

# Response to consultation on the Environmental Outcomes Report

**FAO:**

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Dear Member of the Environmental Assessment Reform Team,

We are grateful for the opportunity to respond to the consultation on Environmental Outcome Reports.

We write on behalf of the TRUUD Research Consortium (Tackling the Root causes Upstream of Unhealthy urban Development), funded by the UK Prevention Research Partnership (website provided below). TRUUD focuses on the prevention of non-communicable diseases linked to urban and planetary environmental factors. We are working with hundreds of decision makers and communities and involving a wide range of disciplines, including public health, planning, economic modelling, law and others. We are mainly property and transport focused, but include all other supporting infrastructure, including essential food, energy, water and waste systems while projects and plans include, for example, housing and site allocations, urban extensions, spatial plans, and city-region transport strategies.

We have responded to the consultation questions below, but wanted to particularly emphasise the importance of integrating health into the EOR process in this covering letter.

In particular, we suggest that your reforms offer a rare opportunity to move beyond the limited areas of application of the EIA and SA/SEA frameworks, and to ensure both health and environment is fully and clearly incorporated into decision making at root cause decision points. This is an essential part of levelling up, given the importance of health in that agenda and the close connection between human health and the environment. Though health is acknowledged in your approach, we suggest that it needs to be comprehensively and explicitly provided for in the EOR system. Importantly this means not just reactive healthcare, but prevention of ill-health, including a clear focus on non-communicable disease, which are linked strongly to environmental factors. Some of these issues are already acknowledged (e.g. air pollution and respiratory illness, access to nature and mental health, noise), but it is essential for the effective operation of the system that they are comprehensively integrated. For example, we suggest health ought to be part of the principles which guide

development of the EOR, and further, suggest that this could be made explicit by adding 'health' to the title: e.g. Environment and Health Outcomes Reporting (EHOR). We provide further details below, and are also able to provide example data and a newly developed quantitative valuation model that can support this.

We agree to be contacted, and would be happy to expand on the points made below if needed. Beyond this, we would welcome the opportunity to engage further in the consultation process, and would be happy – for example – to assist in convening a roundtable with our research teams to discuss our work and to assist in any way we can in the development of the work you are undertaking.

Yours sincerely,

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**Attached:**

- *Response to questions*
- *Summary Statement*
- *References*

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## **Responses to questions**

## Question 1: Do you support the principles that will guide the development of outcomes? [Yes/No].

No, not in the current form. We suggest adding the following principles, and give supporting justification using the same bulleted numbers. We would welcome further discussion on how to develop and embed through the detail of the EOR regime.

Outcomes should:

1. Drive the achievement of human health outcomes given the inextricable dependence of health on the environment (and linked cost implications)
2. Be applicable to all plans at all levels – especially, upstream/root cause factors regardless of sector - that impact on environmental and health outcomes
3. Include the social and economic impacts where they impact on from current and future environmental and health impact
4. Be rooted to both the ‘Precautionary’ and the ‘Polluter Pays’ Principles, for example by giving much greater weight to ‘avoidance’ over and above ‘mitigation’ in the mitigation hierarchy, with ‘compensation’ being undesirable
5. Be designed using the knowledge of those *affecting* and those *affected by* development plans or projects
6. Be applicable to both: i) mixed-use places for people (i.e. proposed new neighbourhoods or plans for existing town or city areas), as well as ii) large-scale single-use infrastructure projects (e.g. nuclear, motorways), which require different approaches to assessment.

