LPDF
Creating Places ■ Delivering Communities

# Consultation Response

EDP Consultation Team

Natural England

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Response submitted by email only to: nrfconsultations@naturalengland.org.uk

Dear Sir / Madam,

**Re: Draft Norfolk Environmental Delivery Plan**

The Land, Planning and Development Federation (LPDF) welcomes the opportunity to respond to the consultation on the Draft Norfolk Environmental Delivery Plan.

The LPDF welcome the government's consultation on the draft Norfolk Environmental Delivery Plan (EDP) and strongly support the strategic framework that EDPs establish to reconcile environmental protection with housing delivery.

However, it remains vital to place this framework in context: extensive research demonstrates that new housing developments account for only a small fraction of overall nutrient pollution, with the vast majority originating from agricultural land run-off and historical wastewater practices. Natural England's own evidence confirms this: the maximum level of development covered by the EDP is predicted to increase phosphorus concentrations by no more than 0.4% in the River Wensum, 2.4% in the Bure and 0.7% in the Yare (paragraph 203 of the draft EDP). Whilst housebuilders are committed to playing their part in achieving environmental goals, housing growth must not continue to bear a disproportionate burden for systemic water quality challenges that require far broader sector remedies.

While the publication of this initial draft EDP marks a positive step forward, the government must move at a significantly greater pace to roll out EDPs across all catchments currently impacted by nutrient neutrality. Delays in establishing these mitigation pathways continue to lock up thousands of much-needed new homes and stifle local economic growth. To ensure long-term resilience, these plans must prioritise strategic nature-based solutions delivered at a catchment scale. This approach will not only unlock housing delivery rapidly and cost-effectively but will also deliver genuine lasting environmental betterment for our protected habitats.

Unlocking these catchments by removing the disproportionate burden of nutrient neutrality will be particularly transformative for SME housebuilders. Small and medium-sized developers have been hit hardest by planning restrictions, as they typically lack the capital reserves, land pipelines, and specialised technical resources needed to navigate complex, site-by-site mitigation negotiations or to purchase expensive nutrient credits. By establishing clear, strategically managed EDPs, the government can remove these protracted planning delays and prohibitive upfront costs. This will restore confidence and viability to the SME sector, levelling the playing field, diversifying housing delivery, and enabling local builders to quickly get back to doing what they do best: building high-quality homes for their communities.

Looking beyond nutrient neutrality, we strongly urge the government to increase its momentum and swiftly extend the EDP framework to address other critical nature conservation challenges. Establishing strategic EDPs for protected species such as Great Crested Newts and Water Voles, as well as mitigating recreational pressure on sensitive habitats ("recreational neutrality" / SANG), would streamline the planning process for developers while providing coordinated, large-scale ecological benefits.

Over the longer term, there is a clear opportunity to evolve this regime to encompass Biodiversity Net Gain (BNG), creating a single, integrated, and predictable framework for strategic environmental mitigation. Scaling up the EDP mechanism across these broader priorities will replace fragmented site-by-site assessment and provision with proactive, nature-positive solutions that unlock sustainable growth at speed.

The government must also ensure that the communications around the introduction of EDPs is suitably positive and framed in a way that counters the inevitable accusation that this process will lessen the effectiveness of environmental mitigation. This is not about lessening the burden for new development but is focussed on delivering actions at a strategic scale that have a much greater impact on reversing environmental assets that are currently in decline.

Ultimately, the effectiveness of the process will depend upon the viability of using the EDP versus on-site provision or the purchase of nutrient credits, the speed of the process versus the existing route, and the detail behind how the process will be operated once it is released. For LPDF members, a key element will be how the system works for outline applications when the number, type and size of properties are unknown. The government need to think carefully about this element of the process to ensure that there are no unintended consequences when applying the system to outline applications that could cause delays or additional costs.

We set out our proposals on outline applications and the payment of the levy in our response to **Question 34**.

**Questions**

**Q1. Would you like your response to be confidential?**

No

**2. Key information**

• What is your name – Phill Bamford

• Email address – phillb@lpdf.co.uk

• Organisation – Land, Planning and Development Federation (LPDF)

• What is your role – Policy Director

• Where are you located – National organisation

**3. What best describes your interest in this consultation?**

I am interested in Environmental Delivery Plans more widely.

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

• Representative of an organisation

• Trade Body

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

N/A

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

Clear. The purpose of the EDP appears clear and simply set out.

**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?**
Very Clear. This is an important aspect of EDPs that may be misunderstood. EDPs are not simply about mitigating the impacts of development, as they are designed from the outset to provide improvements above and beyond those impacts so as to restore nature conservation assets to a beneficial state.

**8. Is the EDP period clearly set out?**
Yes.

**9. To what extent do you agree that the geographic scope of the EDP has been clearly defined?**
The geographic scope is clear.

**10. To what extent is the explanation and depiction of excluded areas sufficiently clear?**
The explanation and depiction is also clear.

**11. To what extent is the methodology used to define the maximum development capacity (15,780 dwellings) under this Norfolk EDP clearly set out?**
Clear. However, whilst it is clear how the methodology was used to define the maximum level of development that the EDP would cover, it must be considered that these levels of need for new homes will change regularly. They are also considered to be the minimum levels of need in any given area.

