

REPORT TO:	Planning Policy Committee – 18 March 2025
SUBJECT:	National Land Use Framework Consultation
LEAD OFFICER:	Mark Pengelly (Principal Planning Officer – Planning Policy & Conservation)
LEAD MEMBER:	Cllr Gill Yeates (Chair of Planning Policy Committee)
WARDS:	All
CORPORATE PRIORITY / POLICY CONTEXT / CORPORATE VISION:	
<p>The recommendation supports:</p> <ul style="list-style-type: none"> • Delivering the right homes in the right places; • Supporting our environment to support us; • Fulfilling Arun’s economic potential. 	
DIRECTORATE POLICY CONTEXT:	
<p>DEFRA are in the process of developing a national Land Use Framework that would create policies surrounding changes to land use taking a strategic spatial approach. The Land Use Framework will interact with other foundational strategies DEFRA are developing. These include the Environmental Improvement Plan, a 25-year roadmap for farming, and a food strategy. Whilst this is not a planning policy document, the Land Use Framework has the potential to have a significant impact upon work on the emerging Arun Local Plan as proposed allocations will need to take into consideration the land use implications and trade-offs between different land uses. It also potentially ties into the devolution and local government reorganisation agendas on the basis that the Framework is intended to take an approach that goes beyond the local district area.</p>	
FINANCIAL SUMMARY:	
Key Financial Considerations:	
<p>There are no direct financial implications arising from the consultation and Arun’s response to this at this stage. Should the Land Use Framework be implemented, any financial implications arising from the framework will need to form part of the budgeting setting processes and managed within budget constraints.</p>	

1. PURPOSE OF REPORT

- 1.1 This report is intended to set out the proposed Land Use Framework and the implications for Arun arising from this framework. The report further seeks agreement from the Committee to the draft consultation response to the Department for Environment, Food & Rural Affairs (DEFRA) on behalf of Arun District Council.
- 1.2 The consultation poses a total of 24 specific questions that the government is seeking views on and the proposed draft response on behalf of Arun District Council and covering letter are attached as Appendix 1 to this report. The final deadline to submit comments for the consultation is 25 April 2025.

2. RECOMMENDATIONS

2.1 That Planning Policy Committee resolves to: -

Agree the draft cover letter and responses to the 24 questions within the consultation as set out in Appendix 1 to this report, for submission to DEFRA, as being the formal consultation response on behalf of Arun District Council.

3. EXECUTIVE SUMMARY

3.1. DEFRA proposes to develop a Land Use Framework that, they say, could be used to help guide development within the whole of the UK as well as create better climate resilience and agricultural practices for the future.

3.2. In publishing a Land Use Framework, DEFRA is also stating that it is seeking to develop a toolkit to support decision making and inform discussion on how they can guarantee the UK's long-term food security, support development, and achieve the targets on nature and climate, which they feel will deliver multiple benefits and support economic growth.

3.3. The stated aims of the consultation are to get feedback from a variety of sources including local authorities, land managers, farmers and private developers (among others), to set out a direction for England's land use. The Framework's vision is to:

- Make space for nature recovery, water, and emissions reduction.
- Support sustainable and resilient food production.
- Deliver new infrastructure and housing.
- Fix the foundations for resilient long-term economic growth.
- Co-create plans for delivery.

3.4. The government state that the Land Use Framework is intended to interact with other foundational strategies DEFRA are developing. These include the Environmental Improvement Plan, a 25-year roadmap for farming, and a food strategy. Across government, the Land Use Framework is proposed to support sustainable growth, interacting with the Strategic Spatial Energy Plan as clean power is accelerated to 2030, and driving the ambition to build 1.5 million new homes. The consultation says this is critical to the delivery of this Government's missions, and the long-term prosperity of our country.

4. DETAIL

- 4.1. It should be noted that this is a consultation from DEFRA only and is not a consultation from MHCLG (the department responsible for Planning). There is limited reference to planning within the consultation and nothing that would indicate that government policy on this issue will be changed. It should also be noted that this consultation has been published only a few weeks after the government published a new NPPF that removed the specific reference to agricultural land for food security being a consideration when deciding on where housing should be located. The consultation does state that it is not intended to replace the planning system and that the information is to inform decisions, not impose them.
- 4.2. It is intended that the Framework will be published in 2025 and will include:
- Principles that Government will apply to policy with land use implications.
 - A description of how policy levers will develop and adapt to support land use change.
 - A release of land use data and analysis to support public and private sector innovation in spatial decision making, and the development of tools to support land managers in practice.
- 4.3. The evidence base that underpins this consultation is designed to be a basis for wider reform that includes a Farming Roadmap, a Food Strategy and the review of the Environmental Improvement Plan.
- 4.4. The proposed timeline for the development of the Land Use Framework is set out in Figure 1, below.

