Inquiry: Environmental Regulation[1]

Community Planning Alliance Response

Whilst the Inquiry suggests that the government's "*stated intention is to streamline regulation, to both safeguard nature and drive economic growth*", more emphasis needs to be given to the first-hand knowledge of citizens, which seems to have been omitted from the evidence. Certainly, our collective experience demonstrates that nature is not being protected and the focus for development is typically solely on economic growth.

The government's emphasis on economic growth is much too narrow. It is exclusively focused on financial prosperity, rather than the wealth to be achieved from a more balanced approach. Ensuring climate mitigation and nature's recovery, for example, benefit society as a whole and there are economic gains to be achieved from healthy social infrastructure and a thriving natural environment which should be recognised.

According to the Environment Audit Committee report[2], "*the annual value of UK ecosystem services was £87 billion—equivalent to 3.5% of GDP*". Delivering on nature's recovery would increase these figures, demonstrating that DEFRA could support economic growth without diluting its environmental and ecological responsibilities.

The government proposes to weaken the role of the Environment Agency and Natural England in planning decisions by removing their ability to object. We believe this will place more of our natural capital assets at greater risk, once again subordinating nature when comparing its value to that of economic benefits.

We welcome many of the recommendations in the Corry Review[3] but, again, would emphasise the lack of consideration of what is important to the citizen stakeholder. This is probably most visible in the section entitled **'***Five actions to help customers and stakeholders'*, which appears to deem 'stakeholders' to be developers and other businesses. It would have been helpful to have at least one recommendation that promoted the importance of citizen voices in determining how nature and growth are balanced in their areas.

We disagree with Corry's suggestion that DEFRA regulators focus *"too much on 'micro' site specific outcomes rather than meaningful 'macro' outcomes that are right for the needs of a place and easy for people to understand"*. Local communities are an important stakeholder and, with around 1 million unbuilt homes with planning permission and sufficient brownfield sites to build over 1 million homes[4], it is disappointing that Corry did not recognise the importance of 'micro' sites to the citizens who value them.

Once again, there is too much focus on the input from developers and businesses, rather than on those who are funding the government and the services it provides. As can be seen from the numbers above, protecting nature is not slowing down development of housing or infrastructure but weak regulation and the greed of developers and big businesses **IS** destroying our natural capital assets.

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[1] https://committees.parliament.uk/work/9511/environmental-regulation/
[2] https://publications.parliament.uk/pa/cm5901/cmselect/cmenvaud/501/report.html
[3] https://www.gov.uk/government/publications/delivering-economic-growth-and-nature-recovery-an-independent-review-of-defras-regulatory-landscape/an-independent-review-of-defras-regulatory-landscape-foreword-and-executive-summary
[4] https://homesforeveryone.org/Homes-For-Everyone-Report.pdf

Whilst we are keen to see optimisation of both processes and technology, with increased digitisation and automation, we totally agree that there should be no "*bonfire of regulations*". Communities should be fully involved in continuous improvement initiatives to ensure regulations are not weakened further to benefit developers and businesses. We also agree with Corry that there should be more openness in relation to sharing data with the public to support increased scrutiny and accountability.

We are also concerned that condensing regulation inappropriately places the burden of increased risk and costs on citizens, including the most vulnerable in our society, who will be the hardest hit by the cumulative impact of the government's plans to put growth before safety or the health of the nation.

Corry is correct to suggest that public trust is low, but this is due to the lack of consideration and prioritisation of citizen views (which are strongly in favour of protecting nature) rather than because of the complexity of the regulations. Recent More in Common research[5] revealed that politicians are seen as being out of touch with the public's values on nature, demonstrated by the 67% who think developers should have to accommodate and look after the natural environment in new developments and the 64% who said that important places for nature should be given even more protections from development than they currently have. Proposed government policy changes are not aligned with those views.