Supporting justification:

1. Town planning and infrastructure development is also inextricable linked to public health (e.g. McManus, 2022): our health is dependent on our environment (local and global) health (e.g. Haines and Ebi, 2019; Black et al, 2022). It’s encouraging to hear (in 4.9) that consideration will be given to *“how we can best use EORs to achieve health related outcomes”* and that *“this will be subject to further policy development”*.
2. We agree that these environmental (and health) challenges are complex (e.g. Black et al, 2021; Black et al, 2022) (e.g. land availability assessment and site allocations, given impact on car use; regulation of real estate investment to prioritise longer term health and environmental outcomes and issues of affordability)
3. For example, (3.8) we agree that *“SEA has been expanded to include social and economic considerations”* and that this *“has resulted in duplication and overlap”* in some instances. However, there are very significant interrelationships between social, economic and environmental elements that require full consideration in the round. If elements are considered in isolation, linked issues can get missed such as the health co-benefits of climate action (e.g. Haines, 2017) or the inefficiency of specific forms of economic development in terms of social or environmental outcomes (e.g. investing in increased car usage over walking and cycling and ‘good’ densification of urban areas).
4. Given the long-established enshrining of these concepts in to environmental practice, it is remarkable that these are not included in the principles provided. We appreciate they present issues of uncertainty and potential risk aversion (3.10-12), which the document

seeks to address. They are nonetheless of fundamental importance, especially given the limited improvement from EIA through reactive mitigation hierarchy (e.g. Jacob et al, 2016) and the need to strengthen its first stage (e.g. Phalan et al, 2017). Improving environmental and health outcomes is a complex challenge that requires working with incomplete data sets and unknowns: qualitative data, expert opinion, trust and transparency are needed, alongside new methods of decision-making under uncertainty. This is acknowledged in the document (4.19): *“certain outcomes may not be conducive to a quantitative metric and agreed assessment methodologies that draw on qualitative assessment, using professional judgement, may have to be used”*. These methods need to be developed prior to enacting the new regime.

5. Further clarity and detail are therefore needed to ensure early impact assessment at root cause decision points, to enable strong policy and legislation, and efficient development where appropriate, and hence our recommended Principle 2, which Principle 4 would also underpin.
6. When addressing the complex challenge of environmental degradation (and impact on human health), stakeholders involve both those affecting as well as those affected by development plans or projects (e.g. Bammer, 2013; Black, Bates et al, 2023). Not specifying the *“sector groups and environmental experts”* or the *“organisation responsible for monitoring overall progress of specific outcomes”* (3.1) is problematic as these choices could lead to wildly varying outcomes. The process for stakeholder identification and involvement must be clear and should include consideration of future generations and those with less ‘voice’. A clear rationale and process is needed on stakeholder identification and the process of involvement. We appreciate that there are no specific plans or projects that this EOR proposal relates to, but it should be possible nonetheless to agree and make transparent how the stakeholder group was identified and on what basis, and how they were involved.

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## Question 2: Do you support the principles that indicators will have to meet? [Yes/No].

No, not in their current form. We suggest one additional principle and add further justification.

(4.18) Indicators must be:

- sufficiently comprehensive to ensure comprehensive coverage of environmental and health issues, regardless of regime, and linked upstream factors.

It may go without saying, but indicators (as per paragraphs 4.15 to 4.20), *“such as physical surveys and population counts”*, do not provide sufficient detail alone for a full understanding of environmental impact. As this document states, while *“a lot of environmental data exist(s); it (is) not necessarily of the type or standard required to resolve of manage the impacts”* (3.17). In relation to climate change for example, this document also states (4.26) that it is *“not always directly, or effectively, measurable in itself”*. For example, our research, which involved systematic reviews of the health impacts from buildings, transport, natural environment, neighbourhood design and food suggests there is far more data on air pollution, for example, than on many other indicators (e.g. overheating) (Eaton et al, 2023; Black et al, 2021; Ige et al, 2018; Ige et al, 2018). We agree strongly therefore with your following statement: *“certain outcomes may not be conducive to a quantitative metric and agreed assessment methodologies that draw on qualitative assessment, using professional judgement, may have to be used”* (4.19).

