Environmental Delivery Plan[1]

Community Planning Alliance Response

Question 1

Would you like your response to be confidential?

No

Question 2

Key Information

What is your name? Marj Powner
Email address: info@communityplanningalliance.org
Organisation: Community Planning Alliance
What is your role? Joint Chair
Where are you located? Nationwide

Question 3

What best describes your interest in this consultation?

I am interested in Environmental Delivery Plans more widely

Question 4

Which of the following best describes you or the capacity in which you are responding?

representative of an organisation

Question 5

If you are a developer how likely is your organisation to be proposing a development within the development area of the Norfolk EDP?

Not applicable

Question 6

To what extent do you think the overall purpose of the EDP is sufficiently clear?

[1] https://consultations.defra.gov.uk/consultation-on-a-new-environmental-delivery-plan

Not clear at all – Given that "*Up to 15,780 homes may use the EDP over a 10 year period*" but "*All conservation measures will be maintained for 100 years*" there is a huge lack of clarity about whether:

- the proposed measures meet the requirements of the Overall Improvement Test
- whether the levy rate is sufficient to resource the required conservation measures for the whole period of conservation (the Guardian reports[2] that a previous draft of the EDP set the levy much higher, quoting a fee of "*between £5,400 and £60,500 per house, depending on the scale of total nutrient pollution that the development would cause*") – it seems that the levy rate of *"£2,675 per house or flat, plus indexation*" is a significant weakening of the original proposals that should be independently scrutinised (inappropriately reducing the costs of this scheme to make it more attractive to developers would be a complete betrayal of current and future generations)
- who funds any gap in the resources necessary to meet the proposed measures, or any new measures required due to an underestimate of the harms to be caused (or do they just not take place if the money runs out?)
- which organisation is responsible for monitoring and reporting progress (or lack of it), environmental and/or ecological improvements (or irreversible decline in habitats and species), and implementing corrective action, particularly if, over the 100 years, pollution from development, for example, increases, rather than improves!

Question 7

To what extent does the Executive summary and the Introduction (chapters 1 and 2) clearly set out the approach the EDP will take to deliver a material improvement that outweighs the negative effect of development?

Not clear at all – Enabling developers to "*pay the Nature Restoration Levy to discharge their relevant environmental obligations on a voluntary basis*" truly is a 'cash to trash' scheme and the government should be honest and transparent about this, rather than describing it as a "*win/win*"! It will, in fact, undermine the health and wellbeing of both human and wildlife populations.

Question 8

Is the EDP period clearly set out?

Somewhat – it is 10 years, but the conservation measures will be maintained for 100 years

Question 9

To what extent do you agree that the geographic scope of the EDP has been clearly defined?

[2] https://www.theguardian.com/environment/2026/sep/24/cash-to-trash-levy-house-developers-too-low-offset-nature-damage

Clear

Question 10

To what extent is the explanation and depiction of excluded areas sufficiently clear?

Not very clear

Question 11

To what extent is the methodology used to define the maximum development capacity (15,780 dwellings) under this Norfolk EDP clearly set out?

Not very clear

Question 12

Are there any other relevant plans and strategies you think this EDP should take into account?

Yes – the Mitigation Hierarchy should be fully incorporated within EDPs and comprehensively followed. This EDP makes no reference to any avoidance. This is irresponsible given the size of the area and the proposed harms to be caused.

Question 13

To what extent has the EDP provided a clear overview of the measures currently being taken or likely to be taken by other public authorities?

Not very clear

Question 14

To what extent do you agree that all environmental features (habitats and species designated under The Broads SAC, Broadland Ramsar, and River Wensum SAC) likely to be negatively affected by nutrient pollution from development have been identified in the EDP?

Not very clear

Question 15

To what extent do you agree with the approach of defining current conservation status of environmental features using habitat structure and function and their future prospects?

Neither Agree nor Disagree

Question 16

To what extent do you agree with the description of how the negative effect of additional nutrient loading from new development impacts the environmental features of the protected sites?

Neither Agree nor Disagree

Question 17

Do you think the approach used to assess the environmental impacts of additional nutrient loading from EDP development on the conservation status of the environmental features is appropriate and proportionate?

