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Government

06 March 2026

**Sent by e-mail only to:**  
[PlanningPolicyConsultation@communities.gov.uk](mailto:PlanningPolicyConsultation@communities.gov.uk)

Dear Sir/Madam,

### **National Planning Policy Framework: proposed reforms – public consultation**

I am pleased to submit the OEP's response to your consultation on proposed reforms to the National Planning Policy Framework ('NPPF').

We recognise the importance of the NPPF in facilitating achievement of government's ambitions for housing growth and infrastructure, whilst effectively balancing that with achieving other significant cross-government commitments, including those for the natural environment.

We have set out our answers to the specific consultation questions in an annex to this letter and offer some broader cross-cutting comments below.

### **Coherence with ambitions relating to the natural environment**

The OEP has previously identified the need for improved coherence between nature policies and the planning system as a priority for achieving the scale of land use change needed for nature's recovery.<sup>1</sup>

If government is to achieve its vision of a planning system that delivers 'win-wins' for nature and economic growth, it is essential that the policy framework for planning and approving development is pulling in the same direction as wider national targets, objectives, plans and strategies relating to the environment and nature's recovery.

We therefore welcome the proposed policy changes that seek to enable such coherence. The draft NPPF proposes some significant improvements to the status quo in this regard. However, we consider that further improvement in the following areas will be key. Our responses to the consultation questions set out some more detailed suggestions as to how, and where, such improvements could be achieved within the draft NPPF.

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<sup>1</sup> [OEP, Progress in improving the natural environment in England 2024/2025 \(January 2026\)](#), see Chapter 13.

## ***Environmental targets and objectives***

We support the proposed policy change at P1 that would require planning authorities to consider opportunities to contribute to compliance with national environmental targets and objectives when drawing up their development plans. Government remains largely off-track with respect to progress towards meeting its environmental targets and commitments.<sup>2</sup> This proposed policy change would represent a step towards ensuring local-level development planning plays a more active role in turning the tide on the effective delivery of these national-level ambitions.

However, we consider that the NPPF should provide further clarity regarding the national environmental targets and objectives that are relevant to local planning authorities' plan-making and decision-taking functions. Given the complex and fragmented landscape of environmental legislation, our view is that local planning authorities would benefit from further guidance regarding the national targets and objectives that exist and the role that government intends the planning system to play in their delivery.

## ***Local Nature Recovery Strategies***

We are pleased to see proposals in policies CC1, HO4, GB5, N1, and N2 that would provide further clarity as to how development plans and proposals should consider LNRS.

The government's 2025 Environmental Improvement Plan ('EIP') identifies LNRS as core to contributing to a number of government's national environmental goals and commitments, particularly those relating to nature's recovery. To enable this core role to be realised, the planning system should actively support LNRS delivery wherever possible. The proposed policy changes would represent important improvements in this respect and would go some way towards reflecting recommendations we have previously made in other contexts.<sup>3</sup> Our response highlights how we consider further clarity should be provided. It also suggests additional policies where we consider LNRS should be referenced to embed better coherence throughout the planning process, including within proposed policies PM1 (relating to Spatial Development Strategies) and S2 (relating to spatial strategies in development plans).

## ***Land Use Framework***

With this consultation, we see an opportunity for the NPPF to clarify how government's soon-to-be published national Land Use Framework ('LUF') should inform local-level spatial planning to enable the more strategic and effective use of land.

Government has identified the LUF as its intended tool for managing trade-offs and supporting multi-functional land use and spatial planning, as well as a core strategy for achieving its environmental targets and commitments.<sup>4</sup> We have previously shared the view that the NPPF should provide assurance that the LUF will actively inform those local-level plans and strategies that are central to its delivery.<sup>5</sup> However, the consultation proposals contain no mention of how the LUF should feed into the development planning process. Once the LUF has been published, further additions should be incorporated into the NPPF, to ensure that the analysis and principles set out within it inform decision-making about land use at a local scale in a consistent, coordinated and meaningful way.

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<sup>2</sup> [OEP, Progress in improving the natural environment in England 2024/2025 \(January 2026\)](#).

<sup>3</sup> [OEP, A review of Local Nature Recovery Strategies and their role in contributing to nature recovery commitments in England \(June 2025\)](#), see recommendation 5.

<sup>4</sup> Defra, *Environmental Improvement Plan (EIP) 2025* (December 2025).

<sup>5</sup> [OEP, Response to Land Use Framework consultation \(May 2025\)](#).

## ***Environmental Delivery Plans***

We urge that the NPPF be revised to require more meaningful join-up between local development plans and future Environmental Delivery Plans ('EDPs'), with respect to efforts to safeguard and enhance protected sites and protected species. We also consider that the NPPF should ensure that land required by EDPs to offset and outweigh the impacts of development is given appropriate protection as part of the planning system.

Government has introduced the EDP framework as a new approach to offsetting and outweighing impacts on protected sites and protected species, through long-term and strategic scale actions. To support the effectiveness of this system, development plans should work to maximise impacts from and/or avoid conflicts with EDPs in their area.

