

Submitted to Planning Reform Working Paper: Development and Nature Recovery  
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## Introduction

1 What is your name?

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3 What is your contact telephone number?

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4 If you are responding as an organisation, are you:

All:  
An environmental organisation or charity

5 What is the name of your organisation (if applicable)?

Organisation:  
Earthwatch Europe

6 What is your position in the organisation (if applicable)?

All:  
Director of Science and Policy

## Development and Nature Working Paper

7 Do you consider the approach set out in the working paper would be likely to provide tangible improvements to the developer experience while supporting nature recovery?

Maybe

All:

Although we recognise that (p14) 'Developers are incentivised to secure only the actions required to address the impact of that development... with little to no regard to any wider environmental plan for the area', we are concerned that a strategic approach will mean developers are free to cause un-monitored environmental harm in one location, providing they "offset" this harm in another strategic location. Rather than the either-or scenario described in P15, we would be supportive of both specific impacts at project locations and a strategic view being taken – recognising that both local impacts and national impacts are important for nature recovery.

We support responsibility for planning and implementing these actions on to the state, providing the state is adequately funded to deliver on the modular framework set out in P21.

We are also supportive of the development of Delivery Plans produced at the largest spatial scales appropriate. We highlight the need for delivery bodies to consist of experts across environmental obligations, to ensure Delivery Plans address multiple environmental elements. This is suggested in P23. However, we highlight the need for transparency on where the delivery body considered flexibility to diverge, and how this might align with Delivery Plans covering multiple obligations. We need clarity on how Government intends to assess whether the Delivery Plan is appropriate or not.

8 Which environmental obligations do you feel are most suited to the model set out in the working paper, and at what geographic scale?

All:

This is difficult to assess. If Delivery Plans were to function similarly to Local Nature Recovery Strategies, with no gaps or overlaps, then smaller scales would benefit nature, whereas larger scales would benefit development.

As a concrete example, environmental obligations focused on freshwater quality and wastewater treatment might be suited to a catchment scale; but environmental obligations looking to support thriving plants and wildlife might require far smaller scales. Bechstein's bat, for example, is found in a mere

ten breeding locations in England and Wales, which are roughly 1km<sup>2</sup>.

For this reason, if Delivery Plans are to address multiple environmental obligations, an element of their flexibility might be the scale at which they are applied.

9 How if at all could the process of developing a Delivery Plan be improved to ensure confidence that they will deliver the necessary outcomes for nature?

All:

At Earthwatch Europe we would be in favour of a co-creation approach to Delivery Plan development, with community consultation as well as input from local authorities, academics and NGOs. It would be important for all interested parties to provide feedback on Delivery Plans as they are developed through a consultation process.

10 Are there any additional specific safeguards you would want to see to ensure environmental protections and / or a streamlined developer experience?

All:

Paragraph 26 highlights how 'Delivery bodies will be provided with the tools they need to secure outcomes directly where needed, ranging from powers to acquire land (including by compulsory purchase)'. Safeguarding is needed around these compulsory purchasing powers to protect communities as well as natural habitats.

Paragraph 27 states that, 'These proposals are not expected to have any substantive impact on the implementation of mandatory Biodiversity Net Gain (BNG), which is a widely applicable planning obligation in England. BNG incentivises nature positive choices on development sites, with a developing private marketplace for off-site biodiversity units which the Government continues to fully support. This means that where a developer engages with the Nature Restoration Fund to address a specific environmental impact, the biodiversity gain requirement will continue to apply.' As we continue to develop multiple policies which have overlapping aims, it will be important to ensure all policies are clearly communicated to developers and are aligned; to ensure the process is not made increasingly complicated, or that loopholes are established from one policy to the next.

Finally, paragraph 29 states, 'Once in place, the delivery body would be required to secure the actions identified and publish monitoring data to demonstrate the impact of the interventions over time. If a Delivery Plan were shown to be underperforming, the delivery body would be required to secure actions to address any underperformance'. It will be important to establish a detailed monitoring plan, ensuring monitoring before and after development occurred at informative intervals for an adequate period of time. Earthwatch Europe would highlight the use of citizen science as a tool to collect monitoring data on freshwater and soil health, as well as biodiversity.

11 Do you support a continued role for third parties such as habitat banks and land managers in supplying nature services as part of Delivery Plans?

Yes

All:

Yes, we are supportive of a continued role for third parties in supplying nature services as part of Delivery Plans; including collaboration with environmental NGOs.

12 How could we use new tools like Environmental Outcomes Reports to support the Model set out in the working paper?

All:

The EOR system is proposed to operate on an "outcomes-based" approach, focussed on streamlining the assessment process and achieving the national environmental targets set out in the UK's Environmental Improvement Plan. The EOR could be used to support this model at a national level; but this might not reflect what is happening at smaller geographic scales.

13 Are there any other matters that you think we should be aware of if these proposals were to be taken forward, in particular to ensure they provide benefits for development and the environment as early as possible.

All:

It is reassuring to read the government repeat its intention not to weaken existing protections. We at Earthwatch Europe can see the benefit of a centralised pot of funding derived from development then used to deliver environmental improvements. However, not assessing individual planning sites and not delivering mitigation on-site seems like a huge win for development and a huge loss for nature.