



Land Use in England Committee

Corrected oral evidence: Land use in England

Monday 23 May 2022

4.40 pm

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Members present: Baroness Young of Old Scone (In the Chair); Baroness Bakewell of Hardington Mandeville; Lord Borwick; Lord Goddard of Stockport; Lord Grantchester; Lord Harlech; Baroness Redfern.

Evidence Session No. 13

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Questions 139 - 145

Witnesses

I: Richard Blyth, Head of Policy Practice and Research, Royal Town Planning Institute; Dr Hugh Ellis, Policy Director, Town and Country Planning Association; Paul Miner, Head of Land Use and Planning, Countryside Charity (CPRE).

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Examination of witnesses

Richard Blyth, Dr Hugh Ellis and Paul Milner.

Q139 **The Chair:** Welcome to this evidence session of the Land Use in England Committee. We are delighted to see Richard Blyth from RTPI, Hugh Ellis from TCPA and Paul Miner from CPRE.

In front of you is a list of the interests that have been declared by members of the committee. This meeting is being broadcast live via the parliamentary website. A transcript of the meeting will be taken and published on the committee website and you will have an opportunity to make any corrections that are necessary.

I will start with the first question, which is about the nature of the planning system. Government priorities and ambitions are perhaps wider than have been the case in the past in the planning system. We now have issues of climate change, forestry, biodiversity, nature recovery, levelling up and housing and other development pressures on our need for land. Do you think the planning system can cope with the totality of the land surface and those priorities, and, if it is going to cope, how do you want to see it change? Perhaps we could start with Richard.

Richard Blyth: Currently, it is not required to cope with the totality of the land surface. It is mainly concerned with land in urban use and land that may leave rural use and enter urban use, but a large number of rural activities are not subject to traditional planning control. There are some activities, such as building a motorway or a wind farm, that are, but a large number, like the acreage of land use, is not particularly subject to the planning system. Therefore, that might want to be discussed, but at the moment it does not have to be responsible for large quantities of the acreage.

The Chair: Would you want it to be responsible for the totality of the land surface?

Richard Blyth: No, but perhaps I could come on to how that might work in subsequent questions.

Paul Miner: We feel that good planning done well can be a very powerful force for progressive social, environmental and economic change. In recent years, the system has been narrowed down—unhelpfully in our view—to a focus on just building 300,000 houses a year or whatever the government target was, but 300,000 houses a year is the current policy.

Done well, planning can have a huge range of benefits, in particular in tackling the climate emergency for example. It has helped to massively boost the deployment of renewable energy. It has helped to improve the energy efficiency of new housing developments. Particularly in an area that CPRE has always strongly identified with, it has also enabled us to build substantial numbers of new homes while protecting large areas of our valuable and precious countryside, not just areas of natural beauty and national parks but green belt and, increasingly, nature conservation areas and local nature reserves, for example. In recent years it has

struggled because of its narrowing down towards significantly boosting the supply of housing at the expense of other environmental and social objectives.

We think there are a number of changes that mean that, if the planning system is to be relevant to addressing the big changes to the climate and nature emergencies, and to build more affordable homes, a clear national framework for land use and being able to integrate the environmental, social and economic dimensions, is a key element of addressing that challenge. Also, when we are looking to level up and address a north-south divide, we need to be clear about what that means for the pattern of development and protection that you see across the country.

We need a national land use framework, but we also need robust objectives and indicators for land use so that we can see what effects that strategy is having on the ground and what progress is being made. A national strategy should not be too prescriptive either. A lot of the very good innovations that we have seen in recent years on climate, on the environment and on housing have come from the local level, from local authorities, and it is critical that you still have that space for local innovation in the future.

Dr Hugh Ellis: I think we have to distinguish between the statutory planning system that we have now, which is at its most dysfunctional at any point since the war, and the capability of planning to deliver the kind of change we desperately need. The example I will give is that as a nation we know we have to relocate significant population off the east coast. The original flood and coastal risk management strategy told us explicitly that relocation was a factor. We have absolutely no land use management mechanism to do it, because the system is critically unprepared for dealing with those challenges.

Given the age of the Town and Country Planning Association, that is partly about looking back at wartime experience, because I think from our perspective, after 30 years of work on climate change, that that is where we now are. The kind of level of change that we will have to effect to create resilience for places requires a system, so you start from the challenge and you work from that challenge, but there is one important thing about that. Town planning, in essence, has also managed to do something that other regulatory frameworks cannot do, and that is to have a powerful element of local democracy. It is easy to impose, and many people point to other nations to say, "Look at their effective planning strategies". That is fine, except that they contain no democratic accountability whatsoever.