## ***LURA Protected Landscapes duty***

We are concerned that the draft NPPF fails to reflect properly the Protected Landscapes duty, as strengthened by the Levelling-up and Regeneration Act 2023. The duty now requires local planning authorities to "seek to further" Protected Landscape purposes, not merely to "have regard" to them, when exercising their functions. The government's associated guidance states that authorities should, as far as is reasonably practical, seek to "avoid harm and contribute to" Protected Landscape purposes. However, the proposed draft policy N4 would only require that development proposals are designed to "avoid harm".

Our view is that, in order to align with the amended duty and reflect government's associated guidance, the NPPF should be updated to require that development plans and proposals should, as far as is reasonably practical, seek to "avoid harm and contribute to" Protected Landscape purposes. In doing so, the NPPF can help deliver the government's EIP, which gives Protected Landscapes a central role in delivering the government's targets for nature recovery.

## **Environmental Principles Policy Statement assessment**

The Environment Act 2021 introduced a duty on ministers to have due regard to the Environmental Principles Policy Statement ('EPPS') when making policy. Government's EIP 2025 recognises this duty's role in helping to ensure that action across government supports delivery of the EIP and underpins commitments on the environment.

We have previously highlighted our views on the benefits of transparency regarding the implementation of the EPPS duty and recommended that government departments should publish their assessments of how they have implemented the EPPS duty in respect of policymaking decisions.<sup>6</sup> The Environmental Audit Committee has made this recommendation with respect to government's planning and nature reforms.<sup>7</sup>

We consider that, when launching this consultation, government missed an opportunity to show improved transparency in this regard. No EPPS assessment has been published with respect to the proposed reforms, nor does the consultation invite the views of stakeholders in relation to potential implications for environmental principles.<sup>8</sup>

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<sup>6</sup> [OEP, A review of implementation of the duty to have due regard to the Environmental Principles Policy Statement in England \(February 2025\)](#), see recommendation 6.

<sup>7</sup> Environmental Audit Committee, *Environmental sustainability and housing growth* (November 2025).

<sup>8</sup> We note, by way of contrast, that in respect of the public sector equality duty under the Equality Act 2010, the consultation specifically invites the views of respondents (questions 224 and 225). It is unclear why an equivalent approach has not been taken in respect of the EPPS duty.

We consider that, if used effectively, the EPPS should be a powerful tool to help all of government meet its ambitions to protect and improve the environment. This includes achieving the improved policy coherence required to deliver the 'win-win' for housing growth and nature recovery that this government has committed to. Improved transparency around how the EPPS has been applied could greatly assist in reassuring stakeholders, that the environment is being put at the heart of government policy-making, as intended.

We hope our response is useful as you consider and finalise the NPPF. We would welcome further discussion if helpful.

Yours sincerely,



**Natalie Prosser**  
Chief Executive  
The Office for Environmental Protection



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**National Planning Policy Framework: proposed reforms – public consultation**  
**Response of the Office for Environmental Protection**

**ANNEX to letter from Natalie Prosser of 6 March 2026**

This document sets out the OEP's answers to consultation questions 6, 34, 42, 55, 99, 134, 156, 165, 167, 179, 181, 182, 183 and 184.

**PM1: Spatial Development Strategies**

**Question 6: Do you agree with the role, purpose and content of spatial development strategies set out in policy PM1?**

We support the proposal, at PM1(2)(e), that spatial development strategies ('SDS') should identify "broad locations for nature conservation and habitat enhancement, restoration and creation". However, our view is that this policy could be strengthened by clarifying the role of both Local Nature Recovery Strategies ('LNRS') and the Land Use Framework ('LUF') in identifying these locations.

The new layer of sub-regional spatial planning introduced by SDS will provide an opportunity to ensure that development supports the actions needed for nature's recovery, at a strategic scale and at an early stage of the planning process.

In our previous work, we have highlighted the need for better spatial planning for nature. In particular, our annual Environmental Improvement Plan ('EIP') progress reports have identified that a lack of effective spatial prioritisation of actions for land and sea is hindering progress towards achieving government's "thriving plants and wildlife" EIP goal and associated targets.<sup>1</sup> We have recommended that government should scale up and accelerate spatial prioritisation of actions, using existing spatial tools such as LNRS and the LUF,<sup>2</sup> and update the NPPF to more clearly define the weight that should be afforded to those tools in development plan-making.<sup>3</sup> Policy

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<sup>1</sup> [OEP, Progress in improving the natural environment in England 2024/2025 \(January 2026\)](#), Chapter 13; [OEP, Progress in improving the natural environment in England 2023/2024 \(January 2025\)](#).

<sup>2</sup> [OEP, Progress in improving the natural environment in England 2024/2025 \(January 2026\)](#), page 51.

<sup>3</sup> [OEP, A review of Local Nature Recovery Strategies and their role in contributing to nature recovery commitments in England \(June 2025\)](#), page 61; [OEP, Response to Land Use Framework consultation \(May 2025\)](#).

PM1 provides an opportunity to ensure that this is achieved at the earliest stage of local spatial planning, in a way that enables coordination between local areas and avoids conflicts further down the line.

