The Secretary of State has made a number of positive suggestions but whether the high level of ambition is delivered depends on the outcome of the Agriculture consultation and bill and on future funding. The new agricultural policy should introduce measures which take an integrated approach to enhancing landscapes, resulting in high quality landscapes all can access and enjoy.
Best agricultural land, soil quality and health	X	The target commitment for all soils to be managed sustainably by 2030 restates existing policy set out in the 2009 soils strategy for England ¹ . The Plan states that the Government will protect the best agricultural land but it is not clear whether this refers to grades 1,2 and 3a considered to be ‘Best and Most Versatile’ (BMV) agricultural land in the NPPF. There is no commitment to strengthen this existing policy which is weak. Defra research ² in 2010 showed relatively high losses of BMV land suggesting the policy was not working. Currently there is no national or local indicator of losses of BMV land so policy effectiveness cannot be consistently monitored.
Supporting the development of a new Northern Forest and designing a new woodland creation grant scheme	X	The target to increase woodland in England to 12% by 2060 was initially committed to by Defra in 2013 ³ . CPRE supported the Independent Panel on Forestry recommendation for woodland cover to be expanded to 15% by 2060 ⁴ . The 25-year Plan was the ideal opportunity to set a higher level of ambition by raising the target for woodland cover, from the current 10% to 15% but this has not been taken.

¹ Defra, *Safeguarding our soils - A Strategy for England*, 2009, p4 states: “Our vision: By 2030, all England’s soils will be managed sustainably and degradation threats tackled successfully.”

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/69261/pb13297-soil-strategy-090910.pdf

²Defra. *Application of Best and Most Versatile Land Policy by Planning Authorities*. 2010.

<http://randd.defra.gov.uk/Default.aspx?Menu=Menu&Module=More&Location=None&Completed=2&ProjectID=17207>

³ Defra. *Government Forestry and Woodlands Policy Statement*. 2013.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/221023/pb13871-forestry-policy-statement.pdf

⁴ Independent Panel on Forestry. *Final Report*. 2012.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/183095/Independent-Panel-on-Forestry-Final-Report1.pdf

Chapter 2: Recovering nature and enhancing the beauty of landscapes

Commitment	Higher level of ambition?	Comment
Developing a Nature Recovery Network, investigating up to 25 catchment or landscape scale recovery areas	✓	This commitment reflects a higher ambition than previously. Nature Improvement Areas have, over three years, resulted 13,664ha of existing priority habitat being maintained or improved and 4,625ha of new priority habitat being restored or created ⁵ . Achieving 500,000ha of additional wildlife habitat over 25 years will therefore require significant additional resources. Nature Recovery Areas should be informed by National Character Area profiles to ensure that opportunities for environmental enhancement are maximised.
Reviewing National Parks and Areas of Outstanding Natural Beauty	?	The review of how they deliver their responsibilities and are financed is welcome but only if it results in these areas being <u>better</u> protected and resourced. Exploring the potential for new National Parks and AONBs is a welcome opportunity, but this should not be at the expense of ensuring existing designated areas are well resourced and protected. Our research ⁶ shows this is not currently the case.
Enhancing National Parks and AONBs	✓	This is higher level of ambition than previously. Delivering it will require additional resources. The Plan does not set out what resources will be made available to deliver this or how it will be achieved and by which organisations.
Enhancing National Character Areas	?	National Character Areas ⁷ (NCAs) are already cited in existing National Planning Policy Guidance but including an action to enhance NCAs is a new commitment. However there are no details about how this will be delivered. The NCA profiles should be used to direct agricultural policy funding to identify opportunities for landscape scale enhancement.

⁵Defra. *Monitoring and evaluation of Nature Improvement Areas: Phase 2*. 2015. <http://randd.defra.gov.uk/Default.aspx?Menu=Menu&Module=More&Location=None&ProjectID=18555&FromSearch=Y&Publisher=1&SearchText=WC1061&SortString=ProjectCode&SortOrder=Asc&Paging=10#Description>

⁶ CPRE. *Beauty Betrayed*. 2017. <http://www.cpre.org.uk/resources/countryside/landscapes/item/4707-beauty-betrayed>

⁷ Natural England, *National Character Area profiles*: <https://www.gov.uk/government/publications/national-character-area-profiles-data-for-local-decision-making>

Chapter 3: Connecting people with the environment to improve health and wellbeing by using green spaces

Commitment	Higher level of ambition?	Comment
Help people improve their health and wellbeing by using green spaces	✓	This is a high aspiration but lacks details about how it will be achieved.
Creating more green infrastructure	✓	This is a welcome ambition, particularly the commitment to establish a cross-government project that reviews and updates existing standards for green infrastructure. Government can build on existing best practice such as the Gloucestershire Wildlife Trust led toolkit <i>Building with Nature</i> ⁸ for the design and maintenance of green infrastructure in housing and commercial development.