On specific points:

- It currently reads as if, *in total*, the indicators must be “*clearly and directly relevant to one or more priority outcomes*”. It should be made clear that it is ‘*each indicator*’.
- The principles are reliant on future unknowns. (4.15) refers to a “*national indicator set...based on existing indicators as far as possible and will be nationally set and agreed. Indicators will be set out in guidance.*” For these principles to be meaningful, these uncertainties need to be addressed. We would welcome discussion about how to develop the ‘*clear methodology and guidance*’.
- It’s not clear whether important areas are being covered. With regards the principle that they should be “*drawn from existing data sets, wherever possible*” and “*evidence based*”, see points above and below about data gaps, decision-making under uncertainty and new principles needed.
- Views on proportionality vary significantly and depending on individual world view - clarity needs to be developed through further detailed design.
- In relation to the need for it to be evidence based, we agree, but would add that it should be explicitly acknowledged in the principles that new methods for decision-making (with limited data and under uncertainty) are needed.
- We appreciate that the list of potential matters (4.9) are incomplete, given that they reflect the elements of the Environmental Improvement Plan and that other matters will be picked through regime specific outcomes. However, there is a significant risk that critical environmental and health matters will not be picked up without clearer guidance. See new principle above.
- Unaddressed issues of cumulative impact (in 4.13).

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### Question 3: Are there any other criteria we should consider?

Yes. From the point of view of large-scale mixed-use development proposals (e.g. housing and land allocation proposals, urban extensions, spatial plans) we provide here below some preliminary suggestions, drawing on the Health Map (Barton et al, 2006), which links human health to local and global environment through the lens of urban planning.

An additional example can be found in Eaton et al (2023 – Figure 1) showing how the seven main categories and the 23 sub-categories of the Health Map can be collated, for example, in to five areas of urban form - natural environment, buildings, neighbourhood design, transport and food - for systematic review. This led to identification of 170 quantifiable impact pathways.

The Environment Improvement Plan does mention urban areas, but covers only a few of the issues linked to town or city built development, and these tend to be those linked to natural elements only: e.g. air pollution, overheating and trees, access to nature, walking and cycling. However, environmental impacts are felt from multiple other elements (e.g. quality of buildings, quality of food and drink made available, spatial location of development, mode of transport, provision of amenities). This is especially concerning given the section on housing (3.9). For example, our research identified 170 urban environment characteristic-health impact pathways linking 26 broad categories of urban form and their environmental and health outcomes (Eaton et al, 2023).

Table 1: Example of suggested additional criteria based on the Health Map, focusing on urban development (e.g. mixed-use or large-scale housing / property proposals)

EOR Criteria	Health Map	Additional example suggested criteria (for mixed-use, large-scale housing/property development)
Biodiversity	<b>Global Ecosystem</b>	Carbon mitigation
Air quality	Climate stability	Carbon adaptation
Landscape and seascape	<i>Biodiversity*</i>	Green & blue infrastructure
Geodiversity, soil and sediment	Natural Environment	Buildings
<i>Noise and vibration*</i>	<b>Natural Habitats</b>	Public realm (places for people)
Water	<i>Air*</i>	Streets (people prioritised)
<i>Waste*</i>	<i>Water*</i>	Routes (motor transport minimised)
<i>Cultural heritage and archaeology*</i>	<i>Land*</i>	Provision and access to...
	<b>Built Environment</b>	...work
	Buildings	...shops
	Places	...amenities
	Streets	...education
	Routes	Healthy mix (of tenures, ages, ethnicities)
	<b>Activities</b>	Healthy food and drink
	Working	Walking and cycling
	Shopping	Public Transport
	Moving	Sports
	Living	
	Playing	
	Learning	
	<b>Local Economy</b>	
	Wealth creation	
	Resilient Markets	
	<b>Community</b>	
	Social Capital	
	Social networks	
	<b>Lifestyle</b>	
	Diet-nutrition	
	Work-life balance	
	Physical Activity	

On specific points:

- Further detail is needed of the criteria to be covered by each regime (4.10).
- Given (4.20) suggests that each regime will produce their own guidance, detail is needed on how this multiplicity of new guidance will '*simplify and streamline*' as set out in the Foreword (see suggested new Principle 2 in Q1).
- We would welcome involvement in the working group to develop this (4.21).