For this reason, we were pleased to see that section 58 of the Planning and Infrastructure Act 2025 introduced provisional amendments to the Planning and Compulsory Purchase Act 2004 that, once commenced, would require SDS to “take account of” LNRS. Our view is that PM1 should further specify *how* LNRS should inform SDS. Specifically, we consider that PM1(2)(e) should require that the ‘broad locations for nature conservation and habitat enhancement, restoration and creation’ identified in SDS should, where possible, align with the areas identified as being of importance or potential importance for biodiversity in any relevant existing and emerging LNRS. This would mitigate the risk that SDS and LNRS set out conflicting spatial representations of, and priorities for, nature conservation and enhancement and help ensure that SDS play a strategic role in coordinating development-related efforts to further government’s EIP goals and associated targets across LNRS areas.

With respect to the LUF, we note that the EIP 2025 refers to the LUF as the government’s intended tool for managing trade-offs and supporting multi-functional land use and spatial planning, and identifies it as a core strategy for achieving the Government’s environmental ambitions. However, the proposed draft NPPF contains no mention of the LUF. Nor are there any existing legislative provisions that require it to be considered in local plan-making. We recognise that the LUF was not yet published at the time when the consultation opened. Once the LUF has been published, our view is that further additions should be made to policy PM1 to ensure that the analysis and principles set out in the LUF work to inform land use decisions at a local scale in a consistent, coordinated and meaningful way.

We also consider that the wording of PM1(2)(e) should better reflect the intention of LNRS (as set out in the Environment Act 2021, s106(2)(c)) - to also contribute to wider environmental benefits, which speaks to their potential for supporting multi-functional land uses and nature-based solutions whilst playing a key role in nature recovery.

## **S2: Producing a Spatial Strategy**

### **Question 34: Do you agree with the proposed approach to setting a spatial strategy in development plans?**

We consider that the proposed policy S2(1)(c) should include reference to both LNRS and the LUF as being relevant to informing local spatial planning decisions. Government has identified both LNRS and LUF as having a core role in achieving the spatial prioritisation needed for nature’s recovery and wider environmental benefits. Our view is that policy S2 should clarify how government intends both LNRS and LUF should contribute to this at a local level. We make this suggestion for

the same reasons expressed in response to question 6 relating to policy PM1 on SDS.

### **CC1: Planning for climate change**

#### **Question 42: Do you agree with the approach to planning for climate change in policy CC1?**

We support the general aim of this policy to ensure that development plans take a more proactive approach to mitigating and adapting to climate change.

More specifically, we welcome the proposed new policy at CC1(1)(d) requiring that opportunities for green infrastructure and nature-based solutions identified in development plans should take account of LNRS in accordance with policy N1.

LNRS have an important role in planning for climate change. As well as identifying where the most important biodiversity resources are, LNRS also identify where there is greatest opportunity for restoring or creating new places for biodiversity, and where the enhancement of biodiversity would provide wider environmental benefits. This includes climate change mitigation and adaptation.

Please see our answer to question 179 for our views on how references to LNRS within policy N1 should be further improved.

### **HO4: Land for large scale residential and mixed-use development**

#### **Question 55: Do you agree the plan-making requirements, for both local plans and spatial development strategies, in relation to large scale residential and mixed-use development are sufficiently clear?**

We broadly welcome the proposed new policy at HO4(1)(c) requiring that locations for large scale development identified in development plans should address strategic environmental opportunities and safeguards, including those set out in LNRS. The OEP has previously recommended that the NPPF be updated to more clearly define LNRS' role in informing plan-making.<sup>4</sup>

However, as drafted, it is unclear what the requirement to “address” these opportunities and safeguards might mean, in practice. This requirement is also inconsistent with other LNRS-related requirements proposed in other NPPF plan-making policy areas. For example, GB5(b) requires development plans to set out how the Green Belt “can contribute to the priorities for nature recovery” set out within relevant LNRS.

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<sup>4</sup> [\*OEP, A review of Local Nature Recovery Strategies and their role in contributing to nature recovery commitments in England \(June 2025\)\*](#), page 61.

We consider that HO4(1)(c) should be improved by providing further clarity and better alignment with other policies. For example, this could be achieved by including additional wording to specify that addressing strategic environmental opportunities and safeguards should *include* contributing to the priorities for nature recovery and wider environmental benefits identified within relevant LNRS.

#### **W4: Water infrastructure**

##### **Question 99: Do you agree with the proposed approach to supporting development for water infrastructure in policy W4?**

We welcome the proposed policy at W4(1)(b) requiring that, in considering proposals for water infrastructure development, substantial weight should be given to improving water quality and reducing water-borne pollution. This could assist with ensuring that the planning system complements proposed wider structural reforms intended to deliver the government's promise to clean up our rivers, lakes and seas.

However, we consider that policy W4(1)(b) should be further improved by clarifying that, in improving water quality and reducing water-borne pollution, water infrastructure should contribute to the achievement of targets and objectives for the state of the water environment. At present, these include legally binding objectives for all water bodies as approved by government in River Basin Management Plans ('RBMPs') under the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 ('the WFD Regulations'), as well as descriptors established under the Marine Strategy Regulations 2010 to determine Good Environmental Status in UK marine waters.