That means that the work of this committee is extraordinarily difficult, because rather than there being a theoretical public policy question, we are now well past the point where the existing system can be evolved to deal with the climate challenge. It requires systemic and urgent change if you are going to save large parts of the east coast from 1.5 metres of sea level rise by 2015—government figures—or the Environment Agency's 300-year estimates on sea level rise.

The Chair: When you talk about radical reform, give us the 20-second version.

Dr Hugh Ellis: The 20-second version is that you cannot manage the east coast with 30 district councils on their own. That is abandoning communities to their own fate. You have to have effective, strategic planning based on the functional geography of this country. You have to have planning timescales of 50 to 100 years and you have to combine strategy and delivery in the way development corporations in the past did. I am aware that that is a big step, but we are allowed to think freely and that is our very best judgment about how you would be able to create resilience for the future of this country. The democratic element is critical in that.

Q140 **Lord Goddard of Stockport:** My question, following on from that, is how best we can ensure the right thing, at the right time, at the right scale and at the right place, and what changes you would seek to try to promote that agenda. A witness last week—I think he was the director of national infrastructure—read out the national infrastructure plan, and the Chair asked, “What about housing?” He said, “That’s not on my agenda” and we moved on. If you think of joined-up thinking and developing plans, I wonder whether we are all joined up to get the right thinking and the way forward.

Richard Blyth: I would like to start at the local level. Our solution to these challenges effectively may seem to start small, but I think it is still a challenge. It is to draw together all the current environmental plans operative within a territory—we have inherited about a dozen if you are on land and a further five or six if you are in a coastal area—and put them in a single LEIP¹, which is required to align itself with the local plans of the local planning authorities in the same area.

That would give the join-up needed at the local level. We also think that those plans ought to be aligned with local transport plans, because transport has a very big impact on land use and on climate. That way you would have, at least within a territory, an attempt at alignment. It does not answer the national question, but I am very concerned about the way in which some of the thinking around local nature recovery strategies emerging from the Government is going, which seems to be a very single-issue focus, even with aspects of the environment. I think we need to look wider.

Paul Miner: To address this issue we also need the public to be as well informed as they can be and to access information as well as they can. We think the Government have some good ideas here and some good initiatives they want to take forward, particularly on digital planning. There are a number of clauses relating to that in the Levelling-up and Regeneration Bill. For us, it is key to make local and neighbourhood plans consistently easy to access.

¹ Local Environment Improvement Plan

There is a policy in the National Planning Policy Framework that allows local communities to designate areas of important local green space. We found that this policy had been used over 6,000 times across the country. To get the information we wanted, it took two members of staff at CPRE nearly six months to find that out because of the sheer difficulty of finding all these local neighbourhood plans online and the inconsistency of all the different formats that we were finding.

The important role for us is to access information and the best use of digital where possible. Also, on the question of what policies and outcomes we are working for, we definitely agree with many other people who put in evidence to this committee that we need more multifunctional use of land, so getting multiple benefits in the same places and over time.

There are three areas that I think show this particularly critically. One is the best and most versatile agricultural land, which is currently meant to be protected through the planning system. That is a key issue, and an increasingly important issue given that food security is rising up the political agenda. I do not think the Government currently have any idea what is happening with rates of development of best and most versatile agricultural land or why it is being developed.

This is an issue that we will have to increasingly get on top of because—to pick up on Hugh's point and one the National Farmers' Union also made—a lot of best most versatile land is in areas that are at risk of flooding and a lot of it is likely to be under water in about 40 or 50 years. Therefore, we need to be taking this longer-term understanding and that needs to be linked much more strongly to planning policies.

Another area that we think should also be looked at is zero-carbon housing, for example, allowing local authorities to go further and faster than national policy where they can align that local innovation. We are particularly concerned that the Levelling Up and Regeneration Bill will actually make it more difficult for local authorities to innovate and get better designed new housing through this idea of national development management policies.

There are particular issues in nationally protected landscapes, as other people who have submitted evidence have pointed out. We want these areas to be increasingly managed for nature as well as for access, but often that will involve making some quite tricky decisions—for example, making the Lake District more biodiverse against continuing to encourage sheep farming. Again, you need local understanding of landscape and you need well-informed people on the ground to be able to do those things.

Dr Hugh Ellis: There is a traditional English muddle by which you might describe many of the key policy areas that fit through planning. We did a policy exercise with lenders and insurers on climate change and flood risk. We laid out on the floor all the various flood risk strategies that have to fit through the local plan. I think we stopped when we found nine, and most of the people in the room were not aware that they existed.