No – this EDP has clearly been established to enable development not to ensure environmental and ecological harms are avoided or minimised. No avoidance measures have been identified. Only one mitigation measure has been acknowledged (and will be enshrined in a planning condition that may or may not be delivered). That the EDP otherwise jumps straight to compensation measures is outrageous. It should also address the environmental and ecological harms to be caused that go beyond what is currently covered within the scope of the EDP.

Question 18

To what extent do you agree that the proposed programme of conservation measures is appropriate to outweigh the negative effect of development?

Strongly Disagree - There is a lack of quantitative and qualitative evidence to determine whether the proposed programme of measures is appropriate to outweigh the negative effect of development.

Question 19

Do you have any comments on the conservation measures that were considered by Natural England but not included within the programme of conservation measures, or are there any additional measures that should have been considered?

The EDP must provide specific (rather than generic) evidence that the measures will generate the magnitude of improvement in the conservation status that is needed to outweigh the negative effect of development. It is inappropriate that Natural England will receive millions of pounds in payments from developers to oversee the further and irreversible decline in vulnerable chalk streams, whilst at the same time purporting to achieve an overall improvement for nature by restoring fens in nearby areas and managing deer populations. It should also address the environmental and ecological harms to be caused that go beyond what is currently covered within the scope of the EDP.

Question 20

To what extent do you agree that the EDP clearly sets out the role of back-up conservation measures and the circumstances in which they will be implemented?

Neither Agree nor Disagree

Question 21

To what extent do you agree with the proposed back up conservation measures?

Neither Agree nor Disagree

Question 22

To what extent do you agree that 100 years is the appropriate period to secure and maintain conservation measures?

Strongly Agree but sufficient funding must be secured to cover this period, along with the identification of appropriate metrics, assignment of responsibilities for measuring improvements and the approach for reporting progress (or lack of it) and how corrective action can and will be taken.

Question 23

To what extent do you agree that Natural England has adequately considered the value for money offered by the conservation measures that have been selected?

Neither Agree nor Disagree

Question 24

To what extent do you agree with the proposed approach to sequencing of conservation measures?

Neither Agree nor Disagree

Question 25

To what extent do you agree with the proposed approach for the delivery (including procurement) of conservation measures?

Neither Agree nor Disagree

Question 26

To what extent do you agree with the methodology for assessing the Overall Improvement Test?

Strongly Disagree

Question 27

Would you suggest any improvements that can we made to strengthen the methodology for assessing the Overall Improvement Test?

Given the statutory nature of the Overall Improvement Test, and the importance that this first EDP has in setting the precedent for future agreements, there must be sufficient quantitative and qualitative evidence to determine whether the proposed programme of measures is appropriate to outweigh the negative effect of development. This is currently not the case; the interpretation of the Overall Improvement Test is weak and the assessment lacks credibility.

The process must determine which organisation is responsible for the identification of appropriate metrics, assignment of responsibilities for measuring improvements, the approach for reporting progress (or lack of it) and how corrective action can and will be taken.

The current approach is likely to result in a huge environmental and ecological impact that is not avoided, mitigated or compensated for, especially given that this process will mean that there will be no local/project level assessments and/or rectification of harm.

The Overall Improvement Test must, therefore, identify and assess all the quantitative and qualitative evidence that is needed to ensure that the negative effect of development is fully outweighed by what is proposed, including, for example:

- Baseline information about the conservation status at the commencement of the initiative
- Indicative harm related to the maximum development capacity
- Predicted ecological change produced by the measures, the effectiveness of each measure and the timeliness of successful implementation.

The EDP **MUST** demonstrate that the programme of conservation interventions delivers the magnitude of benefits to determine that the Overall Improvement Test has been achieved and that the approach results in improvements that materially outweigh the negative effect of development.

Question 28

To what extent does the EDP clearly set out the evidence that underpins Natural England's assessment of the Overall Improvement Test?

Not clear at all – for the reasons set out above.

Question 29

To what extent do you agree that the allocation between (i) administration, (ii) delivery of conservation measure and (iii) long-term maintenance, (iv) management and (v) monitoring costs have been clearly set out?

Not very clear

Question 30

Based upon the cost alone how likely are you to use or supply services to the EDP compared to other available mechanisms, for example, local private providers, local planning authority schemes, bespoke mitigation etc?

Not applicable

Question 31

To what extent do you agree that the proposed EDP will accelerate decision making and delivery timescales compared with alternative nutrient mitigation approaches?