The objectives in RBMPs are not just concerned with water quality and pollution, but also reflect other aspects of achieving 'good ecological status' in water bodies. These include, for example, avoiding or addressing physical modifications that interfere with natural processes or habitats, which we consider should be particularly relevant when considering proposals for water infrastructure development.

We have made further comments with respect to how development plans and proposals more broadly should consider and contribute to targets and objectives relating to the state of the water environment in our answers to questions 165 and 167 relating to proposed policies P1 and P3.

More generally, we note that the stated overarching objective for this chapter refers to alignment with "wider development, clean power and net zero objectives". There is no mention, however, of the intention to align the delivery of energy and water infrastructure with targets and objectives relating to the state of the water environment, including those under the WFD Regulations and Marine Strategy Regulations 2010 to which we refer above. Our view is that this gap should be addressed.

**GB5: Beneficial uses of Green Belt Land****Question 134: Do you agree the expectations set out in policy GB5 are appropriate and deliverable in Local Plans?**

We welcome the proposed new policy at GB5(1)(b) requiring that development plans set out how the Green Belt can contribute to the priorities for nature recovery set out within relevant LNRS. The OEP has previously recommended that the NPPF be updated to more clearly define LNRS' role in informing plan-making.<sup>5</sup>

We consider that to accurately reflect the intention of LNRS, the wording here should be expanded to also include reference to the wider environmental benefits that are identified in LNRS.

**TR7: Marine ports, airports and other aviation facilities****Question 156: Do you agree the proposed text in policy TR7 provide an effective basis for assessing proposals for marine ports, airports and general aviation facilities?**

The proposed policy includes a requirement that the development proposals within its scope should have "*an acceptable environmental effect in terms of noise, air quality, carbon emissions, the transport network, landscape, visual and marine impacts*".

We broadly welcome this policy, but consider that TR7 should specify how compliance with relevant environmental targets and objectives should factor into this assessment of acceptability. In particular, to avoid confusion in how this provision operates alongside P3(2)(a), our view is that TR7 could repeat or refer to the requirement that development proposals should sustain and contribute to compliance with relevant limit values or national objectives and targets for air pollutants.

With respect to marine impacts, our view is that reference should also be added to the need for development proposals to support the achievement of "Good Environmental Status" of UK seas. Achieving Good Environmental Status is a requirement of the Marine Strategy Regulations 2010. This addition would help ensure that proposals within the scope of this policy would not compromise government's wider efforts to achieve compliance with its legal obligations in this regard.

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<sup>5</sup> [OEP, A review of Local Nature Recovery Strategies and their role in contributing to nature recovery commitments in England \(June 2025\)](#), page 61.

Similarly, we consider that developments should support the achievement of environmental objectives set under the WFD Regulations for surface water bodies in inshore areas, including where there are marine ports. We have made further comments with respect to how development plans and proposals more broadly should consider and contribute to targets and objectives relating to the state of the water environment in policies W4, P1 and P3 in our answers to questions 99, 165 and 167.

## **P1: Planning for clean and safe places**

### **Question 165: Do you agree with policy P1 as a basis for identifying and addressing relevant risks when preparing plans?**

We welcome the proposal at P1(1)(c) to introduce a new requirement that development plans should consider opportunities to contribute to national and local environmental targets and objectives. This could provide an important mechanism to ensure that local development policies work to actively facilitate delivery of national-level ambitions for environmental improvement and nature's recovery.

The OEP's response to government's 2024 NPPF consultation suggested that the NPPF include explicit reference to Environment Act 2021 targets and require that planning policies should sustain and contribute towards compliance with them. We stressed that such an inclusion would be important to improve policy coherence.<sup>6</sup> The proposed wording at P1(1)(c) would represent a move towards this.

However, as drafted, the scope of environmental targets and objectives that policy P1(1)(c) would require to be considered is unclear. Moreover, local planning authorities may not themselves be aware of the full extent of relevant national targets and objectives relating to the environment, given their spread across a wide range of legislative instruments. This risks making it difficult for those authorities to meaningfully consider how development plans might contribute to compliance. Our view is that the effectiveness of this policy should therefore be improved by more clearly setting out what is expected from development plans in this context.

To achieve this, we consider that P1(1)(c) could specify that development plans should consider opportunities to contribute to the full suite of national air, water, waste and biodiversity targets set under the Environment Act 2021, the associated interim targets set out in the Environmental Improvement Plan, as well as any other relevant national and local targets and objectives relating to the environment (such as those relating to air quality, the state of the water and marine environment, the conservation status of habitats and species, protected sites, protected landscapes, and climate change).

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<sup>6</sup> [OEP, Response to National Planning Policy Framework consultation \(September, 2024\).](#)

We think there would be merit in setting out the relevant targets in an Annex to the NPPF and/or in associated guidance to aid authorities in their consideration of what opportunities might exist to contribute to them. For example, this could be set out in a similar manner to the Annex of air pollution targets included in the Government's Air Quality Strategy framework for local authority delivery. We recognise that those targets and objectives that relate to safeguarding and enhancing the natural environment more broadly (rather than reducing pollution levels, specifically) may instead be more appropriately referred to in policy N1.