## Question 4: Would you welcome proportionate reporting against all outcomes as the default position? [Yes/No].

Yes, though there is nuance in the response:

- (4.22) *“Each environmental assessment regime will be able to use the powers in the Bill to develop their own tailored approach to assessment”*. While we can see that this may lead to a potential improvement, it also flags multiple unknowns and risks and has the potential to increase bureaucracy without achieving the stated environmental benefits. See responses to 4.20-21 above.
- (4.23) *“Users told us that the scoping process is driven by fear of legal challenge, and this is preventing all parties from reducing what issues are included in the assessment.”* While we can see this being an issue, it’s difficult to make clear judgement on this without knowing which users: developers, departments or environmental specialists?
- (4.23) With regards to testing *“an approach where applicants report on the performance of projects or plans against all relevant outcomes on a proportionate basis”*, the key words here are ‘relevant’ as well as ‘proportionate’. How will relevance and proportionality be determined?
- (4.23) What is *“a minimal assessment”*?
- (4.23) We would agree that it *“will be rare that outcomes are not relevant at all”*, and so the ‘scoping out’ process is critical.
- (4.24) While we agree there can (and should) be efficiencies/improvements made to environmental assessment, a focus primarily on resources and time-saving prioritises those rather than environmental outcomes.

## Question 5: Would it be effective in reducing bureaucratic process, or could this simply result in more documentation?

It’s not clear whether it would or not as it depends on the details.

## Question 6: Given the issues set out above, and our desire to consider issues where they are most effectively addressed, how can government ensure that EORs support our efforts to adapt to the effects of climate change across all regimes?

- By expanding explicitly and comprehensively across other strategies (e.g. climate, physical health, mental health, inequality). In (4.25) the proposal references *“Biodiversity Net Gain and Local Nature Recovery Strategies”*, which imply a limited and mainly rural focus.
- By including our new suggested Principles (see Q1 above), for we fully agree with the statements in (4.26): *“not a single issue but complex network of interconnecting considerations...many different considerations and is not always directly, or effectively, measurable in itself.”* We would welcome involvement in developing the approaches needed.



- By clarifying key principles, criteria and recommendations as set out in this response. It is to be expected that *“the definitions in the Bill are broad”* (4.27), but there is considerable risk we could end up with worse environment and health outcomes if these changes are not designed correctly.
- By engaging in a thorough review of (4.29) *“how EORs could be used effectively to help support efforts to reduce the carbon impact of development”*, which we would welcome involvement in. This is especially important for mixed-use property development given carbon resulting from, e.g.: property construction, motorised movement of goods and people, energy used in housing and utilities.
- By adhering to the new Principles we suggest – see Q1 above – in particular Principle 2 and focusing impact assessment upstream and at other key areas, and developing details further.

We would agree with the statement *“Matters of importance...such as climate change are most effectively addressed through strong legislation and policy”* (4.31) However, the document appears to suggest that climate change (and other similar matters of importance) *is* being addressed *effectively* through legislation and policy. Given significant evidence to the contrary, and the very significant risks, we suggest that there is a need for greater focus on impact assessment upstream (e.g. see Black et al, 2023, on perverse economic incentives promoting food waste).

This position statement (4.31) also reduces the critical role of impact assessment in planning and projects downstream, which should not be forgotten, even if they can be made more efficient.

In addition, of the mechanisms specified – planning policy and building regulations – there are specific issues.

