

Bioabundance responses to the Levelling-up and Regeneration Bill: Reforms to National Planning Policy public consultation submitted on 2nd March 2023

Q	Question Wording	Y/ N/ oth er	Comment
1	Do you agree that local planning authorities should not have to continually demonstrate a deliverable 5-year housing land supply (5YHLS) as long as the housing requirement set out in its strategic policies is less than 5 years old?	Yes	<p>YES - we celebrate the scrapping of the grossly unfair 5-year Housing Land Supply (5y HLS) rule.</p> <p>AND NO! To require Councils to update their housing requirement every 5 years is good but they need RESOURCE for this. Penalising them with the unfair 5y HLS rule is wrong.</p>
2	Do you agree that buffers should not be required as part of 5YHLS calculations (this includes the 20% buffer as applied by the Housing Delivery Test)?	Yes	<p>We believe the 3y Delivery Test should be scrapped.</p> <p>Otherwise it simply replaces the 5y HLS as the new tool for developers to force unneeded and unwelcome overdevelopment on communities.</p>
3	Should an oversupply of homes early in a plan period be taken into consideration when calculating a 5YHLS later on or is there an alternative approach that is preferable?	Yes	<p>It is the total number of homes that matters and this should match households. In climate and nature crises we cannot afford to waste land on unneeded and second homes.</p> <p>Our natural population is levelling off (NO GROWTH). New homes from now on will be needed only for growth through immigration. We need clear sight of Government policy on immigration to plan housing.</p> <p>We are glad that the Standard Method will not be required to be followed. However, in previous times ministerial statements (Eric Pickles) have said that SM was non-mandatory, yet Inspectors still insisted on it.</p> <p>We trust this means that calculations of future development via the Standard Method would also account for previous over-supply?</p>
4	What should any planning guidance dealing with oversupply and undersupply say?		<p>Oversupply should trigger a new housing needs assessment to reduce future growth. There should be consideration of environmental constraints. Sometimes DE-GROWTH in housing may be required (as in other European countries).</p> <p>Undersupply should trigger a new housing needs assessment. It is likely that the supply-rate was based on over-ambitious targets. To increase the supply of homes, councils should look first to existing build to see if it can be adapted - retrofitted for energy efficiency and split into appropriately sized units.</p>
5	Do you have any views about the potential changes to paragraph 14 of the existing Framework and increasing the protection given to neighbourhood plans?		<p>Increasing the validity of neighbourhood plans from 2y to 5y is very good. The 'magic circle' against speculative development should not however even be needed. No speculative development outside of NDPs and LDPs should ever be allowed.</p>
6	Do you agree that the opening chapters of the Framework should be revised to be clearer about the	Yes	<p>The framework should be absolutely clear that planning must also be for nature recovery and decarbonisation.</p>

<p>importance of planning for the homes and other development our communities need?</p>	<p>A Land Use Strategy is needed at national level. The House of Lords has called for a Land Use Commission. We are beset by solar farm applications just as climate change is endangering our food supply. It is not possible at the local level to weigh up the best use of land.</p> <p>A Land Use Strategy would look at the total energy supply forthcoming from offshore wind, hydroelectricity, tidal power, wave power, and interconnectors with other countries, and then look at how much solar and onshore wind we need to make up the balance. At that point a national strategy should distribute requirements for solar towards the south and wind towards the north and west. Important farming areas and wildlife refuges would inform the final strategic distribution. Local Development Plans should then allocate land for solar and wind in just the same way as it does for housing.</p> <p>Similarly, the Land Use Strategy would work down through councils to the allocation of land for food, wildlife, and flood and fresh water management.</p>
<p>7 What are your views on the implications these changes may have on plan-making and housing supply?</p>	<p>The changes are beneficial. We should keep a close eye on housing supply not to build outside our environmental constraints: to repair, re-use and re-cycle homes whenever we can and to restore land for nature and use it for decarbonisation.</p>
<p>8 Do you agree that policy and guidance should be clearer on what may constitute an exceptional circumstance for the use of an alternative approach for assessing local housing needs? Are there other issues we should consider alongside those set out above?</p>	<p>Whilst we are glad that the standard method has become advisory only, we are very disappointed that it STILL uses vastly out-of-date population projections from 2014. When we know that the natural growth rate (without migration) of our population is tending to zero, and that later projections from ONS showed far slower rates of population growth than was anticipated in 2014, why on earth would we continue with these 2014 projections? It is clearly to force unneeded development on our populace. It is wrong to do this when we have climate and nature crises.</p> <p>Furthermore, the Standard Method still contains the requirement for massive housing uplift relative to the cost of homes in an area. This is illogical and wrong. You would have to carpet an area in housing to have a meaningful effect on bringing down house prices (https://medium.com/@ian.mulheirn) - the normal demand and supply rules do not apply in housing, with its near-infinite international market.</p> <p>Building extra homes overheats an area with housing growth and, in our experience in South Oxfordshire over 11 years, is associated with even more rapid house-price increases. Housing numbers should be related to need and not to a perverted sense of how market-dynamics work.</p> <p>Housing numbers should take into account environmental constraints during this catastrophic collapse of the natural world. If nature vanishes, it takes humankind with it. We should in all things have regard for the wellbeing of future generations.</p>
<p>9 Do you agree that national policy should make clear that Green Belt does not need to be reviewed or altered when making plans, that building at densities significantly out of character with an existing area</p>	<p>Yes Strongly agree with all this. Thank you.</p>