With respect to how consideration of objectives relating to the state of the water environment should factor into this, we note that the WFD Regulations impose an explicit legal duty on all public bodies, in exercising their functions so far as affecting a river basin district, to have regard to the RBMP for that district. RBMPs set out specific government-approved objectives relating to the state of water bodies. Our review of the implementation of the WFD Regulations identified a risk of inconsistency concerning the interpretation of what this 'have regard to' duty requires in practice, noting that this is not clearly articulated in the NPPF or other relevant guidance for local planning authorities.<sup>7</sup> Our view is that policy P1(1)(c) and/or associated guidance should further clarify how RBMPs and compliance with their objectives should be considered by local planning authorities at the plan-making stage.

We are aware that the government's recently published White Paper on water reform signals its intention to review the WFD Regulations among other measures.<sup>8</sup> However, unless and until those regulations are amended, we consider that policy P1 and/or associated guidance should be strengthened to properly reflect the current legal requirements and support efforts to achieve the environmental objectives that have been set.

We are further aware that government is exploring setting new ambitious targets for the water environment, with a view to enabling better alignment between government, regional water planning, regulators, and the water industry, as also indicated in the recently published water White Paper. We consider that any additions to P1 and/or associated guidance could be drafted in a way that would, as far as practical, incorporate reference to any such future targets as well as the current ones.

With respect to local planning authorities' consideration of the conservation status of habitats and species, we note that the Conservation of Habitats and Species Regulations 2017 impose a duty on all competent authorities, including local planning authorities, to have regard to the requirements of the Habitats Directive. The requirements of that Directive impose a duty on the Secretary of State to take

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<sup>7</sup> [OEP, A review of implementation of the Water Framework Directive Regulations and River Basin Management Planning in England \(May 2024\)](#).

<sup>8</sup> [Defra, A new vision for water: white paper \(January 2026\)](#).

measures designed to maintain or restore the natural habitats and species listed in Annexes I and II to ‘favourable conservation status’. Government has recently reported that only 2 of 71 of these protected habitats are in favourable conservation status, and nearly half (48%) of habitats are in an unfavourable condition and are getting worse.<sup>9</sup> Of 74 species, fewer than 1 in 3 are in favourable conservation status. The NPPF provides an opportunity to set out whether and how government intends the local planning system to more actively contribute to efforts to achieve favourable conservation status across these habitats and species.

Finally, we note that the requirement at P1(1)(c) is to consider “wider opportunities” to contribute to compliance with environmental targets and objectives. Compliance with such targets and objectives is *not* referred to as a necessary consideration in planning authorities’ determination of whether development land allocations would cause, or expose users to, unacceptable levels of pollution, under P1(1)(b). We consider that their relevance to such determinations should be clarified by adding words to such effect at P1(1)(b). This appears to be particularly relevant with respect to those targets and objectives relating to the state of the natural environment – such as water and air quality.

### **P3: Living conditions and pollution**

#### **Question 167: Do you agree with the criteria set out in proposed policy P3 as a basis for securing acceptable living conditions and managing pollution?**

At P3(2)(a), we support the retention of the existing policy at paragraph 199 of the current NPPF, requiring that development proposals should sustain and contribute to compliance with relevant limit values or national objectives for air pollution, and welcome the proposed addition of explicit mention of PM<sub>2.5</sub> and national targets within this provision. This provides a mechanism for ensuring that local development decisions support the delivery of national ambitions for cleaner air, including those targets established under the Environment Act 2021.

We also broadly welcome the proposed requirement at P3(2)(e) that development proposals should assess and mitigate impacts where the development could have an unacceptable adverse effect on water quality. This is of particular importance in light of the environmental objectives set out in the WFD Regulations which require prevention of the deterioration of the status of each body of water (the ‘No Deterioration Objective’), for both surface water and groundwater. These objectives will have ongoing application unless and until the WFD Regulations are amended.

However, we consider that policy P3(2)(e) should be improved to ensure that developments, where possible, contribute to *improving* the state of the water environment. The existing provision at paragraph 187(e) of the NPPF requiring that

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<sup>9</sup> Defra, *Habitats Regulations 9A report for England 2019 to 2024* (January 2026).

development should “*wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans*” has not been carried across into the proposed draft. The focus of the provisions at P3(2)(e) is instead on avoiding and mitigating “unacceptable adverse effects”.

We suggest that coherence of the NPPF with the delivery of relevant objectives for actively improving the state of the water environment should be improved by specifying that development proposals should, where possible, help to improve water quality, and sustain and contribute to objectives for water bodies set out in RBMPs, as well as any future targets set for the water environment.

Reflecting comments made with respect to policy P1 in our answer to question 165, we note again here that the WFD Regulations impose a legal duty on local planning authorities, in exercising their functions so far as affecting a river basin district, to have regard to the RBMP for that district. Unless and until the WFD Regulations are amended, the above-mentioned suggestion should assist with addressing risks of inconsistency with respect to how this ‘have regard to’ duty is complied with in the context of individual development proposals.