- *Building Regulations*: while we welcome the recent and significant improvements to Part L (fuel and power) and Part F (ventilation) (HM Gov, 2021), at the building level, there are outstanding issues regarding airtightness and ventilation (Passivhaus Trust, 2021) and performance gap, unregulated energy and embodied carbon (UKGBC, 2019). Building Regulations are also just one part of a much larger picture, and there is the outstanding issue mentioned of cumulative impacts from smaller developments.
- *Planning policy*: Re: (4.32) In theory, the National Planning Policy Framework sets out what is expected, but in practice it’s far from clear. A central issue, from an environmental outcomes perspective, are: a) the interpretation of what is ‘sustainable’, and b) the issue of a lack of quantifiable data on socio-environmental outcomes and pathways to impact. The net result is that quantifiable, economic outcomes dominate the less easily quantifiable social and environmental outcomes. This clearly is a major barrier to effective EOR, which requires further development.

We agree also that *“effective resources and waste management policy, and the move towards a circular economy will also play an essential role in our transition to net zero.”* It’s encouraging to see that the National Planning Policy for Waste (NPPW), supported by the Waste Management Plan for England, acknowledges that *“positive planning plays a pivotal role in delivering the country’s waste ambitions...by driving waste management up the waste hierarchy.”* Our recent research strongly supports the waste hierarchy by providing evidence showing the much greater socio-environmental impacts to be had from reducing waste upstream, compared with recycling downstream (Eaton et al, 2022). However, we also use macro-valuation and scenario modelling to test city waste reduction targets, which suggest there are major structural barriers and perverse incentives encouraging waste (Black et al, 2023), hence the recommendation for impact assessment upstream at root cause.

## Question 7: Do you consider there is value in clarifying requirements regarding the consideration of reasonable alternatives? [Yes/No].

Yes. However, see Q8.

## Question 8: How can the government ensure that consideration of reasonable alternatives is built into the early design stages of the development and design process?

- By clarifying how strategic and project assessment will be better aligned (5.1).
- By undertaking a review of why *“assessment of cumulative effects has been challenging and ineffective, particularly at the project level”* (5.3) For example, should EORs be applied to national and regional plans, as well as local? We therefore welcome that *“The government is exploring how we can maximise the utility of this cumulative effects assessment at the strategic or plan level.”*
- By focusing on issues of communication. We would agree that reports can be *“too long and complicated”* and that *“important details can be buried in technical appendices. Uncertainties in the science or data or in implementation are not clearly identified and not clearly expressed”* (5.4). We would also agree that *“Many find the size of reports daunting, methodologies difficult to follow and conclusions on the ‘likely significance’ of an effect subjective, vague and non-committal.”* Singh et al (2020) is cited in support of this statement, but that same paper also goes on to recommend that *“the EIA process could be improved by adopting more rigorous assessment methodologies and empowering regulators to enforce their use”*, which appears at odds with the argument presented for needing a more simplified assessment through EOR.
- By clarifying (5.7):
  - How *“a short, high level, summary of how reasonable alternatives and the mitigation hierarchy were considered early in the development of the project”* will deliver on improved environmental outcomes (e.g. by providing more clarity on the mechanism for consideration of reasonable alternatives and mitigation hierarchy processes).
  - What *“residual effects”* will be acceptable and how these will be mitigated.
  - How assessment will take into account incomplete/imperfect data of *“the current baseline and relevant trend”* and what is meant by ‘relevant’. We therefore welcome that there will be a *“commentary on levels of uncertainty for that data or indicator set”*, though it’s not clear how quality will be assured. We also welcome that there is a section setting out the *“summary of the contribution of the cumulative effects”*, though see above point about confusion and lack of understanding in relation to cumulative impact (5.3), which would likely continue to be the case.
- By relating comprehensively (5.8-9) *“the underlying technical analysis and reports should identify the effects of the plan”* to the criteria agreed (see Q3 on criteria and gaps).

- By underlining how crucial it is to consider early and upstream “*alternative sites for a development project proposed for a particular site*” (5.11) given how inherently unsustainable many site locations are (e.g. away from high quality public transport where car use becomes inevitable). Lack of strategic planning leads to conflict and waste of resources. See newly suggested Principle 2 again.
- By strengthening (in 5.13) the requirement for “*plan-makers and developers to provide a summary record of their decision-making on alternatives*” by making it clear on what they will need to base their decisions, and the process for review.