The thing that needs to happen is that you have to restore planning as the key focal point of change and the key local strategy, because that is what it was intended to do. You then have to take a step back and say, "If you spend 10 years insisting that the planning process is solely about allocating housing numbers, it's not surprising that the system narrows to a point where it is no longer a holistic framework for change". That was a conscious policy decision and we now need to recover from that. I think that there are some signs that the Government want to recover from it, but the system has been wholly focused on that objective.

The biggest solution to it is to give the planning system a statutory purpose around a holistic development goal. Make that development goal sustainable development and base it on the UN sustainable development goals. That provides the integrative starting point. But I have a question in my own mind and it is this. Every reform for 40 years almost has been founded on the idea, the orthodoxy, that the town planning system is a problem. It is extraordinarily liberating when you ask the question: how could you reform planning as a solution to these problems as it originally was? You end up in some really exciting places, not least in unleashing what communities might be enabled to do for themselves on food, on flood defence.

Finally, that planning has to have control of some upland land uses. There is absolutely no point in planning trying to organise flood defence in the Calder Valley, only to find it has no control at all over the upland land uses, which are speeding the flowing to the valley below. That is illogical.

The Chair: Straight on cue, Lord Harlech.

Q141 **Lord Harlech:** The committee has heard about the importance of green infrastructure and the potential of green belts in delivering nature-based solutions, but that it is often traded off against other priorities. How can planning policy and practice be improved to support nature biodiversity and other environmental objectives?

Paul Miner: We were particularly interested to see that the committee is taking an interest in green-belt policy. There are a few things that we would like to say about this. In particular, we see a lot of commentators who try to separate off green-belt planning policy, which has always been a tool to manage growth, with the land that is protected as green belt, which is largely countryside, about 70% countryside, which we would argue plays a massively important but often dismissed role as the countryside next door to 30 million people.

What really interested us was that a couple of weeks ago it was reported in the press that there was some new research from Defra, using a tool that it has created called ORVal, or outdoor recreation valuation, with Exeter University. It gave a list of the 10 most valuable green spaces in England for public welfare. Of these 10, four of them were in the green belt. Of the other six, three of them were Hyde Park, Hampstead Heath and Greenwich Park. To us, that illustrated how much value green belt

has, particularly the most accessible areas that we have. We are about to publish some further research that we will show the committee when it is published, which will be this week, on the amount of green-belt land that has been covered by government environment schemes. It is less than perhaps you would expect, given the green belt's important value for recreational tools.

On what we think should happen, we think that planning policy should continue to emphasise the permanence of green belt so that the boundaries are not changed every time a local plan is reviewed. Also, it should restrict the number of alterations so that landowners have more certainty that in future they will need to manage it in its undeveloped state. Also, in particular, there needs to be a headline 25-year environmental improvement plan target for green belt. There is for protected landscapes, but green belt is an omission that we think ought to be looked at.

If we are going to get better management of the green belt that is largely outside the current planning system, because most green-belt land is farmed. It is agricultural land. Those are our main thoughts specifically for green belt, but obviously there are wider green infrastructure questions, too.

Dr Hugh Ellis: The planning system and design has the capability to do something we used to be able to do well, which is create benefits for people and environment in an integrated and holistic way. We used to be really good at that in how we designed homes. The design of the domestic house in this country, if you drew a graph of it, has fallen. If you have the time—I am sure you do not—I would suggest that you walk round Letchworth, with its brilliant domestic design that began in 1903. Then walk around a modern housing estate and ask me why people find it difficult to conceive of a development where people and nature can coexist. I think for the TCPA they really can. More importantly, they have to, because it is central to their well-being and to our survival. I do not think there is any problem practically about delivering it, but, again, it is about what messaging and policy you give the planning system, and that is not the message and the policy that we have given it.

It is such an exciting prospect for using green belt in different ways, but again my top issue is: how can the public get access to it more meaningfully to do the things that they need to do in the right to roam, the right to grow? Those issues are definitely there.

Finally, TCPA is a pro-housing growth organisation. Green belt went hand in hand with new places and managing growth strategically in highly sustainable new development. We have not done that in this country for 50 years, and we wonder why we have a housing problem. Green belt only makes sense if you are willing to identify strategically where growth will happen. Those two things were always part of the same equation, and they need to be, and that requires some form of strategic thought process about England.

The Chair: May I gently challenge you on one of the points you just made? I do not know the answer to this. I am not doing it from a point of knowledge but from a point of interest. We are seeing more and more new developments, new settlements. I hate the term “garden settlements”. Are they just not coming up to the sort of standards that Letchworth and our predecessors did? Do you think the garden settlement movement is not trailblazing for these sorts of things that you have described?