## **N1: Identifying environmental opportunities and safeguards**

**Question 179: Do you agree that the proposed approach to planning for the natural environment in policy N1, including the proposed approach to biodiversity net gain, strikes the right balance between consistency, viability, deliverability, and supporting nature recovery?**

### Improved coherence with LNRS

We broadly welcome the proposed requirement set out at N1(1) that development plans should use LNRS to inform efforts to safeguard and enhance the natural environment.

As highlighted above, the OEP has previously recommended that government updates the NPPF to clarify the weight that should be afforded to LNRS in development plan-making.<sup>10</sup> This is important because the EIP 2025 states that LNRS will contribute widely to EIP delivery, particularly to the government’s ‘restored nature’ goal, as well as the climate change and environmental hazards goals. Given that there are no specific legal duties that require LNRS to be implemented, our view is that the NPPF should clarify *how* local planning authorities should consider LNRS in development plan-making so that they are able to deliver this important role. Policy N1(1) would go some way towards achieving this.

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<sup>10</sup> [OEP, A review of Local Nature Recovery Strategies and their role in contributing to nature recovery commitments in England \(June 2025\)](#), page 61.

However, we note that N1(1)(c) proposes that development plans only use LNRS (as well as the other plans and strategies referred to) to steer the location of development in ways which utilise land of least environmental value “where this would be consistent with other policies in this Framework”. No other policies in the proposed draft appear to be qualified in an equivalent manner. The proposed wording would, presumably, therefore risk development plans applying limited weight to N1(1)(c) in practice. To enable LNRS to have a more active role in informing the location of development allocations, our view is that this qualification should be removed.

We also consider that further clarity should be provided by improving the consistency of the terms used in N1(1)(c). The second sentence of N1(1)(c) requires that efforts to steer the location of development in ways which utilise land of least environmental value should include “avoiding and minimising harm to designated sites of importance for nature”. However, such sites are not defined elsewhere within the proposed draft. The draft instead includes a definition of a slightly different term: “International, national and locally designated sites of importance for biodiversity”. To avoid unnecessary confusion, our view is that subparagraph N1(1)(c) should more fully refer to “avoiding and minimising harm to international, national and locally designated sites of importance for biodiversity”, as defined.

We further note that the second sentence of N1(1)(c), as drafted, does not capture the full extent of areas of particular importance for biodiversity required to be identified by LNRS habitat maps, which – as well as the designated sites referred to above - also include areas of irreplaceable habitat, as well as other areas identified by the Secretary of State as being of particular importance.<sup>11</sup> To improve coherence with LNRS, our view is that N1(1)(c) should also refer to the need for development to be located in ways which avoid and minimise harm to other areas identified by LNRS as being of particular importance for biodiversity. Moreover, this would enable better consistency with the decision-making policy at N6(2) requiring that development proposals which would entail the loss or deterioration of irreplaceable habitats should be refused.

#### Improved coherence with LUF

Reiterating comments we have made in response to question 6, once the LUF has been published, our view is that further additions should be made to policy N1 to ensure that the analysis and principles set out in the LUF work to inform land use decisions at a local scale in a consistent, coordinated and meaningful way. In particular, reflecting its role as a core strategy for achieving the Government’s environmental ambitions, the LUF should be central to informing local planning authorities’ determination of how development could be located in ways which utilise land of least environmental value in accordance with policy N1(1)(c).

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<sup>11</sup> Defra, *Local nature recovery strategy statutory guidance* (March 2023).

### Improved coherence with EDPs

The Planning and Infrastructure Act provides for a new approach to offsetting impacts on protected sites and protected species through Environmental Delivery Plans ('EDPs'). These EDPs are intended to deliver strategic conservation measures, and government's aim is that they will result in improved environmental outcomes.

We note that, at N1(1), EDPs are not listed as one of the plans and strategies that development plans should use to inform efforts to safeguard and enhance the natural environment. Our view is that EDPs should be included in this list.

EDPs will be drawn up by Natural England to set out conservation measures that materially outweigh the negative impact of specific types of development on specific features of protected sites or protected species. EDPs are set to be long-term plans; covering development proposals for up to 10 years, with measures that may have to remain in place for much longer periods of time. They may also extend across multiple local authority areas. Given the long-term nature and strategic scale of EDPs, it is important that local planning authorities' efforts to safeguard and enhance the natural environment align with them, and vice versa.

The Planning and Infrastructure Act 2025 goes some way towards recognising this link, as it requires that Natural England have regard to the development plan/s for the EDP area, when preparing, amending or revoking an EDP (see section 94). However, there is currently no equivalent legal duty or NPPF policy requiring local planning authorities to have regard to EDPs in drawing up their development plans. Given that development plans may be drawn up *after* EDPs are prepared, this lacuna creates a risk that local planning authorities do not take active steps to identify opportunities to maximise impacts from and/or avoid conflicts with EDPs in their respective areas. We consider that adding reference to EDPs in the list set out in N1(1) would help to ensure proper consideration is given to EDPs when plan-making, and aid coherence with government's wider nature recovery goals.

### Improved coherence with Protected Landscapes

We welcome the proposed requirement set out at N1(1) that development plans should use Protected Landscape Management Plans to inform efforts to safeguard and enhance the natural environment. In the EIP 2025, government states that it wants Protected Landscapes to be at the heart of its efforts to recover nature.