Chapter 4: Maximising resource efficiency and reducing pollution and waste

Commitment	Higher level of ambition?	Comment
Achieving zero avoidable plastic waste by end of 2042	✓	This area is where the Plan aims to be most ambitious, such as through the proposed actions to reduce single-use plastics and to investigate further which economic incentives work best in reducing their use. The Government should go further by introducing a Deposit Return System (DRS) for single-use drinks containers. This would reduce litter and boost recycling rates. This type of extended producer responsibility system, where industry bears the full cost of their products, as opposed to the taxpayer, would set a critical ‘direction of travel’ in terms of what the Government expects from industry. Current proposals from the packaging and compliance industries to reform the PRN system are not a viable alternative as they seek to reinforce the status quo and will not deliver the type of change the Government aspires to.
Reducing pollution - Clean air strategy	✓	There has been insufficient progress in tackling air pollution and the commitment to publish a Clean Air Strategy is long overdue - a recent High Court verdict has found that the current government proposals were unlawful. ⁹

⁸Gloucestershire Wildlife Trust, in partnership with the University of the West of England <https://www.buildingwithnature.org.uk/>

⁹Client Earth: [“Legal history made in Client Earth case as judge makes ‘exceptional’ ruling”](#) (2018)

Are there any major gaps?

Yes, four key areas are not adequately addressed in the Plan:

1. **Details of commitments and delivery of the Plan:** As demonstrated in the table above there is insufficient detail about many of the proposals in the Plan making it hard to judge what their impact will be. This detail must be developed urgently by the Government in consultation with stakeholders. There is also insufficient detail about how the Plan will be funded, implemented and monitored. These elements will determine whether the Plan is a success.
2. **Land Use:** While the Plan contains some much-needed commitments to improve the land-use planning system it lacks full recognition of land as a vital, finite resource and only contains limited action to ensure it is used more efficiently and effectively. For example, as part of the Sustainable Development Goals and the UN's New Urban Agenda, the Government should be monitoring land consumption in relation to population growth rates. This is not being done adequately. However, the evidence that there is suggests that the amount of greenfield land being used for housing development is growing despite the number of housing completions being lower now than it was in 2007. This is not efficient use of a finite resource. CPRE's analysis of these figures has found that, taken over the 25-year life of the Plan itself this means 3-4% of remaining undeveloped land in England becoming urbanised in some way.

There is an urgent need to establish a national policy principle of seeking efficient use of land so that housing growth does not result in the unnecessary or avoidable loss of land needed for food production or other environmental services. This could be done through developing a Land Use Strategy for England¹⁰, following Scotland's successful example.¹¹ At a minimum, in monitoring progress against the Plan the Government should report rates of land consumption, an indicator recommended by the United Nations for SDG11 on city development.

3. **Impact of transport infrastructure:** The Plan does not address the impact of transport infrastructure on the environment, beyond air pollution. It does not include actions to encourage sustainable travel and reduce car use. This is a missed opportunity.
4. **Unique characteristics of the countryside:** The Plan lacks any commitments to reduce light pollution, protect dark skies and tranquillity. CPRE's *Night Blight*¹² maps found only 22% of England's night skies are pristine, free from light pollution. National planning policy encourages councils to control light pollution, but our maps show that this has not been enough to manage light pollution effectively. The Plan mentions noise as an environmental pollutant but does not contain any actions to tackle it, restating existing policy to manage noise¹³ which has been ineffective. Tranquillity is an important characteristic of the countryside but is not recognised in the Plan, which should have included targets to protect and improve areas recognised for their tranquillity.

¹⁰ CPRE. *Landlines: why we need a strategic approach to land*. 2017.

<http://www.cpre.org.uk/resources/countryside/item/4534-landlines-why-we-need-a-strategic-approach-to-land>

¹¹ Scottish Government. *Land Use Strategy 2016-2021*.

<http://www.gov.scot/Topics/Environment/Countryside/Landusestrategy>

¹² CPRE. *Night Blight: Mapping England's Light Pollution and Dark Skies*. 2016. <http://nightblight.cpre.org.uk/>

¹³ Defra, *Noise Policy Statement for England (NPSE)* March 2010, p3

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/69533/pb13750-noise-policy.pdf

What would success or failure look like for the Plan?