Dr Hugh Ellis: That is the hardest question I could possibly get. The answer is, no, they are not meeting the standard that Letchworth met. I think there are people out there trying to do really good things and they are worth looking at, such as Bicester and the self-build project and various other projects where there are individual elements of new design that are hitting the mark on zero carbon.

The idea of a garden city ideal overall—for example, using green belt to directly supply food to the community, which was the original vision, and owning that green belt co-operatively so that you could do that—is not being delivered in the same way, and there is not that kind of level of innovation. The biggest missing issue is stewardship and community involvement in that stewardship. That is the most obvious problem for most of those communities.

Richard Blyth: To come on to planning policy supporting biodiversity, the Environment Act has made a very strong play for the planning system to support biodiversity. I have some reservations about the way it is going about that, which are probably not necessary to say at this particular time, but a lot is being done on the environment.

On green infrastructure, I think there is a difficulty in separating things out. We have biodiversity in one place, then we have flooding in another place. The whole concept of ecosystem services is that land can do lots of things all at the same time. It can help with carbon sequestration, flood relief, maintaining our biodiversity and increasing it. If you separate out one of those things and talk about it in isolation—the way the Environment Act is a bit guilty of doing—the problem then is that the multiple purposes of a piece of land to generate a range of ecosystem services simultaneously are made more complicated because you are focusing on one of them.

There is some very good practice out there. The Building with Nature accreditation scheme is awarded to the very best places, housing schemes and other developments that are delivering green infrastructure and blue infrastructure in its widest sense. That is a voluntary scheme, so obviously people are not obliged to meet those standards. They are very high standards.

If ecosystem services are taken in the round and allied to the particularly important question of delivering nature for people, it is easier through an overarching plan to make sure that these combined benefits flow to

nature, people and the climate. It is difficult if you try to focus on one of them and ignore the others.

Q142 **Lord Borwick:** How effectively does the planning system provide for democratic engagement for land use policy and decision-making? Is there room for improvement? Surely, when planning permission goes in, the room for objections is enormous and the number of objections the previous witnesses were saying was very often from the same group of people regularly objecting to housing developments, so much so that it was implied that they might object to their own houses if that option was given to them. There is a large amount of democratic engagement on the existing planning system. Does it need to be improved?

Dr Hugh Ellis: I will take a leap by daring to say that I think that public trust in planning is at a very low ebb.

Lord Borwick: I think that is true, yes.

Dr Hugh Ellis: There is a lot of complexity going on here. There is no doubt that people get frustrated with objecting to housing development. We stand back and look at it is by trying to analyse two things: whether democracy is working and whether people have basic civil rights in the process. From what we see on the ground in the networks that ask us for our advice, there is a deep asymmetry in the system in favour of the development sector, in the sense they have the knowledge base and the access to professional support that most communities do not.

It is true that I have been to communities who do not need my professional support one bit, because they have three retired planning inspectors and a retired barrister and they are doing very nicely. The generality is that communities find it very difficult to involve themselves in the planning process, and that is feeding through into a bitterness about who controls local decision-making.

It is interesting to reflect that there is only one civil right in the entire of the planning process, and that is that if you make an objection to a plan you have to be heard in front of a planning inspector. You have no right to appear at a committee for a planning application. It is a voluntary right. The way the levelling-up Bill is produced is quite clever, because it is lowering the number of rights on development plan documents, not increasing them.

There is an asymmetry there, and it begs the question: why do developers have a right to appeal but communities do not, even when decisions are not made, for example in line with the development plan? When the local authority does that, objectors have no right to appeal that, and developers have a general right to appeal pretty much anything.

The difficulty here is a skills issue for communities, a demographic accountability issue for communities and a rights issue about their involvement in the process. That is all just about the process, which in some sense is quite boring and dull but important.

It is a terrible shame that the planning process does not enable more positive community action. It could do that, which is why the NPPF should have a chapter on enabling communities to take action on things like community housing and various other issues that it does not do. My fear at the moment is that every attempt at planning reform in the last 40 years has failed because of the governance question, because on regional plans people said they were too top down, so we scrapped them, which led to a conversation that we cannot have about strategic planning. Unless we rebuild public trust in planning and unless the levelling-up Bill does that, I think we will find it very difficult to operate. It has to be based on rights and on giving communities the advice and support they need to respond to some very well-equipped development sector voices.

Paul Miner: What the planning system should do and what it is capable of doing in our view is giving democratic legitimacy to land use policy and decision-making. Further to what Hugh was saying, there are some times where we think there have been some small successes or some things that are potentially worth celebrating, for example neighbourhood planning. We could say that has been a notable success in the past 10 years. I think that there has probably been a bigger take-up of neighbourhood planning than most people would have expected when the legislation was originally brought in with the Localism Act, but at the same time not all parts of England have benefited equally from neighbourhood planning. It has tended to be much less pronounced in the Midlands, in the north and in urban areas.