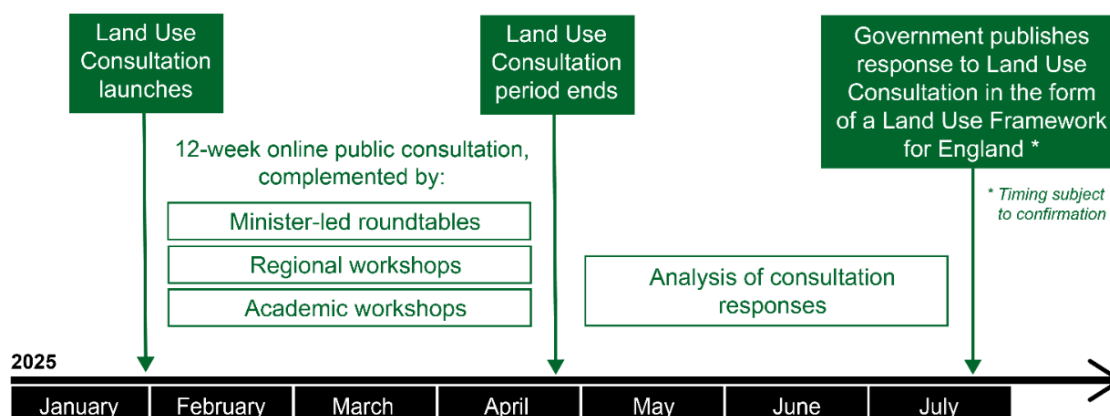


Figure 1: Timeline of key milestones and activities in the Land Use Consultation process

4.5 This Land Use Consultation seeks to take a long-term view of English land use. The government recognises there are practical delivery challenges and opportunities faced by communities, businesses, developers, landowners and farmers today. To address these, some proposed policy changes have been developed for land use challenges under four themes:

- Aligned incentives
- Joined-up decisions
- Accessible and high-quality data; and
- Skills.

4.6 Figure 4 (below), taken from DEFRA's consultation documents, details the anticipated changes to land use by 2050 and describes their different categories. This is further visually represented in Figure 5.

Figure 4: The approximate percentages of England's total agricultural land area that our analysis shows may need to change in use or management by 2050^[4].

<p>Category 1 – Land management change Changes in the way the land is farmed, without introducing new habitats or planting trees. It falls outside of the scope of land use change discussed in this document.</p> <p><i>Examples: Planting cover crops to reduce soil loss, or reducing fertiliser use to prevent water pollution.</i></p>	<p>Not in scope</p>
<p>Category 2 – Small changes maintaining the same agricultural land use Introducing nature within fields, in margins and / or small portions, providing environmental and climate benefits alongside food production.</p> <p><i>Examples: Arable field margins, riparian features such as river buffer strips.</i></p>	<p>1% (50kha)</p>
<p>Category 3.1 – Changes in agricultural land use, for both food and environmental / climate benefits This is mainly about incorporating more trees alongside food production.</p>	<p>4% (370kha)</p>
<p>Category 3.2 – Changes in agricultural land use, mainly for environmental and climate benefits with limited food production. The land is being farmed mainly for other benefits than food.</p> <p><i>Examples: Creation/restoration of species-rich grassland habitats; responsible management of peat; planting of short rotation coppice.</i></p>	<p>5% (430kha)</p>
<p>Category 4 – Change away from agricultural land, for environmental and climate benefits. Land use becomes non-agricultural. Land is fully dedicated to delivering environmental and climate benefits.</p> <p><i>Examples: Restoration and maintenance of peat-forming and peat-dependent habitats; creation of woodland; creation / restoration of coastal and lowland heathland habitats.</i></p>	<p>9% (760kha)</p>

