

25 APRIL 2022

## **PR 5-22 | LORDS REVIEW INTO LAND USE**

The National Association of Local Councils (NALC) is the nationally recognised organisation representing and campaigning for the interests of the some 10,000 parish and town councils and many parish meetings in England. Local councils are the backbone of our democracy and closest to local people, providing our villages, towns, small cities and urban neighbourhoods with a democratic voice and structure, now contributing in excess of £2 billion of community investment to support and improve local communities and deliver neighbourhood level services. There are 100,000 local councillors from all walks of life who are committed to public service. They also provide a pool of talent that provides benefits well beyond their own communities.

### **Summary**

- NALC welcomes the very important House of Lords inquiry into land use in England and the Committee on Land Use's intention to find sustainable solutions to the competing demands of infrastructure, agriculture and forestry, set against the need to tackle climate change and support nature and biodiversity. How land is used is a major issue for local (parish and town) councils – who are statutory consultees on planning issues and who have responsibility for overseeing the production of Neighbourhood Plans. At a time when the population in England is approaching 60 million, NALC recognises the value in having a strategic long-term approach to land use. This approach was lauded by the government's Land Use Futures foresight project in 2010. We equally recognise the need to address issues such as food and drinking water security, soil erosion, flooding, the decline of biodiversity and of the best and most versatile land, poor air quality and increases in carbon and greenhouse gas emissions. NALC has signed up to the climate emergency and has been promoting ways of mitigating it, but acknowledges that more must be done.
- For major progress to be made in land use planning and climate adaptation, far better cross-sectoral working is required than currently exists and also much-improved cross-boundary working between local authorities – as had started to happen under the regional planning regime. We also support the call by the two main professional planning bodies for there to be a national spatial strategy and the call by the Committee on Climate Change for the government to speed up its actions in relation to the mitigation of climate change. Land is a finite resource but how it is used is dominated by economic drivers. Housebuilders have been allowed to call the tune. Insufficient weight is given to environmental impacts. The planning system has been weakened and there is a dearth of planning expertise at a time of many conflicting pressures on land use. The government's national housing

target has not been substantiated and should be re-examined. We need to see 'Smart Growth' as identified by the Smart Growth Coalition and higher densities in cities. Master planning should be compulsory for all town and city centres to identify which areas should remain dedicated to retail and commercial use and which could be given over to housing. Areas allocated in Local Plans for employment use should be re-assessed in the light of the huge growth in home working and there should be a return to brownfield housing targets.

## **Pressures and challenges**

### **Q.1 What do you see as the most notable challenges in relation to land use in England? How might these challenges best be tackled? How do you foresee land use in England changing over the long term? How should competing priorities for land use be managed?**

**A.1** A weakened planning system with too few professional planners is struggling to cope at a time when there are increasing and conflicting demands for infrastructure such as housing, warehousing, roads and energy farms on the one hand and the need to retain a healthy planet where global warming and air quality are under control, where sufficient food can be provided and the biodiversity supports healthy living and thriving wildlife on the other. Overlying everything is the need for climate change adaptation. (A large number of the local councils that NALC represents have declared a climate emergency and so has NALC itself, but this issue is dealt with more fully in response to question 8).

In order to tackle these conflicting demands, it is necessary to adopt a more strategic and holistic approach than exists at present. There is too much silo working. For example, the requirements for local authorities (LAs) to engage in cross-boundary collaboration when producing their Local Plans are far too lax. (LAs are merely required to communicate with adjoining authorities, not necessarily to agree or to engage in meaningful joint-working). The need for a strategic approach is well-argued in CPRE's 2017 'Landlines' pamphlet which has contributions from many prominent individuals including the head of the UK Committee on Climate Change, the former director of the Countryside Commission and senior officers from the Royal Town Planning Institute, the National Trust and the Woodland Trust: <https://www.cpre.org.uk/wp-content/uploads/2019/11/CPREZLandlinesZ-ZwhyZweZneedZaZstrategicZapproachZtoZland.pdf>.

It is also worth noting that Regional Spatial Strategies (RSSs) were very successful in getting LAs to collaborate over far wider territories than their own. RSSs demanded brownfield targets for housebuilding and dealt efficiently with spatial concepts such as Green Belts.

**Q.2 What are the key drivers of land use change which need to be planned for, and how should they be planned for? What is the role of multi-functional land use strategies in implementing these plans?**

**A.2** The key drivers ought to be the need to better manage agricultural land and protect food security, the need to better manage water catchment areas and ensure that adequate clean drinking water exists for a growing population, the need to mitigate climate change (see response to question 8) and the need to protect important ecosystems and landscapes. Instead, economic drivers are often given priority. Overly optimistic employment and economic projections and housebuilding targets that have no firm evidence base are often allowed to override environmental considerations and spatial plans, (i.e. Neighbourhood Plans and Local Plans), badly designed developments lock in card dependence and there is insufficient emphasis on re-using brownfield land and on delivering higher densities in cities.