To pick up on Hugh's point as about regional planning, another problem from our perspective is that it has led to major gaps in plan coverage across the country, whereas when you have a system of regional plans you have at least some kind of planning policy coverage all across England. Ever since they were abolished there has always been gaps that have not always been filled. It has been more difficult to fill them because local authorities have had to plan for very onerous housing targets, which they are not capable of delivering themselves because most new houses are built by the private sector.

I think from our perspective it is critical that decision-making remains locally led and we have been working with a wider coalition of organisations, the Better Planning Coalition, which is also going to work on the Levelling Up and Regeneration Bill. We think overall the Levelling Up and Regeneration Bill needs careful scrutiny. There is one particular clause that we see as potentially a damaging paragraph by the centre, which is on national development management policies. Yes, in some cases national development management policies could work well and they have worked well in many respects in the past, but we fear that overall it will drag down the best performing local authorities to the standard of the worst in areas such as providing affordable housing, zero-carbon development and using the biodiversity net gain provisions.

Finally, on possible examples of good practice, London is far from perfect but it seems to us to be the part of the country where the planning

system is most effective. It has the London Plan and the borough-wide plans. That seems to be getting the best outcomes in improving environmental assets, getting high quality, well-designed new housing and the development of an effective public transport network.

Richard Blyth: I think there is a bias, which Lord Borwick hinted at, in the nature of objections or representations on plans and planning applications, which has tended to be to the negative. In fact we repeatedly see examples of people saying, "I tried to support this but there was nowhere on the local authority website that enabled me say 'support'". The experience of lockdown has been tentatively encouraging; for example 7,000 people watched the local planning inquiry for South Oxfordshire because they could do it online. One thing that we are very keen to see, I think I can say safely, in the new Bill is a permission to continue holding local planning committees virtually, which was removed at the end of the temporary Covid restrictions. Generally speaking, we would get a greater variety of people becoming councillors if it was possible to do so more virtually.

There is concern that if it requires meeting in the evening—some councils even meet in the daytime—and how you balance that with childcare, preparing for your next day at work, shift work, it leads to it being easy for a certain kind of person to become a councillor and much more difficult for other kinds of people. We would like to see the governance structure made as fair as possible and that might start addressing some of these other questions.

I have a little bit of hope that digital technology will make it easier for hard pressed people to participate, things like you hold your phone up and it tells you what development is proposed in this street and you can tick or cross saying you like it or dislike it. We could get more people possibly supporting things because it would be less of a full-time job to be engaged in the planning system and more a thing that everybody does. I think that the Government are prepared to put money and effort behind widening that.

You talked about the planning system. Possibly in this context what concerns me is everything that is not the planning system. One of the reasons we want—just to bang on about it—LEIPs is partly because I am concerned that involvement of the public in environmental planning is a long way behind even its involvement in Town and Country Act planning. How many people are involved in shoreline management plans, in river basement catchment plans, in the investment strategies of our water companies that are so critical to deciding what happens to our landscape? This kind of stuff is happening in quite a niche way and the idea of a single environment plan is intended to say that this will promote the environment locally to becoming a big plan that lots of people can get involved in. The director of the environment for the local authority would become a more highly ranking figure because that person would be responsible for a big plan. Divide the environment into a dozen small single issue plans and it is very hard for the public to get to grips with it.

Lord Borwick: I entirely understand and agree with you on that; some local plans are the size of a room rather than readable by an individual voter. You cannot expect them to understand what has gone into a local plan when it has taken a council, as you say, many years to produce it, yet there is a need for more informed democratic input into this. Understanding a local plan requires a professional planning adviser for most developers, does it not?

Richard Blyth: The Government have put forward, not only in the Bill but also in supporting policy documentation, their desire to see shorter local plans that are more comprehensible and that is very much to be commended. There is nothing to stop a local authority producing publicly accessible versions of plans, and many do as part of their consultation process. It is not necessary for the public to read the whole thing. There are also interesting ways in which you can employ communication experts to tell a story about the future of a place that does not require the 400 pages of reading.

This is also quite expensive and I suppose we are bound to come to this issue later—the finances for local plan production are in a dire state. Even if we were able to fully cover the cost of planning application processing in local authorities, there are no solutions on the table for how we deal with financing local plan production. The reliance on planning application fees for funding local planning departments has risen and risen in the last 12 years, to the extent that they are finding it very difficult to find any money to do all the other stuff that we would very much like them to do, all this proactive engagement, positive thinking and creativity. With the money only coming in for the planning application function and that not even covering that, all this is lovely to have but someone needs to pay for it.