Neither Agree nor Disagree

Question 32

Do you agree with the approach taken to aggregating the costs of conservation measures at plan level and then apportioning these evenly across all development?

Neither Agree nor Disagree – it is clear that the levy is set too low to facilitate the level of conservation needed to outweigh the negative effects of development and to maintain those conservation approaches for 100 years!

Question 33

To what extent do you agree with the proposed monitoring themes as set out in chapter 9 of the EDP?

Strongly Disagree

Question 34

To what extent does the EDP clearly set out how the reporting requirements will be met?

Not very clear

Question 35

Do you have any additional comments from the chapters above?

The consultation website states that this is our chance to work with government to "*reframe the relationship between nature recovery and development across England"* and that there is a *"need to get the balance right to help our economy and the environment to thrive".* This consultation process is not enough to achieve those aims. We strongly believe that there should have been a previous consultation opportunity between the adoption of the Planning and Infrastructure Act and the production of this first EDP to address the detailed principles that should be enshrined in all EDPs, rather than jumping straight into a specific EDP which sets the precedent for all future documents.

The Planning Advisory Service states[3] that EDPs *"will identify and deliver strategic conservation measures that address specific environmental impacts of development on* protected sites *or species. The aim is to streamline existing environmental obligations and go further than the current approach of mitigating impacts to improve environmental outcomes while speeding up housing and infrastructure development".*

This EDP does not achieve that purpose, nor does it incorporate clear and indisputable benefits that will be monitored, reported and enforced, such as what will be achieved by 2030, by 2040, etc. The benefits must significantly exceed the harms to be credible.

Communities want honesty and transparency, particularly in relation to the actual level of improvement to be delivered. If the government is willing to commit ecocide to achieve their growth ambitions, just say so. Don't try and conceal or obfuscate what will happen through an overly complicated scheme that does not deliver for communities, for nature's recovery or for climate mitigation requirements.

For EDPs to be considered a 'win/win', they should not result in a significant lowering of environmental and ecological standards or an increase in harms to be caused by development. The mitigation hierarchy must be fully incorporated and prioritised to ensure as much environmental and ecological harm as possible is avoided.

Table 4: 'Environmental features of The Broads Special Area of Conservation and Broadland Ramsar likely to be negatively affected by development to which this Environmental Delivery Plan applies' – scores each component as 'RED'. Yet this EDP does not identify a single avoidance measure. It only identifies one mitigation measure and jumps straight to compensation, which is wholly inappropriate.

This, and future EDPs, must not be allowed to further pollute, or harm such sites by enabling development here and proposing improvements (which may never be delivered[4]) elsewhere. This is a short-sighted, lazy approach to nature conservation.

In addition, Table 8: 'The list of conservation measures, a description of each conservation measure, categorisation as mitigation or compensation and subsequent value for money assessment' – suggests that some items do not result in costs for Natural England, so which organisation is responsible for monitoring and reporting progress against these measures? How will this monitoring and reporting be funded?

We do not believe the metrics identified are sufficient to determine both the level of harm and/or whether the mitigation proposed has been completed and has been successful. In addition to performance metrics, the regulations should allow for peer reviews to ensure there is independence within the monitoring process.

The levy amount is pitiful and encourages development on the most environmentally and ecologically rich sites. The government would score a much more impactful benefit if it gave tax relief on brownfield developments and added a huge windfall tax on greenfield/Green Belt/Grey Belt developments.

The government should be open and transparent about why the levy has been reduced from that set out in the previous drafts of the EDP, as reported in the Guardian and mentioned above. Communities also need to understand why Natural England will be paid £millions to oversee the irreversible decline of vulnerable chalk streams, whilst purporting to achieve a very weak Overall Improvement Test through the restoration of nearby fens and the management of deer populations. This is not progress.

[3] https://www.local.gov.uk/pas/environment/environmental-delivery-plans
[4] https://www.rtpi.org.uk/new-from-the-rtpi/are-developers-in-england-delivering-ecological-enhancements-required-by-planning-permissions/

Given that this EDP sets the precedent for all future agreements, its weaknesses raise huge concerns about the government's approach and the level of harm that will be caused to irreplaceable and priority habitats. Communities are also shocked that the proposed measures will not actually reduce, in this particular case, the nutrient pollution to be caused by the development.