Multi-functional land use needs to be better understood. It is no longer adequate to make a simple distinction between agriculture, built infrastructure and nature conservation areas. There are many more diverse and pressing demands on the land but the space limits imposed on responses to 'calls for evidence' do not permit a proper discussion. For it to be fully explored and enacted, there would have to be much improved cross sectoral working.

**Q.3. How might we achieve greater and more effective coordination, integration and delivery of land use policy and management at a central, regional, local and landscape level?**

**A.3** We need to tackle the current fragmented approach and to recognise that, at every level, there is a need for the input of more professional planning expertise. This aspect has suffered particularly badly as a result of reduced budgets in some government departments and governmental bodies such as Natural England. The abolition of regional government offices reduced scrutiny at that level and the loss of regional planning led to a drastic reduction in cross-boundary working. This has all been exacerbated by reduced funding streams for local authorities and the capping of their ability to make up shortfalls by raising council taxes. We have now reached a stage where many planning authorities cannot even meet their statutory obligations. In addition, it has also been hugely disincentivising to principal authorities and to local councils to witness their efforts with planning policies (Local Plans and the Neighbourhoods Plans attached to them) being overturned because the principal authority has failed to meet an arbitrary five-year housing supply target.

In 2010, the then government's Land Use Futures foresight project made a strong case for the need to think strategically about the future of land over longer timescales than is usually the case – not least because of the challenges brought by climate change. And the Town and Country Planning Association and the Royal

Town Planning Institute have advocated that there should be a national spatial strategy. This would seem to be an eminently sensible way forward at the national level. However, there also needs to be a mechanism for land use planning at the sub-national level which covers wider geographies than local authority areas.

It was notable during the time that RSSs existed how the local planning authorities adjusted to working with each other, learnt best practice from each other and came to think 'outside the box'. Since RSSs were revoked, however, it has also been notable how LAs have returned to silo thinking. Whether the RSSs are re-incarnated or whether there is another version of them that is evolved, there clearly needs to be a statutory sub-national regime if there is to be a properly co-ordinated strategic approach to issues such as where new forests might best be planted, how important landscapes are dealt with and where there might be new National Parks or extensions to existing ones. National Park Authorities are exemplars of a strategic approach to rural land management. As planning authorities for their area, they have dual responsibilities for preparing land management and planning strategies.

That said, there need to be some over-arching principles that apply, whatever level of land use policy is being addressed. The requirement to tackle climate change is clearly the prime one but, in practical terms, another hugely important one is the need to focus on previously developed (brownfield) land wherever possible. NALC welcomes the government's declared support for this policy but wants to see a return to brownfield targets as applied in the RSSs. We support 'Smart Growth' as identified by the Smart Growth Coalition and sustainable communities and oppose unnecessary development sprawl into the countryside.

## **Environment, climate change, energy and infrastructure**

### **Q.8 How will commitments such as the 25-year environment plan and the net zero target require changes to land use in England and what other impacts might these changes have?**

**A.8** The 25-year Environment Plan will have a significant impact on land use but the wider policies and actions set out in it do not appear to be connected at a strategic national level. We therefore welcome the expected revision to the Plan through 2022. We understand that the 25-Year Plan will become the Environmental Improvement Plan from January 2023. It needs to be seen as a means to deliver landscape enhancements, including increases in woodland, wetlands and hedgerows.

The net zero target will have very wide consequences, whether it is seriously addressed or not. The key problem, according to the Climate Change Committee, is that the government is not acting quickly enough. Their 2021 report, 'Independent Assessment of UK Climate Risk', identified 61 risks and opportunities and opportunities which were fundamental to every aspect of life in the UK –

covering the natural environment, health, infrastructure, homes and the economy. The greatest risks were to:

- the viability and diversity of terrestrial and freshwater habitats and species
- soil health from increased flooding and drought
- natural carbon stores
- crops, livestock and commercial trees
- the supply of food, goods and vital services due to the collapse of supply chains
- human health, wellbeing and productivity from failures of the power system and increased exposure to heat – particularly for the elderly.

The committee said that only a combined approach to tackling climate change through reducing emissions and building resilience will be successful in protecting the UK from the worst effects of climate change. Amongst other things, it warned against continuing to build homes and related infrastructure in flood plains, of the need to get transport right, the importance of utilising natural flood management methods and about the challenges in designing and implementing the right mix and types of technologies for low carbon heat and energy efficiency.

And the Climate Committee's 2021 progress report on reducing emissions also criticised the government for the slowness of its actions. It said that, in order to achieve net zero, all government policy – including planning decisions – would have to be compatible with UK climate targets and there was a need for an ambitious heat and building strategy that works for consumers. In addition, delayed plans on surface transport, aviation, food, hydrogen and biomass must be delivered and plans for the power sector including the North Sea, industrial decarbonisation, peat and energy from waste must be strengthened and the cross-cutting challenges of public engagement, fair funding and local delivery must be tackled.