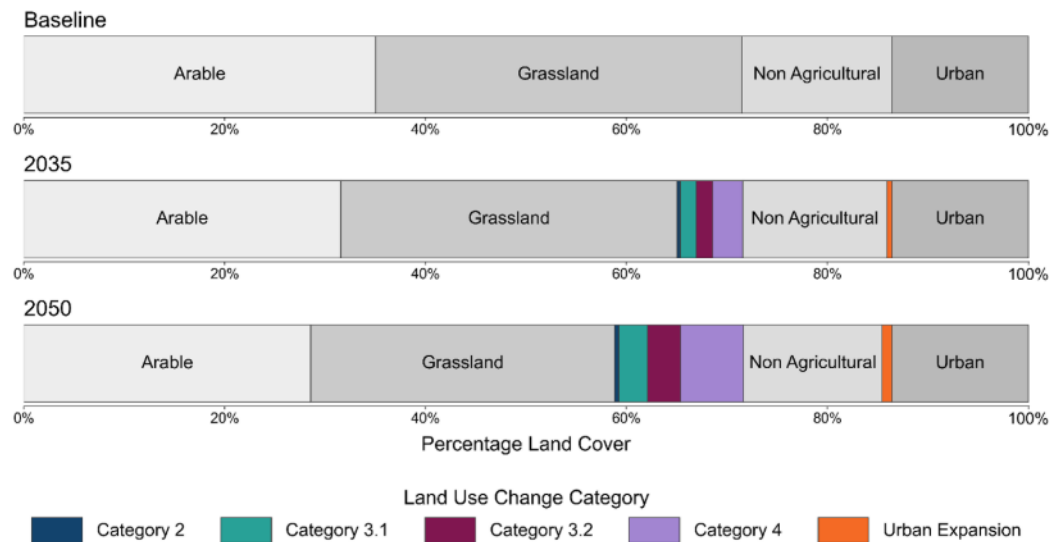


Figure 5: Estimated type and extent of land use changes needed to 2035 and 2050. Categories of land use change are defined in Figure 4 and the Analytical Annex^[9].

5 IMPLICATIONS FOR ARUN

5.1 The aspirations and principles behind the proposed National Land Use Framework are generally considered positive, however, they appear to be at odds with some of the other recent legislative updates coming out from central government. These include the recently published National Planning Policy Framework 2024 (NPPF), and the English Devolution White Paper 2024.

5.2 In terms of the NPPF as per paragraph 11:

“Plans and decisions should apply a presumption in favour of sustainable development.

For plan-making this means that:

b) strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas⁶, unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area⁷; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”

Footnote 7 states that:

“The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 194) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, a National Landscape, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 75); and areas at risk of flooding or coastal change.”

5.3 It is noted that no reference to agricultural land is made within footnote 7, which is the primary concern of the Land Use Framework. Furthermore, whilst footnote 65 of the NPPF does still refer to agricultural land, stating

“Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality.”

the 2024 revisions to the NPPF deleted the specific reference in the December 2023 version to the role that agricultural land plays in food production. In Arun's response to the July 2024 consultation on proposed reforms to the Planning System, the council made it clear it felt that removing specific reference to food production was unnecessary and short-sighted given global instability in areas that make a substantial contribution to the world's food demand and could undermine the UK's food security. The council argued that removal of this part of the footnote would further reduce the weight afforded to the protection of higher-grade agricultural land and will lead to it being targeted by developers. However, these concerns were ignored.

- 5.4 Further, the reference to exceptional circumstances (with agricultural land and food production potentially being one such circumstance) possibly justifying a lower housing requirement figure, was also removed in the 2024 NPPF. The consultation is clear that it seeks to deliver something that will 'support' the delivery of 1.5 million homes, though, in Arun's case, it is difficult to understand how the protection of agricultural land for food production and delivering such enormous housing numbers goes hand in hand. There have been multiple appeals in Arun in recent years where the loss of agricultural land has been quickly outweighed by the need to provide housing, and even the loss of the highest quality Grade 1 (Excellent Quality) land has only been afforded 'moderate weight' in at least two recent appeal decisions relating to housing. The revisions to the NPPF further reduce the weight afforded to the protection of agricultural land.
- 5.5 The proposed rollout now of a Land Use Framework, therefore, seems to be at odds with the NPPF and does not appear to represent joined up thinking on the part of central government. Clarity on how these two documents (NPPF and Land Use Framework) are intended to work alongside each other is essential and is currently absent.
- 5.6 In terms of the English Devolution White Paper, it could be argued that DEFRA's proposed new Land Use Framework is aligned with the overall principles, in that it is seeking to look at land use at a more strategic, regional level, as opposed to decisions on the release of land being taken at the district/borough level only. Nevertheless, the timing does not seem appropriate as local authorities in Sussex are currently in the process of gearing up for the new combined authority and making decisions about how larger Unitaries may be formed.
- 5.7 Accordingly, it is considered rather premature to expect a strategic approach to land use until such time as the new combined authority is in place and the structure, size and administrative boundaries have been decided. It would seem to make sense to pause rollout of the Land Use Framework for the time being.