## Question 9: Do you support the principle of strengthening the screening process to minimise ambiguity?

Yes, though perhaps a more pertinent question is whether the screening process is effective in helping achieve environmental outcomes. We provide comments below to expand on this.

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## Question 10: Do you consider that proximity or impact pathway to a sensitive area or a protected species could be a better starting point for determining whether a plan or project might require an environmental assessment under Category 2 than simple size thresholds? [Yes/No].

No, though it depends on the context. By focusing only on a protected species, for example, there is the danger of prioritising one environmental (and health) outcome at the expense of another.

## Question 11: If yes, how could this work in practice? What sort of initial information would be required?

By requiring a comprehensive appraisal of environmental and health issues. On specific points:

- Re: (6.2) the proposal to require environmental assessment for “*all projects in, or partly within, sensitive areas such as protected sites*” should be seen as a bare minimum and essential. It should not be the only criteria given that protected sites cover only a very small amount of our environment: they are the last remaining vestiges of a highly depleted natural world, especially in the UK, and not the only environmental issue (RSPB, 2021).
- By clarifying how (in 6.2) the following will be quality assured “*the greater the potential impact on the environment, and the greater the probability that the plan or project will require an environmental assessment*”.
- By clarifying and providing reassurance on the screening process. A major issue is how effectively these issues are being addressed further upstream (Black et al, 2021).

## Question 12: How can we address issues of ineffective mitigation?

This is a complex challenge. We would welcome the opportunity to discuss this further to assist in development of this area.

First and foremost, by employing the new principles suggested and by addressing critical issues upstream, the need for mitigation downstream should be greatly reduced. How this is to be achieved needs clarification.

## Question 13: Is an adaptive approach a good way of dealing with uncertainty? [Yes/No].

No, by that point it is too late and only marginal mitigation is usually possible. (7.8) suggests that it is possible “*in response to greater certainty on effects following implementation*”, but that would give license to weaker action in advance, which has the potential for much greater efficiencies.

## Question 14: Could it work in practice? What would be the challenges in implementation?

It seems highly unlikely to work well as, once implemented, retrofitting costs would be prohibitive and it would lead to significant waste of resource and time on both sides.

On specific points:

- (7.1) Your first statement is correct and supports the points made above about lack of data and the need for the Precautionary Principle: “*The environment is a complex system and we do not have full knowledge about how it works. This makes it hard to be certain of the effects of future plans or projects on it.*”
- An explanation of why (in 7.4) ‘compensation’ has replaced ‘rehabilitation/restoration’ and ‘offset’.
- By underlining the critical importance of ‘avoidance’ over and above ‘mitigation’, and making clear that ‘compensation’ is highly undesirable. (7.7) The following statement is important, but only true if avoidance is applied well: “*There are significant and widespread benefits from applying the hierarchy early, including reductions in costs and delays to developers associated with unplanned remedial work resulting from an unacceptable environmental impact or legal challenge.*”
- (7.10) All infrastructure has environmental impact. We therefore suggest removing ‘at times’ and replacing with “*Mitigation measures will not be able to address the full range of environmental impacts.*”

## Question 15: Would you support a more formal and robust approach to monitoring? [Yes/No].

Yes, though resourcing this should not be at the expense of preventing environmental outcomes up front. It is much better to prevent the harm in the first place, than monitor it after it has happened.

## Question 16: How can the government use monitoring to incentivise better assessment practice?

By reviewing outcomes against key principles, and developing those new methods mentioned above to account for complexity, uncertainty, and lack of data. Given urgency of climate and biodiversity crises, these feedbacks need to be regular, perhaps annual.