Given that there is a lack of supporting quantitative and qualitative evidence throughout the process, which should, as a minimum be provided, we do not believe this EDP meets the principles set out in the Green Claims Code[5], which are that, in relation to 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.

This government's 'growth at any cost' agenda is resulting in wholesale unsustainable development which will result in the public purse picking up any costs that are not factored into the estimates, given the wholly inadequate contingency and the pitiful level of the levy.

The UK is now one of the most nature depleted countries on Earth[6], our natural capital is a series of complex systems which are essential to our lives, our health and our livelihoods, so our regulatory requirements must recognise this and ensure we do not introduce such an overwhelming level of risk that we implement wholly unsustainable solutions, the consequences of which will be paid for by both current and future generations.

This 'pay to pollute' policy will enable immediate harm to irreplaceable habitats, even if it purports to create benefits elsewhere, at some future point in time (which, as mentioned above, may or may not be delivered). This EDP is surrounded by too much uncertainty, too little regard for the existing holistic environmental and ecological landscape and too much reliance on both future legislation and/or a credible plan of action that doesn't exist.

Question 36

We would like to hear about any potential impacts of any of the above proposals on businesses, or of any differential impact on persons with a relevant protected characteristic as defined by the Equality Act 2010 compared to persons without that protected characteristic, together with any appropriate mitigation measures, which may assist in deciding final policy approaches in due course. Is there anything that could be done to mitigate any impact identified?

For communities, including those with protected characteristics, the documentation is rather impenetrable. Information should be provided in a more simplistic form rather than a 255 page document which needs a concentrated review (more than once in parts).

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

Communities also find it rather unfathomable why further destruction of irreplaceable and priority habitats is being enabled when there are so many developments that have planning permission but have not yet been built and no specific action has been taken by the government to address that.

As mentioned above, communities are also unclear why the government is not making it much easier to build on brownfield land (remove all taxes related to such developments) and much harder to build on environmentally and ecologically rich greenfield land (introduce a significant windfall tax for any such developments).

We are not sure how this process takes into consideration what is coming down the line, both before and after 2030 (when we should have achieved significant improvements to nature's recovery and climate mitigation)?

Nor how the wider environmental and ecological impacts of development have been taken into consideration? What are the requirements should there be a ricochet effect due to increased nutrient loading here.

How can communities, including those who are educationally challenged, understand the holistic view of the consequences of approving development here, and of providing no avoidance and minimal compensation? How should parents and teachers explain to their children/pupils the impact of this policy and what could be the long term outcomes?

The Guardian reported[7] that Ed Miliband has "*warned countries around the world that the climate and nature crises and the coming El Niño threaten their national security and defence",* yet this warning does not appear to be given credibility by our own government. Sacrificing nature for development is now the routine course of action.

Miliband continued that the coming *El Niño "will intensify climate shocks that compound and cascade across borders, threatening food and water security, displacing communities, putting pressure on markets and scarring economies".* That the government continues to suppress a report that makes their 'growth at any cost' approach incomprehensible is not a surprise but the proposals in this EDP do not seem to take this into consideration at all.

The government's response on the Reform of Planning Committees[8] opens with this statement ***"Planning is principally a local activity because decisions about what to build and where should be shaped by local communities and reflect the views of local residents".***

This approach does not achieve that aim, nor does it provide a win/win scenario. It is a gift to developers to try and persuade them to build, but, whilst offering many carrots with huge implications for our environment and ecology, this government has put in place not a single stick should development not be delivered.

Kind regards

Marj Powner

Joint Chair

Community Planning Alliance

[7] https://www.theguardian.com/environment/2026/sep/23/uk-climate-crisis-national-security-report-suppressed-starmer-ed-miliband

[8] https://www.gov.uk/government/consultations/reform-of-planning-committees-technical-consultation/outcome/reform-of-planning-committees-technical-consultation-government-response

About the Community Planning Alliance

The Community Planning Alliance[9] is a national umbrella group for over 700 communities[10], 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.

[9] https://communityplanningalliance.org/

[10] https://www.google.com/maps/d/viewer?ll=52.97433203327261%2C-1.0471043976708527&z=7&mid=1nFg3i1Ft5-K4LadaEMCb0wr17-I33Kk