The EDP system should be operating in an environment where the country has full Local Plan coverage with development planned for at a district level across a 15-year period. However, less than 1/3 of Local Planning Authorities have up-to-date Local Plans which reflect the full need for housing in their area as outlined by the Standard method. Therefore, there needs to be sufficient flexibility built into EDPs to allow for changes to the level of housing need across the EDPs plan period, or a quick and simple method of updating EDPs to take on board such changes so that they remain up-to-date, relevant and focussed on enabling the delivery the level of development required for the area.


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Capacity is a particular concern because new requests to pay the levy cannot be made after the end of year six, three years before the EDP ends, and a small number of strategic schemes could take up a large share of the 15,780 dwellings. Natural England should therefore consider a mechanism for amending the EDP, or for bringing forward a successor EDP, well before capacity is exhausted.

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

No.

**12.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?**

Clear. N.B. There are two questions numbered 12 in the consultation document, hence why this response is numbered the way it is.

**13. 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?**

As the LPDF is a trade body representing organisations operating across the whole of England, we are not in a position to comment upon the detailed measures relating to Norfolk. We will leave this for individual members who are operating in this location.

**14. 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?**

The approach appears to be clear, but as the LPDF is not a specialist in ecological assessment, we will leave it for others to comment on the detail.

**15. 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?**

This appears to be clear. However, it should be recognised that the net nutrient impact of new development is often over-estimated because of the localised nature of the UK housing market. Housing statistics consistently demonstrate that the vast majority of home moves occur over short distances, with most buyers moving within the same local area. Because new homes are predominantly occupied by households already residing within the affected river catchment, these developments largely represent a spatial redistribution of existing local populations rather than a net influx of new wastewater producers. Consequently, calculating nutrient impacts on the premise of purely "new" resident populations can significantly overstate the true environmental pressure caused by new housing delivery. Natural England's own analysis also shows that development is a minor contributor: the maximum level of development covered by the EDP is predicted to increase phosphorus concentrations by no more than 0.4% in the River Wensum, 2.4% in the Bure and 0.7% in the Yare (paragraph 203 of the draft EDP).

**16. 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?**

The approach appears to be appropriate and proportionate, but as the LPDF is not a specialist in ecological assessment we will leave it for others to comment on the detail.

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

Agree. Although, as the LPDF is not a specialist in ecological assessment, we will leave it for others to comment on the detail.

**18. 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?**
No.

**19. 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?**
Agree. The role of back-up measures appears clear.

**20. To what extent do you agree with the proposed back up conservation measures?**
The approach appears to be appropriate, but as the LPDF is not a specialist in ecological assessment we will leave it for others to comment on the detail.

**21. To what extent do you agree that 100 years is the appropriate period to secure and maintain conservation measures?**
Whilst the term of 100 years is a laudable aspiration, it could prove to be excessive as it is difficult to understand how the impact of the proposed measures will be monitored over this length of time.

**22. 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?**
The approach appears to be appropriate, but as the LPDF is not a specialist in ecological assessment we will leave it for others to comment on the detail.

**23. To what extent do you agree with the proposed approach to sequencing of conservation measures?**
The approach appears to be appropriate, but as the LPDF is not a specialist in ecological assessment we will leave it for others to comment on the detail.

**24. To what extent do you agree with the proposed approach for the delivery (including procurement) of conservation measures?**
The approach appears to be appropriate, but as the LPDF is not a specialist in ecological assessment we will leave it for others to comment on the detail.

**25. To what extent do you agree with the methodology for assessing the Overall Improvement Test?**
This looks to be a sensible approach.

**26. Would you suggest any improvements that can we made to strengthen the methodology for assessing the Overall Improvement Test?**
The LPDF have no comments to make on this question.

**27. To what extent does the EDP clearly set out the evidence that underpins Natural England's assessment of the Overall Improvement Test?**
The LPDF have no comments to make on this question.

**28. 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?**
Clear.

**29. 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?**
As the LPDF is a trade body representing organisations operating across the whole of England, we are not in a position to comment upon the likelihood of use of the EDP by our members. However, based on the cost that is included in this draft EDP (others may be different dependent on the eventual cost), it appears to offer a significant cost benefit over on-site provision or purchasing off-site nutrient credits. Therefore, the impact on scheme viability must be a paramount consideration at the basis of this and all future EDPs.

**30. To what extent do you agree that the proposed EDP will accelerate decision making and delivery timescales compared with alternative nutrient mitigation approaches?**
As long as the process is kept simple and is administered efficiently, it should prove to accelerate decision making whilst significantly reducing the costs associated with delivering nature-based solutions on a scheme-by-scheme basis or from purchasing nutrient credits from other sources. This is seen as an essential part of the EDP process and one that will assist the government in speeding up the delivery of much needed new homes. It will also help to remove significant barriers which currently stand in the way of delivery, whilst ensuring that nature-based solutions are targeted at a strategic scale where there will have a significant beneficial impact on the natural assets currently assessed as being in a negative state.

