

Local Government Association – Written evidence (IER0028)

Councils are committed to building homes and driving sustainable economic growth, protecting and growing our natural environment and biodiversity, and taking forward local climate action. It is crucial that all partners work constructively together locally to create sustainable suitable homes and places for the future.

There are currently several significant reforms within the planning and environmental agendas, such as National Planning Policy Framework revision, Biodiversity Net Gain, Environmental Outcome Reports, Nutrient and Water Neutrality, Infrastructure Levy, Local Nature Recovery Strategies, Biodiversity reporting, a Land-Use Framework, Sustainable Urban Drainage, National Adaptation Programme and more.

It is important the government move forward these reforms in a coherent way, which moves towards policy and funding simplification, and, crucially, gives councils the resources and tools to bring it all together in places to build new homes and deliver the Environmental Improvement Plan. We would like to bring to the Committee's attention two key issues in further detail; bio-diversity net gain and nutrient and water neutrality.

Biodiversity net gain

We support the principle of biodiversity net gain (BNG). It provides a key opportunity to maximise natural green capital and deliver multiple benefits for councils and the local communities that they serve.

Councils are committed to embedding BNG into practice across service areas, with many local authorities adopting BNG before it becomes mandatory. However, implementing BNG is complex and requires expertise and resourcing, and local authorities are starting the implementation journey at different points depending on local circumstances. We continue to have concerns about the practical delivery of biodiversity net gain, especially small sites in April 2024. It is especially important that councils get clarity of sufficient funding to begin investing in their capacity to deliver BNG with developers and other partners. While there has been some preparatory funding, around £4 million into the whole sector, we are still waiting for clarity on overall new burdens, and how it will work for the lifetime of sites.

Given the short period of time to prepare for implementation, we have made the case to Government that an effective package of capacity building support must be put place to support readiness. While some excellent support is provided by our Planning Advisory Service and increasingly from Natural England, councils still need access to standard documents, advice and support that will allow them to develop policies that are clear to developers and avoid limited resources being diverted into legal challenges and appeals.

Crucially, biodiversity net gain does not exist in a vacuum. Government must act in a joined-up way to help councils through the complexity of implementation. For instance, on the relationship between Local Nature Recovery Strategies and

BNG and local planning authorities generally. Councils are ready to provide strong community leadership on nature recovery, but in order to do that they need to see the full picture and be equal partners in the development of funding mechanisms such as the Environmental Land Management Scheme.

Nutrient neutrality

Nutrient and water neutrality are serious environmental issues, which pose complex challenges for councils and communities, and in some areas have created an effective moratorium on new development. Research commissioned by the LGA, shows the scale of the issue: we estimate around 20,000 new homes a year have been put on hold as a result of equal protections. This is threatening the development of homes, including affordable housing, at a time when demand – particularly for affordable and social homes – is growing rapidly. In response to these pressures, the LGA held an inquiry into nutrient and water neutrality, which reported in March 2023.

It is important that Government takes urgent action to help local authorities unblock development now, while delivering long-term preventative measures which address pollution at source. In the short-term, the inquiry recommended that Government invests in a new model of “Catchment Nutrient Plans” which give each catchment the flexibility to invest in locally available solutions which are most likely to enable new homes, with strategic oversight from government to bring together support on common themes. We welcome government’s response to allow councils to access a flexible pot of funding for local mitigation schemes.

However, this will not solve the problem with our rivers. In the longer-term, councils want to see Government focus on ending pollution at source, focusing on water companies and the agricultural industry. We have proposed the introduction of catchment level river restoration strategies with the tools and resources to deliver them, and we want to work with government on a new “trailblazer model” to explore how the experience in resolving nutrient neutrality can be developed in other environmental protection issues. The inquiry made other recommendations, such as developing a national level agreement between councils and the water companies on a data sharing framework, and the need for greater clarity on the roles of the regulators and their responsibility for protecting rivers and protected sites from nutrients and over abstraction of water.

Thank you for the opportunity to provide feedback on behalf of councils regarding the impact of current environmental issues and regulations on development and the support needed from Government to ensure councils can enhance and protect the natural environment, while building the homes and infrastructure communities need. I hope the information we have outlined above is helpful. If we can be of further assistance, please do not hesitate to get in touch.

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