- 5.8 In addition, the clear message coming out from MHCLG over the past few months is that all authorities should be progressing their own Local Plans at pace to help deliver the government's promised 1.5 million new homes (370,000 per year). This will necessarily involve many very local decisions over the next few years on releasing greenfield land (much of it likely to be in agricultural use) for new housing allocations and this goes against the suggestion in the consultation on the Land Use Framework that these decisions should be made at a more strategic level.
- 5.9 Furthermore, the way the new standard method for calculating housing need was derived was based on the premise that all authorities in England should 'take their share' of new housing, notwithstanding any physical constraints as may be present, and was presented as a mandatory target. The circumstances under which a local authority could seek to justify including a Local Plan housing target lower than that derived from the new standard method certainly did not include reference to where it would lead to the loss of higher-grade agricultural land or impact on food production. This is a further area where there, sadly, appears to be a lack of joined up thinking across government departments.
- 5.10 The recent messaging from MHCLG, combined with the proposed changes to inheritance tax relief available for agricultural property is likely to encourage more landowners to put agricultural landholdings forward for housing or other uses, which seems to run directly contrary to what this DEFRA Land Use Framework is purporting to be seeking to achieve.

6 NEXT STEPS

- 6.1 The proposed responses on behalf of Arun District Council to the 24 questions asked in the consultation, together with a cover letter setting out our general observations of the Framework are included in Appendix 1, and reflect the broad comments based on the information in this report.
- 6.2 Subject to the decision of the Planning Policy Committee, and any agreed revisions to the responses, these will be sent to DEFRA before the consultation period ends on 25 April 2025.

7 CONSULTATION

- 7.1 None undertaken.

8 OPTIONS / ALTERNATIVES CONSIDERED

- 8.1 To decide not to respond to this consultation - this option was dismissed on the grounds that the implications of the Land Use Framework could be far-reaching for Arun and our residents, and it was, therefore, considered preferable to engage fully with the consultation process so that the views of the Council can be taken into consideration in the final, published Framework.
- 8.2 No other options or alternatives were considered.

9 COMMENTS BY THE GROUP HEAD OF FINANCE/SECTION 151 OFFICER

9.1 There are no direct financial implications arising from the consultation and Arun's response to this at this stage. Should the Land Use Framework be implemented, any financial implications arising from the framework will need to form part of the budgeting setting processes and managed within budget constraints. This is due to the potential for additional consideration or technical studies requirements that may inform the emerging Arun Local Plan.

10 COMMENTS OF THE GROUP HEAD OF LAW AND GOVERNANCE & MONITORING OFFICER

10.1 There are no governance or legal implications arising for the recommendation in this report.

11 HUMAN RESOURCES IMPACT

11.1 None.

12 HEALTH & SAFETY IMPACT

12.1 None.

13 PROPERTY & ESTATES IMPACT

13.1 None arising directly from this consultation.

14 EQUALITIES IMPACT ASSESSMENT (EIA) / SOCIAL VALUE

14.1 None.

15 CLIMATE CHANGE & ENVIRONMENTAL IMPACT/SOCIAL VALUE

15.1 The recommendations do not have direct implications to climate change arising from this report, although should the Framework be rolled out, the proposed land use changes and framework will, inevitably, have some in climate change and environmental impacts.

16 CRIME AND DISORDER REDUCTION IMPACT

16.1 There are no direct adverse implications for crime and disorder.

17 HUMAN RIGHTS IMPACT

17.1 None.

18 FREEDOM OF INFORMATION / DATA PROTECTION CONSIDERATIONS

18.1 None.

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BACKGROUND DOCUMENTS:

Appendix 1 - Land Use Consultation 2025 Questions and Proposed Answers