Q143 **The Chair:** Before we move on, could I check whether you are all in agreement with what I seem to be hearing, which is that the recommendations that have come through in the levelling-up Bill that involve public engagement are not as good as they were in the consultation and the White Paper, or is that me mishearing? Do you think what is coming through in the levelling-up Bill is better or worse?

Dr Hugh Ellis: The White Paper was an interesting document and it was extremely hard to tell from it what the consultation process was going to be in detail. What I can tell you is that the levelling-up Bill does not meet that challenge of rebuilding public trust, partly for the reason—I think that digitalisation is very positive and I am sure you are right, Richard, that there is much to be celebrated there—you can have as many positive engagement processes digitally as you like on a development but if you are locked out of the key decision-making arena as an individual, as a community, whoever you are, you do not have power in the process. The only civil right, as I said, is in the local plan. We now have three or four other products that all have the same legal status at the local level, no right to be heard in any of them and, in fact, in one of them a legal clause that says you positively do not have a right to be heard.

That is a gaping problem that the levelling-up Bill has to try to address, which is how can you genuinely open up decisions. You cannot do that without the resources that go into the educative process so that the commentary is well informed. That used to exist and the urban study centre movement in the 1980s got me into planning, partly because there were places where communities could go where you could find out about the process and there were people there to help you through it. All of that does not exist at the moment.

The levelling-up Bill does not make planning easier, it makes planning more complicated. It is non-strategic; it does not deal with climate change and it does not rebuild public trust. Much to do.

Paul Miner: I attended a seminar organised by a well-known, influential legal chambers last week and they had about 400 people present on this Zoom call seminar. One of the questions they were asked about the new system was: is it going to make it easier to get plans in place? The overall response, by 64%, was no.

There are some beneficial elements in the Levelling Up White Paper and they have moved away from their original proposals in the White Paper for a zoning system, which we thought was a positive move. We still have major concerns that some of the key clauses of the Bill on planning will be a power grab and a centralisation of the system, not just the proposal for national development management policies that overrides the local plan but also proposals for environmental outcome reports as well. In the policy paper that was produced with the Levelling Up White Paper it was said this was partly taking back control because it means that the environmental assessments will be done by assessing environmental objectives set by national government rather than objectives set in Brussels. That might be true in the sense that the environmental assessment directives are European directives, but it ignores the fact that, as with the planning system generally, local authorities have a lot of discretion about how they do strategic environmental assessments and environmental impact assessments.

We certainly welcome moves to have national targets on air quality, for example, followed through more consistently, but at the same time it is vitally important that the environmental outcome reports and assessments are done by local authorities, who have the best understanding of the places that they are representing and working for, and that they are able to set and follow through with environmental goals and objectives that reflect the particular needs of their local area.

Richard Blyth: I would not want you to go away with an entirely black picture of the LURB, as it is being affectionately called. It is good to see the Government committed to democratic local plan-making. They could have chosen a different course and it is a good thing that they did not. That is a plus. It is very interesting to see what might come of the idea that a street could decide on a higher level of permitted development than the Minister decides. That is quite an interesting concept.

On how much the public is involved, there is a question around national policies. Currently we have a National Planning Policy Framework that covers the non-statutory public policies. When it is changed, the number of responses is probably in the hundreds. If there are to be national policies, there is a question of how adequate democratic scrutiny of those may be achieved and we in the industry are pondering that question. We are hoping to speak to Peers and MPs about it in due course. I think that if you elevate the status of that document, correspondingly you probably need to give some attention to how it is scrutinised. There are some quite interesting models out there. I would not want it to be assumed that everything in the Bill was somehow black, at least from our point of view.

Chair: That feels a bit like saying that it is lovely once you stop hitting your head against a wall, but I am not sure about that. We will move on.

Baroness Redfern: Are you all saying, with the levelling-up Bill, that digitising the system will not make it far easier for under-represented groups to have their say? Is that what you are saying?

Dr Hugh Ellis: I can be clear that I am saying that it answers part but not all of the question. Those under-represented groups may well be able to find out about a planning application in a much easier way and a much more engaging way, but the question that the Government have not addressed at all is a simple one, is it not: how much power do communities have over their own future? If we could settle that question, a lot of the grief would disappear out of the planning system. The levelling-up Bill does not do that. In fact, in some senses it steps back from answering that question. The system will never be at ease and it will never be not being reformed until we have an answer to that question: what are the limits and the capacity of the community's voice?

Q144 **Baroness Redfern:** Currently, planning systems in the UK are fragmented, we are told, with multiple policies and bodies governing different sectors within the geographical land. Do we need a strategy or a framework for better land use outcomes?