	may be considered in assessing whether housing need can be met, and that past over-supply may be taken into account?		
10	Do you have views on what evidence local planning authorities should be expected to provide when making the case that need could only be met by building at densities significantly out of character with the existing area?		
11	Do you agree with removing the explicit requirement for plans to be 'justified', on the basis of delivering a more proportionate approach to examination?	No	<p>However, we believe that 'examination' by an inspector not related to the area should be abolished.</p> <p>On Democracy, it is for the community to decide what housing, and what standard of housing, it requires. We would argue for the abolition of the planning inspectorate, and abolition of the right of the Secretary of State to override the wisdom of local people.</p> <p>Bioabundance Community Interest Company was forced to take the Secretary of State to the High Court in 2019 for imposing an unwelcome and undeliverable Local Development Plan on South Oxfordshire District. This, after a mandate from the people to re-write the plan was achieved in the election that saw the then Conservative Council deposed by Greens and Libdems.</p>
12	Do you agree with our proposal to not apply revised tests of soundness to plans at more advanced stages of preparation? If no, which if any, plans should the revised tests apply to?	No	<p>We require at all stages far higher standards of 'soundness' to be applied with respect to environmental constraints. First and foremost nature must be restored to a resilient state such as pertained 100 years ago in terms of abundance and diversity of non-human life.</p>
13	Do you agree that we should make a change to the Framework on the application of the urban uplift?	No	<p>Arbitrary uplifts (just as with the uplift to the standard method due to price of homes) make no sense. Need is what we should be supplying for, and even then, re-use and adaptation of existing housing should be considered before any land-take for new housing.</p>
14	What, if any, additional policy or guidance could the department provide which could help support authorities plan for more homes in urban areas where the uplift applies?		<p>We don't see the need for urban uplift.</p>
15	How, if at all, should neighbouring authorities consider the urban uplift applying, where part of those neighbouring authorities also functions as part of the wider economic, transport or housing market for the core town/city?		<p>This is a form of 'duty to cooperate'? It is quite wrong that housing should be dumped on neighbouring districts. If homes are needed in a city, that is where they are needed. We do not want to increase commuting.</p>
16	Do you agree with the proposed 4-year rolling land supply requirement for emerging plans, where work is needed to revise the plan to take account of revised national policy on addressing constraints and reflecting any past over-supply? If	No	<p>Councils with an 'out-of-date' plan should NOT be subject to speculative development. It makes no sense to punish the populace in this way. There should be no need to show a rolling housing (land) supply (HLS).</p> <p>The whole premise of HLS is that if developers fail to build fast enough and bring the houses on-stream to meet Council-targets,</p>