This is why the LPDF urge the government to move at a significantly greater pace to roll out EDPs across all catchments currently impacted by nutrient neutrality. Delays in establishing these mitigation pathways continue to lock up thousands of much-needed homes and stifle local economic growth. To ensure long-term resilience, these plans must prioritise strategic nature-based solutions delivered at a catchment scale. This approach will not only unlock housing delivery rapidly and cost-effectively but will also deliver genuine, lasting environmental betterment and biodiversity net gain for our protected habitats.

**31. 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?**
Agree. A single, catchment-wide rate is simple to understand and administer, gives certainty for site appraisal and land transactions, and avoids the risk that disaggregating costs would push up rates in parts of the catchment. However, consideration needs to be given to the actual impact of the proposed development on the nutrient load, especially when considering the impact of houses versus apartment style schemes.

**32. To what extent do you agree with the proposed monitoring themes as set out in chapter 9 of the EDP?**
Agree. It is likely that this element of the EDP process will need to be constantly reviewed to ensure that the procedures are proportionate, deliverable and not overly resource intensive. If the monitoring is to be effective, it needs to be able to be carried out simply and efficiently so as to ensure that the monitoring regime is followed across the lifetime envisaged by the EDP.

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

**34. Do you have any additional comments from the chapters above?**
**Outline planning applications**
A key issue for LPDF members is how the EDP will operate for outline planning applications, where the total number, type and size of dwellings is not fixed until reserved matters stage. The EDP should confirm that:

• an outline application can rely on the EDP, with permission granted on the basis that the levy will be paid, without first fixing the final number of dwellings;

• the levy is calculated on the number of dwellings approved at reserved matters stage (or phase by phase for multi-phase schemes), rather than on a maximum figure at outline stage;

• any planning condition is worded so that it does not become a pre-commencement barrier to the discharge of other conditions or the approval of reserved matters.

**Capacity for later phases**
It should be clear that an outline permission granted before the end of year six secures EDP capacity for all of the dwellings it permits, including reserved matters phases that come forward after the deadline for new requests. Without this, larger and longer-term schemes would carry an unacceptable risk of being unable to use the EDP for later phases.

**Payment by instalments**
The draft EDP does not confirm an instalment policy, although it gives an example of three payments linked to time. Payments linked to time rather than delivery risk running significantly ahead of build-out and sales receipts, particularly on larger sites. Instalments should be linked to delivery, for example:

• one third on first commencement of development;

• one third on completion (or commencement) of 40% of the dwellings; and

• one third on completion (or commencement) of 80% of the dwellings.

For multi-phase strategic schemes, these triggers should apply to each phase, so that payments follow the delivery of the dwellings in that phase.

**Certainty and transition**

Payment of the levy, together with compliance with any relevant planning condition, should fully discharge the applicant's obligations in relation to nutrient pollution affecting these sites, with no further requirements sought by local planning authorities. Natural England should set out how this will be communicated to the Norfolk authorities, and how applications currently held up by nutrient neutrality, including those relying on the Local Nutrient Mitigation Fund or private credits, can move to the EDP.

## About the LPDF

The LPDF seeks to represent the UK's leading land promoters, home builders and commercial developers. LPDF members support the housebuilding and commercial development sectors by promoting sites through the planning system, providing "shovel ready" land with a planning permission which can facilitate the delivery of infrastructure and serviced land parcels.

The LPDF seeks to actively engage with government on planning, housing and commercial development policy and to educate the wider public on the social, environmental and economic benefits of development through an evidenced based approach.

The LPDF encourages its members to deliver well designed, high quality, sustainable places which deliver a mix of housing types and tenures, commercial spaces and community uses that have a positive social, environmental, and economic impact. Our key values include:

- Working in a positive and cooperative way with central and local government and key stakeholders, to deliver a planning system capable of supplying the homes and employment space we need.
- Promoting research and an evidence-led approach to policy development.
- Increasing the supply of new homes to meet demand and make home ownership a realistic possibility for all those who aspire to it.
- Ensuring that we build the affordable homes of all types and tenures that this country so desperately needs.

- Delivering new employment space to meet demand from businesses and support economic growth.
- Championing the impact of increased housing delivery on reducing intergenerational unfairness.
- Creating well designed, high quality and sustainable places to live and work.
- Educating and informing about the social, environmental and economic benefits of development.
- Supporting diversity of delivery in the market and championing SME developers.
- Promoting diversity and inclusivity within the sector.

**Conclusion**

While the LPDF supports the draft Norfolk Environmental Delivery Plan (EDP) as a positive step toward balancing nature recovery with housing delivery, it urges the government to accelerate the rollout of EDPs across all impacted catchments to relieve the disproportionate burden on housebuilders—particularly SMEs—and unblock housing growth. Ultimately, to succeed, EDPs must be expanded beyond nutrient neutrality to cover broader ecological priorities like recreational impact, SANG and species protection, to provide a clear, viable, and efficient process that reverses environmental decline without causing significant delays or prohibitive costs.

I hope that this response proves helpful and please do not hesitate to contact me if you wish to discuss any issues raised in greater detail.

Yours faithfully



Phill Bamford

Policy Director