It is a great pity that Corry's recommendation 23 did not go further and advocate that land which is essential for the provision of nature-based solutions should be vigorously protected from development. This is not currently the case, with 'micro' sites such as Carrington Moss[6], which hosts a 335 hectare peat moss, along with 15 sites of biological importance and a site of special scientific interest, under threat of complete destruction, despite Natural England's assertion[7] that the size and scale of the proposed development would mean "*the deterioration of this deep peat irreplaceable habitat at the site, if not its loss*".

In addition, recommendation 25 could have further emphasised the importance of best and most versatile agricultural land for both food security and nature's recovery, with dramatic declines in farmland bird species[8] being further threatened by the government's lack of ambition in relation to ecology and biodiversity and the lack of protection for important habitats and land essential to the sustainability of future generations.

We welcome Corry's confirmation that "*we have only rarely had instances suggested to us where development was stopped by environmental regulation alone".* We hope the government's rhetoric will change accordingly.

We also welcome Corry's statement that "*nature enhancement must be the core purpose of environmental regulation"* and strongly believe that regulators must be independent, concentrating on their core objectives, whilst ensuring value for money.

[5] https://www.rspb.org.uk/whats-happening/news/new-report-shows-people-dont-want-new-homes-to-be-built-at-natures-expense

[6] https://friendsofcarringtonmoss.wordpress.com/wp-content/uploads/2025/12/251104-carrington-moss-summary.jpg

[7] https://www.hwa.uk.com/site/wp-content/uploads/2023/02/Places-for-everyone-NE-letter-to-Inspector-30.6.23.pdf

[8] https://www.rspb.org.uk/whats-happening/news/new-data-reveals-declines-for-englands-farmland-birds

Other departments are focused on growth, at any cost. Taxation and spending or the allocation of resources within government is currently exempt from the statutory duty to have 'due regard' to the Environmental Principles Policy Statement[9] when making new policy, for example.

In relation to recommendation 19, it is essential that the OEP maintains its independence, rather than encouraging regulators to take more risk. Any increased risk is likely to result in greater challenges for communities, including, for example, those who could be at greater risk of experiencing flooding.

Government data shows that there are already over 6 million properties in England that are at risk of flooding today[10], yet Parliament wishes to also reduce the regulatory function of the Environment Agency, which, among other responsibilities, plays an essential role in ensuring that new developments do not increase flood risk or environmental harm.

Given the number of homes already affected, flooding is an issue that significantly impacts many communities today and the government's own data[11] states that it "*is one of the most important climate change challenges facing the UK, and people affected by flooding are more likely to experience adverse health outcomes including long-term impacts on mental health and wellbeing*".

With both mental and physical health implications, deregulation (and addressing the lack of regulation[12] in some areas) must consider the wider strategic implications, including the impact on the public purse and the capacity of public bodies to cope with the resulting increased need.

Another gap in Corry's recommendations is the lack of a requirement to more definitively define the term 'sustainable development'. It is not sustainable to build on irreplaceable habitats, for example, or to place solar on productive agricultural land (solar should be on roof tops) but there is no mandate preventing either of these scenarios prevailing within the planning system. Furthermore, as a developer recently pointed out to one community, "*There is no guidance or legislation which sets out that Permitted Development rights cannot be used in areas of irreplaceable habitats*"[13].

The government also perpetuates inaccurate information, such as data from developers which suggests there is a shortage of homes, when, in fact, the housing crisis is the lack of social housing[14] (there is no lack of market housing, as can be seen from the numbers set out in our Homes for Everyone Report mentioned above).

Incorrect data is also pedalled in relation to infrastructure projects. As an example, citizen science shows that alternatives to pylons such as upgrading the existing grid, coordinating offshore and/or undergrounding using HVDC (High Voltage Direct Current) cables are all cheaper solutions than overhead lines, despite the assertions of National Grid[15].

