

Government response to the Land Use Committee report '*Making the most out of England's land*'

The UK Government thanks the House of Lords Land Use in England Committee for its report '*Making the most out of England's land*'. There are many uses of our land that we need to anticipate for the future, such as growing food and planting trees. Our work on Future Farming, on reversing the declines in biodiversity, on Net Zero, on landscapes and growing the rural economy could be supported through a Land Use Framework. The House of Lords Committee's report could not have been more timely. While we continue our preparation of the Land Use Framework, we have reflected on the committee's recommendations to which we are formally responding below.

1. In response to your framework recommendations and those regarding the creation of a separate Land Use Commission, including 1 and 2 and 32 to 41, we disagree with the proposal for a separate Land Use Commission. However, we agree that the framework must take a wide range of land uses into account and that it may be necessary to assemble a group of experts to oversee the application of the Land Use Framework once published. We agree that a land use framework should reflect existing planning frameworks and guidance, and that regional and local priorities must be taken into account when making any recommendations on national priorities. We are clear though that we do not intend to prescribe either land sharing or sparing, nor to determine at a national level where individual activities or uses should or should not be occurring. Our focus is on supporting the delivery of resilient, multifunctional landscapes which will be dependent on the local context and needs.

2. On recommendations 3 and 4, we think achieving our commitments to nature restoration and net zero is possible without compromising on our commitment to maintain food security. We agree multifunctional approaches will be essential, applied at either a landscape or field scale. This will mean making sure that incentives and advice align to support food production and the delivery of environmental benefits from land.

3. We have a legal duty to assess the impact of all of our schemes on food production and its production in an environmentally sustainable way. For example, we have undertaken an initial assessment of the first round of Landscape Recovery projects and concluded that their overall impact on food production will be neutral. We will continue to assess this as the projects progress through the development phase. The UK Food Security Review (UKFSR) is a review of the evidence landscape for all aspects of food security, and the 2024 edition will take account of any new data sources produced since 2021.

4. We recognise that ongoing innovation is important for sustainable food production which is why we support this through a variety of research programmes as well as through farming grants. We expect further innovation will be possible after the passing of the Genetic Technology (Precision Breeding) Bill.

5. On recommendations 5 and 6, we have recently set out the next steps on our environmental land management schemes, including the Sustainable Farming Initiative,

Countryside Stewardship and Landscape Recovery. This includes how we will reward farmers for enhancing biodiversity and reducing emissions, and many of these actions will also improve sustainable food production. We are exploring through our tests and trials and ongoing policy design work the need for supporting advice, how best it could be delivered, and who is best placed to provide it. In addition, we may financially support land managers to pay for expert advice on some complex actions or where specialist skills are required. Finally, we published our first Food Security report in 2021. We will consider in due course if any changes are needed to honour the expectations of the report.

6. Regarding recommendations 7 to 9 and 25 and 26 on Local Nature Recovery Strategies (LNRs), we agree that LNRs must have a robust status that will allow them to promote nature's restoration in the planning and land use system. Section 104 of the Environment Act (2021) creates a statutory requirement that LNRs must be produced and must cover the whole of England. The published LNRs will, therefore, already have statutory status as they are required by an Act of Parliament.

7. S102(5) of the Act places a legal requirement on Government to issue guidance on how Local Planning Authorities should comply with their legal requirement to have regard to relevant LNRs and on the interaction with the making of development plans. And government launched a public consultation on 22nd December last year on reforms to national planning policy following the Levelling-up and Regeneration Bill. This consultation states that guidance will set out how decision making in the planning system can complement the objectives in LNRs.

8. On recommendations 9, 10 and 11 regarding biodiversity net gain (BNG), guidance is being developed for those involved in implementing LNRs and BNG including local planning authorities, and Government's recent response to last year's consultation on BNG sets out further details on its implementation. DLUHC's Levelling Up and Regeneration Bill also includes a package of reforms to strengthen the planning enforcement regime which will allow authorities to take the robust action their communities want to see.

9. The recent response to the biodiversity net gain consultation commits to providing further funding to planning authorities to support BNG implementation. Government provided £4.18 million of funding to local government alongside the consultation last year, and we will be providing up to £16.71 million of funding for Local Planning Authorities to prepare for mandatory net gain between now and November 2023.

10. On tree planting and woodland (recommendations 12 to 16), the £750m Nature for Climate Fund Tree Programme has been designed to deliver tree planting and establishment at scale, securing multiple benefits for climate, nature, the economy and people. To maximise value for money and ensure quality woodland, the programme incentivises interventions that deliver the biggest benefits such as improved water quality and security, and outcomes such as increasing domestic timber supply chains and greater access to trees for communities in urban and rural locations.

11. The Programme uses an annual review cycle to test the effectiveness of grants and other actions to ensure planting trees remains viable for landowners. It is expanding access to training for new foresters via funding for apprenticeships and the recently launched Forestry Training Fund, which subsidises access to training for both existing foresters and those looking for a career change into forestry. The Programme has also just uplifted our payment rates for capital items, such as fence posts, trees and gates.

12. Further support through Countryside Stewardship grants, guidance and regulations enables good management of existing trees to ensure they are resilient to climate change, pests and disease, and that they are better protected from development and other pressures.