## Question 17: How can the government best ensure the ongoing costs of monitoring are met?

The most cost-effective way would be by preventing the harm effectively in the first place, which would reduce the very significant costs of: remediation, monitoring, enforcement, etc. Effective application of the new principles and recommendations we've made, alongside consideration of alternatives and forward thinking, impact assessed national and regional policy (e.g. in steering us towards infrastructure that is good for human and planetary health).

## Question 18: How should the government address issues such as post-decision costs and liabilities?

First and foremost, by taking every possible step to avoid them in the first place. See above points.

The use of 'planetary health' escrow accounts may help if the costs can be accurately estimated, but that seems highly unlikely and also fraught with issues. As (8.9) underlines, it's not just the issue of costs, but also access to the polluter after implementation: *"The government will explore the range of options for securing the resources required to take remedial action, such as when a developer is no longer present, or a shell company has dissolved."*

Also as above, the focus in (8.6) on monitoring is understandably appealing, but the danger is that it 'kicks the can down the road'. We do need *"better access to robust environmental data which could be used to inform future assessments"*, but it will never be perfect and we need to make healthy decisions now.

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## Question 19: Do you support the principle of environmental data being made publicly available for future use?

Yes

## Question 20: What are the current barriers to sharing data more easily?

The issue is not just about sharing of data, but the inherent gaps in data and limits of quantifiable data.

Under (3.17) and *Issues with data*, we agree that there is a “*lack of relevant, accessible, robust and quality assured data*” and that “*a lot of environmental data*” exists; but is “*not necessarily of the type or standard required*”. We also agree that “*interactions and inter-dependencies*” are critical and not just between habitats and species, but across all elements (e.g. impact of unhealthy housing, food and drink on health and environment). We appreciate that “*obtaining robust baseline data has been challenging*”. Given these issues with data, there is need for good decision-making under conditions of uncertainty (e.g. Heal and Millner, 2013; Klima, 2019) – see section on the need for qualitative data in response to question 1 (4.19).

This links to the suggestions made above on the need for qualitative data and expert opinion. Though it comes with uncertainty, so too does quantifiable data and so should not rule it out. For example, there is significant and increasing evidence of the links between environmental degradation and human health (Haines and Ebi, 2019), and we are aware of very significant future risks from climate and biodiversity crises, but the full range of these impacts are still unknown and we can not predict or quantify them easily, particularly in relation to piecemeal project development.

Given the issues with data, it is not always the case that it will e.g. (9.6) “*Deepen our understanding of the state of the environment*” – it depends on what data is available and how the overall picture is balanced with clear understandings of unknowns.

## Question 21: What data would you prioritise for the creation of standards to support environmental assessment?

Every context is different, and so to prioritise certain environmental data sets would be to miss the bigger picture. In planning there is the concept of the ‘weight’ of evidence. This should take in to account all evidence. So we would suggest that the premise (in 9.10) that “*the evidence needs of assessment can be large, so we will need to prioritise certain data sets*” should not be the case.

If a proxy data set is essential, that would simplify all other data, then that would need to be a balanced view taken by *trusted* experts as well as those affected by the proposals (including those with limited ‘voice’ and future generations).

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## Question 22: Would you support reporting on the performance of a plan or projects against the achievement of outcomes? [Yes/ No].

Yes

## **Question 23: What are the opportunities and challenges in reporting on the achievement of outcomes?**

The opportunity is the ability to prove the effectiveness of all this work. The challenge is that outcomes are vague, data is incomplete and, if this EOR initiative is ineffective, environmental (and health) outcomes will be worse.

On specific points:

- (10.2-3) We would welcome sight of the detail of the reporting.
- (10.4) Table 2 does not show the main differences, which would include pros and cons of both sides. This table only shows the negatives of the current system against the positives of the EORs. As such, the table appears to be a promotional device, rather than a useful comparison.