no, what approach should be taken, if any?		<p>developers themselves are rewarded with more land given over to speculative development.</p> <p>THIS MUST STOP! The 5y HLS rule is to be scrapped - please do not introduce a 4y HLS rule.</p>
17 Do you consider that the additional guidance on constraints should apply to plans continuing to be prepared under the transitional arrangements set out in the existing Framework paragraph 220?		
18 Do you support adding an additional permissions-based test that will 'switch off' the application of the presumption in favour of sustainable development where an authority can demonstrate sufficient permissions to meet its housing requirement?	Other	<p>We should abandon the presumption in favour of development. Why do we even have this?</p> <p>Bioabundance Community Interest Company says that (as in Wales) all decisions should be weighed against the Wellbeing of Future Generations.</p> <p>So is a new development needed to house people? Are there empty homes in the area that should be brought back into use? Have other re-use and restoration options been looked at first for existing buildings, including retrofitting them for resilience against and mitigation of climate change and splitting them into appropriately-sized units. How will any newbuild genuinely improve nature and lock up carbon-dioxide to reduce carbon dioxide in the atmosphere?</p> <p>It is time Government took control of remote ownership of homes and applied a test of all homes-sales being for people living or moving to an area.</p>
19 Do you consider that the 115% 'switch-off' figure (required to turn off the presumption in favour of sustainable development Housing Delivery Test consequence) is appropriate?	No	<p>The Housing Delivery Test should be scrapped. It is another unfair stick to beat local people with after scrapping the 5y housing (land) supply rule.</p>
20 Do you have views on a robust method for counting deliverable homes permitted for these purposes?		<p>Please bear in mind that our natural population growth is levelling off at zero. Any new homes will be needed only for immigration from other countries. This is of course a policy matter for Government.</p>
21 What are your views on the right approach to applying Housing Delivery Test consequences pending the 2022 results?		<p>The Housing Delivery Test should be scrapped. It is another unfair stick to beat local people with after scrapping the 5y housing (land) supply rule.</p>
22 Do you agree that the government should revise national planning policy to attach more weight to Social Rent in planning policies and decisions? If yes, do you have any specific suggestions on the best mechanisms for doing this?	Yes	
23 Do you agree that we should amend existing paragraph 62 of the Framework to support the supply of specialist older people's housing?	No	<p>Does this serve the Wellbeing of Future Generations? Is it better for all people to have multi-generational housing and for older people to live within genuine communities?</p>

24 Do you have views on the effectiveness of the existing small sites policy in the National Planning Policy Framework (set out in paragraph 69 of the existing Framework)?		There should be no specific encouragement for housing on specific plot sizes. Groundbreaking research on habitat sizes for restoration of nature shows that even small patches can be beneficial. Interspersed amongst homes, nature on these sites is accessible in an urban environment. We should not be seeking to fill in plots or encourage windfall. We should be protecting and restoring places for nature to live.
25 How, if at all, do you think the policy could be strengthened to encourage greater use of small sites, especially those that will deliver high levels of affordable housing?		This should not be encouraged. Housing for need, for a non-growing population with over a million empty homes should be first sought from our existing buildings.
26 Should the definition of “affordable housing for rent” in the Framework glossary be amended to make it easier for organisations that are not Registered Providers – in particular, community-led developers and almshouses – to develop new affordable homes?	Yes	Furthermore, the Viability Clause should be removed - a 20% guaranteed profit for developers keeps land-prices high and prevents affordable and zero-carbon housing from being built.
27 Are there any changes that could be made to exception site policy that would make it easier for community groups to bring forward affordable housing?		
28 Is there anything else that you think would help community groups in delivering affordable housing on exception sites?		
29 Is there anything else national planning policy could do to support community-led developments?		
30 Do you agree in principle that an applicant’s past behaviour should be taken into account into decision making?	Yes	
31 Of the two options above, what would be the most effective mechanism? Are there any alternative mechanisms?		
32 Do you agree that the 3 build out policy measures that we propose to introduce through policy will help incentivise developers to build out more quickly? Do you have any comments on the design of these policy measures?		
33 Do you agree with making changes to emphasise the role of beauty and placemaking in strategic policies and to further encourage well-designed and beautiful development?	Yes	Although we are sure everyone will tell you that "beauty is in the eye of the beholder"! FAR FAR MORE IMPORTANT WOULD BE to insist that infrastructure is in place to create happy communities without harming the environment. Such as:

		<p>1. In our area it is not possible for incomers to register with a GP, they are all full - new residents are forced to go to A&E.</p> <p>2. Sewage is being disgorged into the dying Thames. New housing is being added to already failing systems. It should be required that sewage treatment upgrades take place in advance of new building development.</p> <p>3. Traffic is congested whilst public transport is being run-down. There is no vision for a new communication system free of cars, whereas the Government's Select Committee for Science and Technology (2019) states "widespread personal vehicle ownership does not appear to be compatible with significant decarbonisation."</p> <p>4. Fresh Water can be provided in the South East for huge population increases through environmentally damaging new infrastructure. Or, we need not overheat the South East, but could 'level-up' and bring new housing to wetter places. (The South East has the same amount of water per capita as Tunisia).</p> <p>5. Nature Havens, a nature recovery strategy, nature recovery networks, planned access for people to countryside - all this should be in place before any new building is planned. Building should work around nature not allow nature to suck up the remnants.</p> <p>6. Flood Prevention should be in place.</p> <p>7. Educational Establishments should be built before children arrive. In our area very young children are having to go to schools in different communities from their homes and their siblings.</p> <p>(and more of course...)</p>	
34	Do you agree to the proposed changes to the title of Chapter 12, existing paragraphs 84a and 124c to include the word 'beautiful' when referring to 'well-designed places', to further encourage well-designed and beautiful development?	No	
35	Do you agree greater visual clarity on design requirements set out in planning conditions should be encouraged to support effective enforcement action?		
36	Do you agree that a specific reference to mansard roofs in relation to upward extensions in Chapter 11, paragraph 122e of the existing framework is helpful in encouraging LPAs to consider these as a means of increasing densification/creation of new homes? If no, how else might we achieve this objective?	No	<p>Upward extension to create extra accommodation is a VERY GOOD aspiration.</p> <p>But this is a bit odd!</p> <p>It is not clear why specific reference to Mansard Roofs as opposed to any other higher storey should be required.</p> <p>Mansard Roofs are usually energy efficiency nightmares and if they are to be encouraged they should be to zero-carbon build standard for construction and operation.</p>
37	How do you think national policy on small scale nature interventions could be strengthened? For example, in relation to the use of artificial grass by developers in new development?		<p>The collapse of the natural world threatens our survival and wipes out any wellbeing for future generations.</p> <p>We should be retaining and restoring and enhancing all scraps of land for nature, joining them up and creating nature recovery networks and swathes of land for nature. This is of PRIME IMPORTANCE.</p>

		<p>Even small patches of land can be beneficial to nature. Interspersed amongst homes; nature on these sites is accessible in an urban environment. We should not be seeking to fill in plots or encourage windfall.</p> <p>Developers should provide a real living environment within and around developments. This is not the cursory batbox in a sea of concrete, and it is CERTAINLY not plastic grass and plastic plants. These add to plastic pollution and do not bring the benefits of nature.</p>
38	<p>Do you agree that this is the right approach making sure that the food production value of high value farm land is adequately weighted in the planning process, in addition to current references in the Framework on best most versatile agricultural land?</p>	<p>These changes are insufficient. They are too weak in recognising the need for food security as climate change and nature collapse bite.</p> <p>They need to be stronger and to be set out by a Land Use Commission, making strategic assessments of the amount and type of food production that will be possible in different parts of the country. We should be protecting farmland and wild lands to secure our future.</p> <p>A Land Use Strategy is needed at national level. Important farming areas and wildlife refuges would inform the final strategic distribution. The Strategy would work down through councils to the allocation of land for food, wildlife, flood and fresh water management, and energy production (wind and solar).</p> <p>It is likely that ALL BMV land should be protected for the wellbeing of future generations.</p> <p>No</p>
39	<p>What method or measure could provide a proportionate and effective means of undertaking a carbon impact assessment that would incorporate all measurable carbon demand created from plan-making and planning decisions?</p>	<p>Full-life cycle carbon assessments.</p> <p>Planning should insist that all newbuild is zero carbon (or carbon-positive locking carbon up in the form of wood and hemp incorporated into housing): zero-carbon in both construction and operation.</p> <p>Building Control should be administered only by state actors - it is well-understood that developers 'game the system' with dedicated building controllers whose future work depends on keeping their contracted employers happy.</p> <p>Energy efficiency of new homes should be highly regulated. We have local examples of brand new homes that are freezing cold with catastrophic heat losses. Councils need huge funding to police building-safety, carbon-emissions and biodiversity net gains and losses.</p> <p>We welcome changes to building regulations that are reducing the operational carbon emissions from homes. This requirement should swiftly be upgraded so that all homes are built at Passivhaus level (net zero).</p> <p>Importantly too each home releases an average of 100-250T of CO2 in its build. In Oxfordshire this takes up nearly all of our carbon budget before we hit 1.5°C. New housing should be passivhaus in operation (zero carbon emissions) and zero-carbon in its build. They should be carbon neutral through their whole life-cycle.</p>