#### **Q.9 How should land use pressures around energy and infrastructure be managed?**

**A.9** Local Councils are only too well aware that many households have issues with the strobing effect and the noise of onshore wind turbines. There are also many instances of solar farms being built or applied for on productive agricultural land. This renders the land beneath them unusable even for grazing because of the chemicals used to clean the solar panels. Also, both energy sources have visual impacts on landscapes and both only perform under certain weather conditions. NALC therefore supports the positioning of windfarms offshore and the positioning of solar panels on rooftops, particularly on the top of large warehouses and supermarkets, but could not give blanket endorsement to either on-land.



Land is a finite resource. Once greenfields are lost to development of any kind, it is usually lost forever. We must retain whatever agricultural and grazing land we can for food production and whatever open spaces we can for recreation and leisure use. The lockdowns imposed at the beginning of the COVID-19 pandemic demonstrated how important it is for everyone's health and wellbeing to have access to open spaces.

## Land use planning

**Q.10 What do you see as the advantages and disadvantages of the existing land use planning system and associated frameworks in England? How effectively does the system manage competing demands on land, including the government's housing and development objectives? What would be the merits of introducing a formal spatial planning framework or frameworks and how might they be implemented?**

**A.10** The existing system is dominated by housing targets for each local planning authority that are not necessarily linked to those with the most appropriate sites. Whilst new homes have to be delivered, the sustainability agenda must not be forgotten about and growth should be determined in relation to social and physical infrastructure and environmental constraints. It also needs to be recognised that targets alone will not result in appropriate housing being delivered in appropriate locations or at an affordable price.

The situation is that the land use planning system has become developer-led. For instance, an early stage of a Local Plan process is a 'call for sites' by the local planning authority. This prompts a slew of suggestions from landowners and developers, all of them disconnected from each other and many poorly sited. This is no way to set about a sustainable strategic planning process. The starting point should be a survey of developed areas to identify where regeneration is needed and a review of areas allocated for employment use. All Local Plans have areas identified for employment use but, with increasing amounts of home working, many are not going to be taken up and might be better allocated for other purposes.

Additionally, many town centres are failing because of the growth in internet shopping. Rather than either trying to sustain them over their entire historical footprint, or allowing a free-for-all approach in respect of which properties are converted to housing, it would be much better if there was a requirement for the centres to be subjected to master planning. Most shopping areas could be reduced in size to a more economically viable scale and the peripheral areas converted to housing. These are not the types of initiatives that developers tend to favour. It was noticeable that when each local authority was required to meet a brownfield housing target demanded by its regional spatial strategy, LA officers were actively sourcing potential brownfield sites and encouraging and helping

owners to come forward with the sites for redevelopment. This stopped happening as soon as targets were dropped.

The question about competing demands on land, including the government's housing and development objectives, appears to assume that the government's demands are appropriate. In fact, the government's aspiration to build 300,000 home per year has never been justified and is unlikely to ever be met due to a shortage of building skills and materials. Population growth has fallen in recent years and the over-arching ambitions need to be re-examined.

As far as the merits of having a formal spatial planning framework are concerned, the most important would be the imposition of a holistic approach over a large geographical area. Landscapes would be key beneficiaries and, instead of every LA independently talking up its economic and employment prospects, often resulting in a double-counting of projected jobs, they would be obliged to take a more realistic approach. They would have to take into account, far more than they are currently doing, what is happening beyond their boundaries.

**Q.11 What lessons may be learned from land use planning frameworks in the devolved nations and abroad and how might these lessons apply to England?**

**A.11** The Welsh Spatial Plan, 'Future Wales: The National Plan 2040' deserves to be studied as a starting point. It is recognised, however, that drawing up a spatial plan for England would be a much more complex matter and NALC does not have expert knowledge outside of the English planning system sufficient to recommend frameworks in other countries.

**Q.12 Which organisations would be best placed to plan and decide on the allocation of land for the various competing agendas for land use in England and how should they set about doing so?**

**A.12** As the question refers to 'organisations', it appears to imply that neither a government department nor quasi-governmental bodies like Natural England or Historic England would be taking the lead. Nor would a newly-established spin-off of government. But, regardless of the governance structure of the body in charge of a new land use agenda, it would be very important that local government was represented in the form of the Local Government Association and the National Association of Local Councils and so should other bodies with a significant stake in planning such as the professional planning associations, the planning departments of leading universities and the principal environmental organisations.

Should you require any further information on this response please do not hesitate to contact Chris Borg, policy manager, on 07714 771049 or via email at [chris.borg@nalc.gov.uk](mailto:chris.borg@nalc.gov.uk) . © NALC 2022