## Summary Statement



## Summary Statement

The following statement highlights the critical points for those unable to read in full, and provides additional principles to guide the development of outcomes:

- **Supportive, but with significant concerns:** We are supportive of improving assessment mechanisms, but there is a significant risk that these changes will result in worse environmental (and health) outcomes without significant additional work. We explain why in detail in the response.
- **Health gap:** Human health is dependent on our environment. Though health is acknowledged, it does need to be comprehensively included. And this means not just reactive healthcare, but prevention of ill-health, including a clear focus on non-communicable disease, which are linked strongly to environmental factors. Some of these issues are already acknowledged (e.g. air pollution and respiratory illness, access to nature and mental health, noise), but it does need to be explicit and with full integration. We suggest adding 'health' to the title: e.g. Environment and Health Outcomes Reporting (EHOR) or Planetary Health Outcomes Reporting (PHOR). We provide details below as well as example data and a newly developed model that can support this.
- **Single-use infrastructure vs mixed-use places for people:** Assessing the fine-grain details of complex, mixed-use places where people (will) live and work is a very different exercise from assessing single-use major infrastructure projects (e.g. motorways, nuclear, mining). They require different assessment mechanisms. This exercise provides a unique opportunity to make this distinction.
- **Cross-departmental working:** The EOR proposal appears to link DHLUC plans and projects (e.g. housing, site allocation) with DEFRA-related outcomes (e.g. natural environment), rather than taking a comprehensive consideration of whole systems. As such, there is a risk that it results in a limited coverage that does not address the issues of concern. Though mentioned as linked regimes, there appears to be relatively limited overlap with other key departments, especially DfT, DoH and Treasury.
- **Assessing upstream:** Environmental (and health) assessment should help prevent unhealthy development, and promote healthy development. The mitigation hierarchy is important, but, as with the waste hierarchy, in practice it results in downstream compensation (or recycling) as opposed to upstream avoiding (and reducing). The document rightly points to the need for strong legislation and policy, but it's not at all clear how this will materialise. The NPPF, Building Regulations and linked tools (e.g. housing and land availability assessments, viability appraisal) are insufficient. We agree that E(H)ORs could and should help prevent problems upstream if used strategically at national, regional and local level, and not just within the planning sphere, but in all linked areas (e.g. by helping to identify development incentives linked to unhealthy practice, or adding health outcomes to the Tasks Forces on Climate and Nature-related Financial Disclosures). This could significantly reduce environmental and health costs downstream and lead to the outcomes this exercise is aiming to support.
- **Monitoring is important, but not the solution:** It is much more efficient to prevent the harm in the first place, than monitor it after it has happened. We will never have all the data needed to balance against easily quantifiable, economic metrics. The climate and biodiversity crises require bold action now.

- **Data gaps, stakeholders, trust, complexity, and working with unknowns:** We agree that assessment should use qualitative, expert opinion, as well as quantitative, and this needs developing. We fully agree with the statements in (4.26), which should form part of the core principles: *“we need to ensure that assessments effectively consider climate change...not a single issue but complex network of interconnecting considerations...many different considerations and is not always directly, or effectively, measurable in itself.”* This is not simple, however. It relies on transparent and thorough stakeholder analysis and involvement, as well as trusted experts. It also requires new methods for taking in to account inevitable future unknowns (e.g. through consensus and common sense).
- **Precautionary Principle and Polluter Pays:** It is remarkable these two principles are not mentioned. Though we appreciate they can lead to risk aversion, there is a good reason for this and the burden of proof should rest with those creating the environmental (and health) impact. The term ‘polluter’ is often seen in the context of large-scale infrastructure (e.g. sewage, agriculture, industry), but should apply just as much to places for people (e.g. motorised transport, energy efficiency of housing).
- **‘Significant’ impact and cumulative impact:** As this document highlights, one problem with EIA and SA/SEA is the lack of clarity around what constitutes ‘significant’ impact, and another is how to manage cumulative impacts, so we support clarification in both these areas. However, there is a risk that simplification will lead to worse environmental outcomes if not careful.

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