<p>40 Do you have any views on how planning policy could support climate change adaptation further, specifically through the use of nature-based solutions that provide multi-functional benefits?</p>	<ol style="list-style-type: none"> 1. Don't build in flood plains. 2. Don't rely on Biodiversity Net Gain - it is not clear that it will work. 3. Draw up clear plans of nature recovery networks and swathes of land for nature restoration, and don't build there. 4. Restore floodplains and 're-wiggle' rivers to protect our settlements and provide new habitat. This might sometimes involve de-growth of housing. 5. Plant trees and gardens in towns to provide shade. 6. Most importantly, land should be supplied for Nature First. It is fragile and complex with domino-effects happening from the losses of each species. We have no future outside of nature, and we are close to losing, for one thing, the insects. It is likely everything will collapse at that point. 7. Rivers should be protected and restored with no agricultural runoff of nutrients and no sewage outflows. <p>Biodiversity Net Gain in the Environment Act is welcome but is far from sufficient for a flourishing ecosystem. Ecologists find it incalculable. Far more important is to establish Nature Recovery Networks and Strategies, with all newbuild being created for true need only, giving a wide berth to sensitive ecological areas.</p>
<p>41 Do you agree with the changes proposed to Paragraph 155 of the existing National Planning Policy Framework?</p>	<p>This cannot be managed at the local scale. However - all roofs should be optimised for solar electricity. And currently existing roofs should all be being used for solar. We should not be building solar farms on virgin land without a clear national Land Use Strategy. The House of Lords has called for a Land Use Commission. We are beset by solar farm applications just as climate change is endangering our food supply. It is not possible at the local level to weigh up the best use of land.</p> <p>A Land Use Strategy would look at the total energy supply forthcoming from offshore wind, hydroelectricity, tidal power, wave power, and interconnectors with other countries, and then look at how much solar and onshore wind we need to make up the balance. At that point a national strategy should distribute requirements for solar towards the south and wind towards the north and west. Important farming areas and wildlife refuges would inform the final strategic distribution. Local Development Plans should then allocate land for solar and wind in just the same way as it does for housing.</p> <p>Similarly, the Land Use Strategy would work down through councils to the allocation of land for food, wildlife, and flood and fresh water management.</p>
<p>42 Do you agree with the changes proposed to Paragraph 158 of the existing National Planning Policy Framework?</p>	<p>Yes</p>
<p>43 Do you agree with the changes proposed to footnote 54 of the existing National Planning Policy Framework? Do you have any views on specific wording for new footnote 62?</p>	<p>Yes</p> <p>The best use of land for wind production is probably better determined by a national Land Use Strategy, focussing wind production in the north and west, and solar production in the south.</p>
<p>44 Do you agree with our proposed Paragraph 161 in the National</p>	<p>Yes</p> <p>Retrofit is key.</p>