However, our view is that policy N1 should be improved by requiring development plans, where possible, to play a more active role in furthering the statutory purposes of Protected Landscapes.

The amended Protected Landscapes duty introduced by section 245 of the Levelling-up and Regeneration Act 2023 ('LURA') now requires relevant authorities (including

local planning authorities) to “seek to further” the statutory purposes of Protected Landscapes.

Associated government guidance clarifies that this duty requires authorities, as far as is reasonably practicable, to seek to “avoid harm and contribute to” the conservation and enhancement of the natural beauty, special qualities and key characteristics of Protected Landscapes, and in doing so they should consider the information contained in a Protected Landscape’s Management Plan.<sup>12</sup> The guidance further clarifies that the amended duty applies to development plan making and development management decisions affecting a Protected Landscape, and in that context, authorities should consider whether measures that seek to further the statutory purposes of Protected Landscapes “can be embedded in the design of plans and proposals, where reasonably practical and operationally feasible”.

We consider that the proposed policy N1(1) does not fully reflect the extent of this duty and associated guidance. N1(1)(b) refers to the need to identify opportunities for the conservation, enhancement and recovery of landscapes, in general, but does not refer specifically to Protected Landscapes or their statutory purposes. In contrast, N1(1)(c) does refer specifically to Protected Landscapes, but only with respect to the need to limit the scale and extent of development within them; it does not capture the need for authorities to consider efforts to contribute to their purposes. As drafted, this policy therefore risks creating confusion for local planning authorities with respect to the extent of their legal duties in this context.

Our view is that policy N1(1) should be updated to better align with the Protected Landscapes duty and associated government guidance. This could be achieved by expressly setting out to the need for development plans to, as far as is reasonably practical, seek to “avoid harm and contribute to” Protected Landscape purposes when identifying opportunities for the conservation, enhancement and recovery of landscapes (in N1(1)(b)). This would assist in clarifying the role of development plans in identifying such opportunities at a strategic scale and at an early stage of the planning process, which would in turn help in realising the part government intends Protected Landscapes to play in securing nature’s recovery.

Please see our response to question 182 for further comments on the Protected Landscapes duty and how policy N4 relating to development proposals should be amended to better align with it.

## **N2: Improving the natural environment**

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<sup>12</sup> Defra, *Guidance for relevant authorities on seeking to further the purposes of Protected Landscapes* (December 2024).

**Question 181: Do you agree policy N2 sets sufficiently clear expectations for how development proposals should consider and enhance the existing natural characteristics of sites proposed for development?**

We welcome the proposal, at N2(1)(c), that development proposals should draw on LNRS to take suitable opportunities to connect to and strengthen ecological networks that extend beyond the development site. LNRS have a clear role to play in coordinating efforts to strengthen ecological networks at a strategic scale. The data used in LNRS comes from sources including Natural England, the Environment Agency, the Forestry Commission and Local Environmental Record Centres. LNRS should therefore provide a good source of evidence to achieve this and help meet government's associated environmental targets and objectives.

However, we note that LNRS could also inform many of the other mechanisms listed in N2(1) by which development proposals should seek to contribute positively to the natural environment and support nature's recovery. This includes, most notably: identifying opportunities for the environmental qualities of land to be conserved or enhanced (at N(1)(a)); conserving and enhancing existing natural features of nature conservation value (at N1(1)(b)); minimising impacts on biodiversity (at N1(1)(f)). The written statements of biodiversity priorities required to be included in LNRS should be highly relevant to informing how individual development proposals might include these kinds of measures to support nature's recovery in the relevant strategy area. We therefore consider that LNRS should be referred to more widely across this decision-making policy. Given the relevance of LNRS across the sub-sections of this policy, this might best be done by incorporating reference to the LNRS in the framing text (at point 1) for this policy.

**N4: Protected Landscapes**

**Question 182: Do you agree the policy in Policy N4 provides a sufficiently clear basis for considering development proposals affecting protected landscapes and reflecting the statutory duties which apply to them?**

LURA Protected Landscapes duty

Our view is that N4(1) and (4) should be amended to better align with the amended Protected Landscapes duty introduced by section 245 of the LURA, as well as government's associated guidance for relevant authorities.<sup>13</sup>

As reflected in government's guidance, the main goal of the duty is to better integrate the statutory purposes of Protected Landscapes into decision-making that impacts those areas. The guidance states that this includes decisions relating to the preparation of development plans and decisions on planning applications. The NPPF

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<sup>13</sup> Defra, *Guidance for relevant authorities on seeking to further the purposes of Protected Landscapes* (December 2024).

therefore has a clear role to play in the Protected Landscape duty's proper implementation. This review of the NPPF is an opportunity to ensure coherence with the amended duty and associated guidance, and thereby enable its successful delivery.

Ensuring the proper implementation of the Protected Landscapes duty in the planning system would assist government in delivery of its EIP commitment to "enable and support the dedicated Protected Landscape organisations to convene and catalyse local action for nature, climate, and communities". Government wants Protected Landscapes to be at the heart of efforts to recover nature, which will require going beyond avoiding harm. This will require relevant authorities, including local planning authorities, to consider how decisions can positively contribute to the statutory purposes of these landscapes.