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[9] https://www.gov.uk/government/publications/environmental-principles-policy-statement/environmental-principles-policy-statement

[10] https://publications.parliament.uk/pa/cm5901/cmselect/cmenvaud/550/report.html

[11] https://assets.publishing.service.gov.uk/media/657086ad746930000d488919/HECC-report-2023-chapter-3-flooding.pdf

[12] https://www.communityplanningalliance.org/uploads/1/3/9/4/139430416/251201_cpa_report_besieged_by_b8_warehouses_dec25.pdf

[13] https://friendsofcarringtonmoss.wordpress.com/wp-content/uploads/2025/12/116930_cpl_25-additional_applicant_comments-1502248-160925.pdf

[14] https://friendsofcarringtonmoss.wordpress.com/wp-content/uploads/2025/12/231219-social-housing-1993-2023.jpg

[15] https://drive.google.com/file/d/15QdnF2ldDCpf8YM2o0nsuLJPYLrcUfgH/view

It seems that National Grid has made its pylons proposal appear to be the more cost effective option by omitting huge costs such as Community Benefits, Biodiversity Net Gain and house price compensation. This behaviour is contrary to the Green Claims Code[16], which requires that the following rules must be followed when making environmental claims:

- claims must be truthful and accurate
- claims must be clear and unambiguous
- claims must not omit or hide important relevant information
- comparisons must be fair and meaningful
- claims must consider the full life cycle of the product or service
- claims must be substantiated

Public trust is lowered further when it is clear that business cases and other documents are based on factually incorrect, misleading or omitted data. If this is obvious to citizens, why is such conduct acceptable to government departments who are accountable for ensuring value for public money, among other responsibilities, including minimising risk?

Before easing regulation further, examples such as these should be fully appraised and the potential for additional costs to the public purse must be fully assessed. Increasing risk and stress for citizens could, for example, lead to increased mental or physical health service requirements.

There is insufficient evidence of an appropriate risk assessment, demonstrating that all risks have been identified and mitigated, that the probability of issues arising has been fully appraised, and that the impact on citizens consequential to the government's ambition for regulators to drive growth has been fully evaluated. Such risks could materialise in impacts to infrastructure and also to human and wildlife health and wellbeing.

Finally, to support the rationalisation of the planning system and reduce the workload of Natural England, the government should mandate that Councils identify and map their Natural Capital resources, making the resulting information available for review by local communities. Residents should be able to recommend changes (such as the addition of sites not identified by Council staff, who invariably do not live in the local area). This exercise should include mapping all sites of biological importance, sites of special scientific interest and other conservation areas, including irreplaceable habitats.

It may be expected that comprehensive mapping would be undertaken prior to the production of Local Nature Recovery Strategies, but this does not appear to have been done in some regions.

To ensure there is balance when weighing economic, social and environmental objectives, mapping should be accompanied by the determination of the level of benefit Natural Capital resources bring to the district and local communities (including financial benefits where appropriate, such as the income from productive best and most versatile agricultural land, the flood prevention benefits from wetlands, the carbon benefits from woodland, for example).

[16] https://www.gov.uk/government/publications/green-claims-code-making-environmental-claims/environmental-claims-on-goods-and-services

Local authorities should then use clear Natural England guidance to determine whether sites considered either for allocation in local plans, or in specific planning applications, are of low, medium or high Natural Capital Value. Sites of 'low' or 'medium' Natural Capital Value should be assessed against clear Natural England guidance to determine their suitability for development.

Development should normally not be approved on sites of 'high' Natural Capital value. If a planning application is submitted for such a site, the government should mandate that approval will only be given by exception (ie that the Planning Inspectorate should be required to examine the application in advance of approval, this should include Natural England input). Natural England should be able to object to such a planning application.

Given the exceptional circumstances for approval, this approach would focus Natural England's role on sites with 'high' Natural Capital Value. They would also be required to maintain the guidelines for 'low'/'medium' Natural Capital Value sites.

Kind regards

Marj Powner

Vice Chair

Community Planning Alliance

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About the Community Planning Alliance

The Community Planning Alliance is a national umbrella group for over 700 communities, all are campaigning against inappropriate development in their areas, and all disagree that decisions are being made in the 'public interest'. We have extensive knowledge and experience of the planning system, and our aims include seeking increased community participation, better environmental protections and the right homes and infrastructure in the right places.