<p>Planning Policy Framework to give significant weight to proposals which allow the adaptation of existing buildings to improve their energy performance?</p>		<p>This paragraph should mention deep retrofit, as prescribed by the International Energy Agency. It will require airtightness, mechanical ventilation heat recovery, and insulation in addition to heat pumps and solar panels.</p> <p>We need a more permissive and informative lead for those unfortunates living in listed homes. They should be provided with a wide range of acceptable interventions in advance of applying for planning permission. These need to be loosened up a whole lot - it is unfair to keep often income-poor people in a position unable to reduce their fuel bills. And the income-rich ones can take a lead in creating a retrofit industry.</p>
<p>45 Do you agree with the proposed timeline for finalising local plans, minerals and waste plans and spatial development strategies being prepared under the current system? If no, what alternative timeline would you propose?</p>		
<p>46 Do you agree with the proposed transitional arrangements for plans under the future system? If no, what alternative arrangements would you propose?</p>		
<p>47 Do you agree with the proposed timeline for preparing neighbourhood plans under the future system? If no, what alternative timeline would you propose?</p>		
<p>48 Do you agree with the proposed transitional arrangements for supplementary planning documents? If no, what alternative arrangements would you propose?</p>		
<p>49 Do you agree with the suggested scope and principles for guiding National Development Management Policies?</p>	<p>No</p>	<p>There is a risk that NDMP's will centralise planning at just the time when local people should be given greater powers over their own homelands. Too much power is vested in the Secretary of State.</p>
<p>50 What other principles, if any, do you believe should inform the scope of National Development Management Policies?</p>		<p>There may be some capacity for high level principles covering decarbonisation, nature recovery, and land use strategy.</p>
<p>51 Do you agree that selective additions should be considered for proposals to complement existing national policies for guiding decisions?</p>		
<p>52 Are there other issues which apply across all or most of England that you think should be considered as possible options for National Development Management Policies?</p>		

<p>53 What, if any, planning policies do you think could be included in a new framework to help achieve the 12 levelling up missions in the Levelling Up White Paper?</p>	<p>We should stop focussing on overheating the southeast, bringing homes far in excess of the number that can even be filled by our expected population growth, to places such as Oxfordshire. It has resulted in forced immigration into our area, presumably from other places in the country, hollowing out other communities.</p> <p>The Local Enterprise Partnership sees itself as in COMPETITION with other parts of the country, to provide economic growth - so much for a United Nation... and Government has asked Oxfordshire to double its Gross Value Added ('backing the winners'); it is this aspiration for growth that has resulted in over-development. Meanwhile our countryside cannot cope and our infrastructure is rock-bottom (sewage in the river, no room at the doctors or the schools etc etc).</p> <p>Policies should focus 100% on reversing the dual crises of the collapse of natural ecosystems and climate change, along with adaptation to the locked-in consequences of both.</p> <p>With a clear-sighted focus on the Wellbeing of Future Generations, nature and climate would be protected, and disadvantaged communities would find their feet (see the impressive actions in Wales with their Wellbeing of Future Generations (Wales) Act 2015).</p>
<p>54 How do you think that the framework could better support development that will drive economic growth and productivity in every part of the country, in support of the Levelling Up agenda?</p>	<p>It is time we scrapped the drive for growth. It is prosperity and the wellbeing of future generations that should be our aim. Sometimes that will lead to de-growth. We should be functioning within Doughnut Economics, ensuring that we keep within our planetary boundaries (we are not) whilst bringing about fairness in society (we do not).</p> <p>We would learn a lot by studying the application of the Wellbeing of Future Generations (Wales) Act of 2015.</p>
<p>55 Do you think that the government could go further in national policy, to increase development on brownfield land within city and town centres, with a view to facilitating gentle densification of our urban cores?</p>	<p>It is important that we protect the nature and food provision that the countryside offers. 'Duty to Cooperate' has been a burden destroying Green Belt and food and wildlife areas to meet housing targets relevant only to the city that is producing them, targets that are often there to drive economic growth rather than the wellbeing of future generations.</p> <p>Yes We should like to see the end of Duty to Cooperate.</p>
<p>56 Do you think that the government should bring forward proposals to update the framework as part of next year's wider review to place more emphasis on making sure that women, girls and other vulnerable groups in society feel safe in our public spaces, including for example policies on lighting/street lighting?</p>	<p>There is some evidence that more lighting actually increases the attacks on women and other vulnerable groups.</p> <p>Let us consider too the safety of us all in the light of climate change and loss of nature: the NPPF should prioritise nature recovery and zero carbon reconstruction and retrofit of current built forms.</p> <p>Oth er The cost of living crisis (poverty crisis) hitting over a third of our populace can be addressed only by the building and planning industry in making our homes first class retrofits.</p>
<p>57 Are there any specific approaches or examples of best practice which you think we should consider to improve the way that national planning policy is presented and accessed?</p>	