Paul Miner: As members of the committee will know, CPRE a few years ago published a report called *Landlines*, which was essentially a series of essays that looked at the possibility of a national land use strategy and the reasons why one might be beneficial. Our view is that there is a very strong case for a national land use framework and we would offer three initial reasons for that.

One is that it links to levelling up. We agree with the Government; we want to see the nation levelled up. What we understand that to be, particularly in this case, is addressing the north-south spatial divide, which manifests itself in a number of ways, not just in economic development and social issues but also environmental quality. We need a national debate about what success would mean in levelling up and what it means in how we use land in particular. That goes back to a lot of the questions we talked about earlier: how you use the uplands, for example, how you use green belt, and what the priority is for protected landscapes.

If we are able to save the best and most versatile amount of farmland, how can we maximise the amount of housing we get on brownfield sites, for example?

The second reason why we think it would be beneficial is that we need more coherence and clearer communication on government plans and resources that relate to land use, not just housing but farming in particular. In the Government's new environmental land management system it is particularly important that local councils are able to influence what happens with farming and land management at the local level if, for example, they will be able to create local nature recovery networks. It will become increasingly important. We have seen organisations like the Cotswolds Conservation Board—the Cotswolds is an area of outstanding national beauty—which says that it wants increasing influence over what happens in farming policy so that it can come up with solutions that best meet the needs of the Cotswolds.

Moving on to that, the national land use framework would also give a clearer structure to local leaders to work within. We think also it would empower local leaders to influence wider policies outside the planning system. Planning is seen as very much something that is local authority-led but farming policy, by contrast, has been very much centrally led. We think a national strategy that sets a framework could help local authorities engage much more with farming policy, for example, in future.

Richard Blyth: This is a question that has interested me for some time. When I joined the institute, which is now 10 years ago, I did a research project that we called Map for England, which was to look at everything the Government were doing then on how they impacted on different places. We found that there were 95 government policies relating to land broadly. A lot of them were not avowedly recognised; in other words, they were policies that had an impact on land but they did not know that they were doing it. That is quite a lot, 95 policies across 12 government departments. We still have a lot of national policy relating to land use. I suppose the question in this room is: should we have one policy rather than the 95 or so that we currently have?

There are national policies for energy, for roads and for railways under the 2008 Planning Act. We do not have one for agriculture, which is because agriculture is not under the 2008 Act, but I suppose that it is possible that we could have. Then we have various policies that cover the sea as well. There are precedents.

I think many people would say that the difficulty with a national policy statement system—also known as the NSIP² system is that there is no way in which the different national policy statements are related to each other. You could have the energy policy statement saying something rather different to the road one, you could have the air one saying something that is contradictory to the rail one, and it is not that easy to

² Nationally Significant Infrastructure Project

iron out those contradictions and difficulties because each one is a stand-alone document. It will be a challenge to join all that together.

There are countries that do this. Ireland has a very impressive concept that I put in my written evidence to you. In the call for evidence you asked for examples from elsewhere. As it says, "Project Ireland is the Government's long-term overarching strategy to make Ireland a better country for all and build a more resilient and sustainable future." There are national strategic objectives. "Alongside physical infrastructure, Project Ireland supports businesses and communities across all of Ireland in realising their potential." It also says, "The National Planning Framework and the National Development Plan 2021-2030 combine to form Project Ireland." I must say it was very interesting because the Irish Prime Minister launched what is effectively the NPPF for Ireland. It is a country with fewer people, but quite a lot of land.

There are ways in which you can create what has been called a programme for government, which sets out a whole series of missions and tasks for the individual departments to then carry out collectively. There are interesting examples that can be looked at elsewhere.

Chair: Before you go on, do you have any comments on the Scottish version, which is the Scottish Land Use Commission?

Richard Blyth: The Land Use Commission is slightly different, but National Planning Policy Framework 4 in Scotland differs from the Irish example because it is not tied in to a budget. What is so exciting about the Irish example is that it is costed.

I remember when I was working on a European Union project once, we all had to fill in one of those bureaucratic templates saying, "What is your country doing?" One of the questions was, "What is the budget for implementing the plan?" I put zero and every other country asked, "Why?" I said, "We do not have a budget for implementing local plans at all," whereas in other countries they say, "We have this plan and this is the money we are putting toward making it happen". That is quite a weakness. The Irish example is good because they have a national plan and they have a national budget that delivers the plan.

Baroness Redfern: Hugh, do you want to add anything?