Currently, N4(1) requires that development proposals should be limited in scale and extent and sensitively located and designed to "avoid harm" to the statutory purposes and special qualities of Protected Landscapes. N4(4) adds that development proposals in Protected Landscapes should be "sensitively located and designed to avoid or minimise adverse impacts on the designated areas". This appears to largely duplicate N4(1).

In contrast, the amended Protected Landscapes duty introduced by LURA requires relevant authorities (including local planning authorities) to "seek to further" those statutory purposes. The associated government guidance clarifies that the amended duty requires authorities, as far as is reasonably practicable, to seek to "avoid harm and contribute to" the conservation and enhancement of the natural beauty, special qualities and key characteristics of Protected Landscapes. The guidance also states that "*for development plan making and development management decisions affecting a Protected Landscape, a relevant authority should seek to further the purposes of the Protected Landscape - in so doing, the relevant authority should consider whether such measures can be embedded in the design of plans and proposals, where reasonably practical and operationally feasible*".

We consider that N4(1) and (4) should be amended to better reflect the strengthened statutory duty to "seek to further" the statutory purposes of Protected Landscapes. Mirroring the recommendations made above with respect to policy N1, this could be done by referring to the need for authorities that are making decisions on development proposals to, as far as is reasonably practical, seek to "avoid harm and contribute to" Protected Landscape purposes. This would achieve greater coherence with the amended duty and the associated government guidance.

#### Statutory purposes of Protected Landscapes

N4(1) also states that "*Substantial weight should be placed on the importance of conserving and enhancing the natural beauty of these areas, and to conserving and enhancing wildlife and cultural heritage in National Parks and the Broads.*"

This wording could give the impression that conserving and enhancing wildlife is only to be given substantial weight in National Parks and the Broads, not in National Landscapes (which are still referred to as Areas of Outstanding Natural Beauty ('AONBs') in the legislation). This would be incorrect as section 92(2) of the Countryside and Rights of Way Act 2000 states that the conservation of the natural beauty of an AONB includes the conservation of its flora, fauna and geological and physiographical features.

We consider that the wording of this policy should be clarified so that it is clear that substantial weight should be placed on the importance of conserving and enhancing wildlife of *all* Protected Landscapes. This would also reflect the government's revised EIP, which gives Protected Landscapes a central role in driving nature recovery.

### **N6: Areas of particular importance for biodiversity**

#### **Question 183: Do you agree policy N6 provides clarity on the treatment of internationally, nationally and locally recognised sites within the planning system?**

We note that, whilst the definition of "habitats site" in the draft NPPF includes compensatory habitats (habitats required to offset impacts on protected sites under Regulation 68 of the Conservation of Habitats and Species Regulations 2017), it does not similarly recognise the conservation measures and network conservation measures that will be delivered under Part 3 of the Planning and Infrastructure Act 2025. In our view, it is important that these conservation measures are included within this definition and therefore given equal consideration in the NPPF.

We also note that the draft NPPF proposes a change to the definition of "habitats site", which replaces reference to 'sites identified or required as compensatory measures...' with 'compensatory habitats which relate to' the listed site designations. The intention behind this change is unclear, but it appears to us that the proposed new definition would risk only applying to compensatory measures that are already in place, rather than also to sites that have been identified for providing necessary compensatory measures in the future.

We understand that the definition in the current NPPF provided for important consideration of the impacts of proposed new development on sites that had been identified as necessary in the future to compensate for the negative impact of another already-approved development. For example, such compensatory measures might be required to offset the impacts on protected sites from long term plans, such as flood risk management strategies. Given that these plans can cover long periods of time, sites required as compensatory measures may be identified long before they have to be delivered in line with the development timetable. In the meantime, there is the possibility that the identified sites could be affected by development proposals that would limit their future success as effective compensatory measures. This issue

may also be particularly relevant for conservation measures set out within Environmental Delivery Plans, given that these measures may also be implemented over long periods of time.

To avoid this risk, our view is that the definition of habitats sites should be amended to include sites identified as compensatory measures, and sites identified as conservation measures or network conservation measures for Environmental Delivery Plans.

**Question 184: Are there any further issues for planning policy that we need to consider as we take forward the implementation of Environmental Delivery Plans?**

In addition to the points made above in response to question 183, we explain in answer to question 179 that we consider the NPPF should provide EDPs with a broader and more meaningful role in informing development plans. This is necessary to improve coherence between these respective plans' efforts to safeguard and enhance protected sites and protected species.

We note that proposed policy PM9(2)(c), and its associated footnote, would require development plans to consider EDPs in their assessment of the land available to meet development needs. However, our view is that this policy is both unclear in its application and too narrow in its scope. It does not appear to enable and require local planning authorities to use EDPs to inform how development plans could draw on and maximise government's ambition to safeguard and enhance protected sites and protected species.

For this reason, we have suggested that EDPs be included in the list of plans and strategies that development plans should use to inform efforts to safeguard and enhance the natural environment, as set out in proposed policy N1. You may also wish to consider whether there are additional plan-making policies within the draft NPPF into which EDPs could usefully feed. This will help to ensure the planning system fully supports the government's goal of nature recovery.