The Plan will be successful if it results in a change in decision-making at all levels so that short-term economic considerations no longer outweigh long-term sustainable choices. Land would be used wisely to deliver multifunctional benefits and there will be significant environmental improvement (as measured by a comprehensive and agreed set of indicators) with more people benefitting from this improved environment. This requires significant funding and a concerted effort across Government to deliver the Plan.

If the Government sees the production of the Plan as the end of the process rather than the beginning of it, it will fail. The development and monitoring of a set of metrics which cover all aspects of the Plan in the coming months is vital; as is the development, with stakeholders, of the detail of proposals in the Plan and a funding programme for their delivery. The Plan must be underpinned by a new Environment Act and a new environment body should be established with power to take action if targets and indicators are not being met.

To what extent will the Government's proposals for reporting on the Plan allow for proper scrutiny of its performance against its objectives?

The degree to which there will be proper scrutiny will depend on the effectiveness of the planned new environment body and whether the Plan has legal underpinning in a new Environment Act. Processes for public and parliamentary reporting need to be transparent, regular and consistent; annual reports must not be a “pick and mix” of metrics, overly complex, or published quietly.

Are the commitments to legislative action in the Plan sufficient to ensure it will endure beyond the current Parliament?

No, there are no commitments to legislative action. A set of headline targets and milestones must be set in statute, in a new Environment Act and an independent body must be established to assess progress against the Plan, if it is to have an impact.

Implementation

The Plan sets out a natural capital-led approach and a principle of “environmental net gain” when undertaking development. What are the risks and benefits of adopting these approaches?

There is currently an inconsistent approach to offsetting environmental damage by developers, and the enforcement of any planning conditions by local authorities. If the new ‘net environmental gain’ approach is mandatory it could improve this situation, depending upon the exact design of the scheme. It must work within the well-established mitigation hierarchy¹⁴ - offsetting damage should be an absolute last resort after all attempts have been exhausted to avoid, mitigate and then finally compensate for damage to habitats and landscape. Previous biodiversity offsetting approaches have lacked understanding of the complexity of natural systems, assuming that all environmental assets are quantifiable and replaceable. This is not the case.

A further risk of ‘net gain’ is that, if provided by developers then they could use the ‘viability’ argument to justify providing less affordable housing. The lack of affordable housing is already a serious problem in many rural areas.

¹⁴ The mitigation hierarchy is: avoid, mitigate, compensate.

A natural capital approach should benefit the environment provided the Government recognises that there are limitations to the approach and that not everything can have an accurate monetary value or be tradable.

What steps need to be taken during development and implementation to ensure they lead to positive environmental outcomes, especially in respect of biodiversity?

The current planning system is not delivering adequate compensation for habitats and landscapes that are lost to development. In principle, a systematic and transparent approach to assessing the damage caused to the environment (including, but not limited to, biodiversity) by development which has been properly assessed against national and local planning policies could become a useful addition to the planning process. Such a system should have a wide remit to cover landscape quality generally, including rights of way and other cultural amenities, as well as biodiversity and should aim to enable a comprehensive assessment of all environmental impacts, of which net land take is a critical component.

The issue of resources must be addressed in the development of a ‘net environmental gain’ scheme, as it would take a considerable amount of funding, expertise, capacity, and institutional infrastructure to ensure positive environmental outcomes. Overall CPRE have concerns about the approach and would like to be involved in its development.

To what extent does the Plan set out effective delivery mechanisms to ensure DEFRA, other Government departments and public bodies have the resources and responsibilities to implement it?

As stated above, the Plan does not cover how Defra, Natural England and others will deliver the commitments. Defra and Natural England budgets have been cut dramatically in the last few years and without additional resources there is a risk that the Plan cannot be delivered in many areas.

Principles and Oversight

The Government has proposed an independent statutory body to “champion and uphold environmental standards as we leave the European Union”. What role, legal basis and powers will it need to ensure the Government fulfils its environmental obligations and responsibilities?

For the new environment body to be effective it must be fully independent from government but accountable to parliament. It must be established in primary legislation which gives it the powers to initiate action if targets and milestones in the Plan are not being met. Crucially, the new body must ensure that people can flag up breaches of environmental legislation and objectives.

The Plan sets out a series of objectives and the Government says it will consult on a policy statement on environmental principles to underpin policy-making after leaving the European Union. What principles should the Government include as part of that consultation? What legislation might be needed?

A single environmental principles national policy statement should be co-designed and co-owned by the UK government and devolved administrations. This should set out how the governments intend the principles to be implemented in practice. The new watchdog should monitor compliance with the principles and the statement and take action against any government or public body that fails to act in accordance with them. A firm timetable must be set on the legislation needed to establish the new governance arrangements and enshrine the environmental principles in law.