Dr Hugh Ellis: The Welsh model is also worth looking at. There are multiple models of how we could organise ourselves better and an overwhelming case in England to do so. There is another dimension to land that is important to us. There is a desperate need for an English land commission and there is a desperate need for an outright examination of land reform in England. We have always supported that and in many ways the planning system was meant to do it by democratising decision-making, but for the reasons we have all talked about there are issues in doing that.

Particularly with the cost of living crisis, people need rights over land for things like local food growing. It might start off being public sector land

and bodies that qualify for that test. People's relationship with land is economic, for their own survival; it is also about their well-being and recreation. The model that we need in this country needs a very hard look to see how we can create that access for people. There are real examples where community networks want to do good things on local food growing but they have run out of land and they cannot get access to it. That has to change.

Q145 **Baroness Bakewell of Hardington Mandeville:** The first part of my question, which is about how we can improve the process of planning, management and decision-making for future land use in England, I think you have all answered in various other ways. What organisation or organisations will be best placed to plan and decide on the allocation of land for the various competing agendas for land use in England?

Richard Blyth: It is quite difficult at national level because we have one department that is responsible for the countryside, I suppose, and then we have a department that is responsible for everything else; we have Defra and we have DLUHC. They have some overlapping responsibilities but essentially there is a line that is drawn between town and country, and that line changes over time because a lot of countryside is becoming town as a consequence of development.

I do not really have an answer to this question except that I think at local level, local authorities should be the bodies that are deciding on the allocation of land because they are best placed to draw all the different things that are happening together: the actions of water companies, the actions of housing developers, local transport issues. It is easier to get hold of the whole picture if you are within an area than it is to sit in Whitehall and somehow try to balance all these different agendas.

Dr Hugh Ellis: I will quickly say that the decisions on the ground that matter to people need to be made locally. That is absolutely vital. However, if you are looking at the institutions to hand, reforming the National Infrastructure Commission, giving it more independence from Treasury, is probably the most obvious. You have vehicles out there—numbers of them—that could operate to provide a laboratory for national data to begin to think about the development of a national spatial framework or plan for England. It is quite straightforward to do. It would require drawing some more maps in to Treasury, which is an uncomfortable process, and perhaps even some geographers, which might be even more uncomfortable, but it is perfectly possible to do it quite quickly.

I will bookend what I have said today by saying that whether or not we do that in a reflective process or are forced to do it by the climate crisis in a more wartime approach is probably the question in front of us.

Chair: They did, of course, tell us last week when we saw them that they did not want to do it.

Paul Miner: We say that more departmental integration is needed, but we also think a stronger political vision for land use that is more than just maximising economic growth and benefits over costs is needed.

To pick up on Hugh's point about the National Infrastructure Commission, it is clearly seen as a valuable and expert source of advice. There have been one or two situations where I think it has made unfortunate interventions into land use questions, such as, in particular, the Oxford–Cambridge growth arc, where it recommended a massive housebuilding programme and the building of a major road that would have involved siphoning off a lot of public investment that, arguably, with the aim of levelling up, would be better used in the Midlands and the north than the area between Oxford and Cambridge.

Overall, we are seeing encouraging signs of more joint working within government departments. We think that the 25-year environment plan is showing real promise in a lot of ways. There are a lot of good environmental targets. Some work needs to be done on it but it is a good basis for going forward, in our view. Where we think improvement will be needed is that any national energy strategy should talk about economic and social objectives as well as environmental ones, in particular about things such as levelling up and increasing access to affordable housing, for example. They need to be targets as well as the targets of the 25-year plan.

The UK had a really good sustainable development strategy in the 2000s that is also a possible source of inspiration. One element that it did particularly well, in CPRE's view, was that it had targets for land use and land recycling, including the proportion of homes that were being built on brownfield sites and the relative residential densities of new developments. This is something that has been completely lost in recent years because when the Government revised the sustainable development indicators in 2013 they removed any reference to an indicator for land use for development, which we think was a hugely retrograde step.

Again, going back to what I was saying earlier about the need to better account for land for food security and increasingly setting aside land for nature conservation, we cannot afford to take such a cavalier approach to how we use land. That is why you need integration across economic, environmental and social, and that is why you need a national land use strategy too.

I also agree with the others that it is key that local authorities have substantial influence and are able to set and follow through their own objectives. Again, we have seen a lot of good innovation that has come through from local authorities on issues such as brownfield regeneration, but also the Merton rule for getting renewable energy generation within new housing developments. It is important to have that proper balance of responsibilities and the ability for local councils to have discretion.

Baroness Bakewell of Hardington Mandeville: Thank you very much,

and I agree completely that local authorities need to be at the forefront.

Chair: We thank you for your evidence today. If anything occurs to you as you go out the door that you would have liked to have told us but did not get the opportunity to do so, do write in. Thank you very much indeed.