13. Whilst implementing policy and funding to increase tree planting rates in support of net zero and nature recovery targets, we must ensure the right trees grow in the right places. We should only plant or naturally establish trees where they provide a net benefit to the environment. Better informed targeting maps could support in delivering this and help identify where planting can provide natural capital benefits whilst being sensitive to environmental and social constraints. The Forestry Commission has published a suite of sensitivity maps which highlight areas less sensitive to woodland creation, including representation of upland breeding wader priority areas and for peatland protection. As part of our future Environmental Impact Assessment reforms, Defra and the Forestry Commission will also be working collaboratively to combine these existing sensitivity maps with the low-risk map for afforestation, improving existing data sets and adding further necessary data layers. This will increase confidence in their outputs, allowing us to more accurately identify areas suitable for afforestation.

14. Local Nature Recovery Strategies also offer a potential supplement to the existing process by further highlighting the potential for new woodland creation or expansion. This may also help to apply locally-held ecological information that could prevent further cases of local controversy over new woodland planting. We will explore whether a Land Use Framework should set out high-level suggestions for woodland cover that could then inform Local Nature Recovery Strategies.

15. On recommendation 15, we are helping more owners manage woodland through Countryside Stewardship grants and the Woods into Management Forestry Innovation Funds. Government is working to develop a communications strategy to highlight the importance of woodland management, and we will consider whether the land use framework should play any role in promoting woodland management.

16. On recommendation 16, there is already a good range of tree-planting data. Forestry Statistics are published annually by Forest Research and the National Forest Inventory on woodland area by age and species (updated about every five years). The Forestry Commission's annual Key Performance Indicators (Official Statistics) include more detail on planting in England broken down by funding source, species type and also on annual rates of woodland loss and net change in woodland area. The recently legislated statutory

tree canopy and woodland cover target also requires that monitoring and reporting are in place with respect to the interim and final legally binding targets.

17. We would not want to set up new monitoring systems or datasets which duplicate these existing inventories but will consider whether there is a useful and additional role for the framework to consider data on woodland creation and its alignment with national objectives.

18. On access and green infrastructure (recommendations 17, 23 and 24), we recognise the importance of connecting people from all backgrounds with nature and this is reflected in our recent Environmental Improvement Plan. We are working to deliver this through a number of measures including opening the England Coast Path and Coast to Coast National Trail, piloting green social prescribing in seven test and learn sites and using the Farming in Protected Landscapes programme to support projects promoting access and engagement.

19. We agree there is potential for the better delivery of multifunctional green infrastructure in the Green Belt. Government launched a public consultation on 22nd December 2022 on reforms to national planning policy following the Levelling Up and Regeneration Bill. This consultation refers to the potential need to consult on policy changes to deliver on Levelling Up White Paper commitments to 'green' the Green Belt. Further consultation on wider changes to national policy will follow Royal Assent of the Levelling Up and Regeneration Bill later this year.

20. We also note the committee's comments on development and energy infrastructure, including recommendations 18 to 22. Protecting our environment, backing British farmers and delivering long-term energy security with more low carbon energy are all at the heart of Government's manifesto. The British Energy Security Strategy set out ambitious plans for a very large increase in technologies such as nuclear and offshore wind, and an expectation for a fivefold increase in solar deployment by 2035. For solar, we will therefore need sustained growth in both rooftop and ground-mounted capacity in the next decade as we move to net zero and to support our wider energy security and growth goals. Onshore wind also has a key role in meeting the Government's ambitious decarbonisation targets. We are consulting on a more localist approach where onshore wind is decided at a local level. All of these electricity generating technologies also require a very large increase in the number of grid connections and power lines across the country.

21. We are also seeking initial views as part of the NPPF prospectus consultation on increasing the consideration given to the highest value farmland used for food production in the framework for both plans and decision making.

22. On data and its application recommendations (35 and 36), we agree that open sources of data should be made findable, accessible, interoperable and reusable, and that a land use framework could use and suggest improvements to existing data initiatives. Defra has invested £140 million over three years to deliver the Natural Capital and Ecosystems Assessment which will map the extent, condition and change over time of England's

ecosystems and natural capital assets, providing new data including for land use practitioners. We will investigate suggestions by witnesses to the report for the necessity of making data on Land Use and Land Occupation freely available.

23. We welcome the recommendations on more general aspects of the planning system (including 30 and 31). We agree with the suggestion that the framework should not replace the planning system, which is the main mechanism through which development is considered strategically.

24. A wide-ranging review of national planning policy will take place in 2023 following Royal Assent of the Levelling-up and Regeneration Bill. This review will cover a wide range of proposals, including making sure the planning system capitalises on opportunities to support the natural environment, respond to climate change and deliver on levelling up of economic opportunity.

25. As noted in the report, the Duty to Co-operate will be repealed by the Levelling Up and Regeneration Bill. A new “Alignment Policy” is intended to be consulted on in a future review of the NPPF. This would aim to secure alignment between neighbouring planning authorities and with infrastructure providers where strategic planning considerations cut across boundaries. Importantly, it is intended to be more flexible than the current Duty to Co-operate. The consultation also indicates that government is considering how to encourage wider uptake of strategic planning to understand and resolve environmental issues, and to consider rural communities to ensure that local policies are tailored to their needs. Defra is working closely with DLUHC to implement this.

26. The UK Government is actively engaged in developing capability in land use analysis and policy. For example, the Geospatial Commission has established a National Land Data Programme (NLDP), which is a cross-government initiative exploring how better use of data and analysis can highlight synergies between land use policies including around housing development, energy security and nature recovery.

27. The NLDP is also exploring how land use data can be better visualised and communicated to a range of stakeholders at national, regional and local levels. It will be making recommendations including around the findability, accessibility and usability of land use data sets.