



Dear Members of the Planning Policy Consultation Team,

Thank you very much for providing this opportunity to be part of the *Levelling-up and Regeneration Bill: reforms to national planning policy* consultation. Due to the scope of our work, we have answered only those questions relevant to our experience in the following report.

CARE Suffolk CIC is a community group based in Suffolk. Our membership is primarily based in the villages of and around the Bramford Substation. An area of beautiful countryside, high quality agricultural soil, and with large open spaces for wildlife to roam.

Or, to be more accurate, it once had the promise of being so.

We are being let down by the very protections and protectors that should be saving it.

We are seeing first-hand how the good intentions of the NPPF and the harsh realities on the ground do not match up.

We hope that the response we submit here, and that of other communities and community groups that you will undoubtedly receive, are heard and heeded.

Yours sincerely,

A solid black rectangular box used to redact the signature of Samantha Main.

Samantha Main

Chair

CARE Suffolk Report to the:

LEVELLING-UP AND REGENERATION BILL: REFORMS TO NATIONAL PLANNING POLICY CONSULTATION

Questions

Due to the scope of our work, we have answered only those questions relevant to our experience.

Question 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?

We welcome the increase from 2 years to 5 years primarily based on the reality that creating a neighbourhood plan, and getting it formally adopted takes a significant length of time to do. In order to fulfil the current 2 year 'up-to-date' requirement, as soon as a plan is in place it is already time to start updating it. For creating a Neighbourhood Plan some examples include:

- East Suffolk suggests it takes around 3 years¹
- Northampton Borough Councils suggests 1 to 2 years²
- Bedford Borough Council suggests 18 to 24 months³

Question 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?

We welcome the Governments view regarding artificial grass, as well as the other commendable objectives in the *Delivering biodiversity net gain and local nature recovery* section. However, it is of concern that we are still putting the 'local nature' in a position where it even needs 'recovery'.

Biodiversity net gain is admirable, but overlooks the fact that sometimes nature does just need open space. A patchwork of open arable fields with hedgerows may be home to several breeding yellowhammers and skylarks, as well as a variety of insects in the field margins, and birds and bats in the trees, yet is usually considered low or poor in sweeping generic biodiversity metrics. But replace that with a housing estate and lots of domestic hedgerows and some scattered wildflower verges and the metrics suddenly show an increase in biodiversity. Yet the yellowhammers and skylarks are gone, the insects are absent (aside from the few that find their way in through the tiny window gaps of course), and other birds and bats are given 'homes' to live in.

Are we so blind as to why biodiversity keeps falling?

More weight needs to be given to retaining open countryside as a benefit to nature in biodiversity metrics. If we put 'recovery' as our goal, then we have already lost.

¹ <https://www.eastsuffolk.gov.uk/assets/Planning/Neighbourhood-Planning/Preparing-a-Neighbourhood-Plan/Neighbourhood-Planning-guidance.pdf>

² <https://www.northampton.gov.uk/info/200205/planning-for-the-future/1677/neighbourhood-planning---frequently-asked-questions#:~:text=How%20long%20does%20it%20take,between%20one%20and%20two%20years.>

³ <https://www.bedford.gov.uk/planning-and-building-control/planning-policy/neighbourhood-planning/neighbourhood-planning-faqs>

Question 38: 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?

The supporting text to this question refers to footnote 58 of the existing NPPF, to be footnote 67 in the draft, which states (red text is the proposed addition):

*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 availability of agricultural land used for food production should be considered, alongside the other policies in this Framework, when deciding what sites are most appropriate for development.***

One major concern of CARE Suffolk in the current land use debate is the use of land for food production vs energy production, particularly large scale ground mounted solar. We believe that by proper utilisation of our already developed land area, our countryside need not be built on so carelessly and can continue to contribute to food production, space for wildlife, and the countryside landscape. And as has been sharply brought to people's awareness during the pandemic, a haven for good mental wellbeing and exercise.

A study by the UK Centre of Ecology and Hydrology suggested a loss of two million acres of farmland between 1990 and 2025, and a study by the University of Cambridge 2014 suggested a land shortfall to farming of two million hectares (4.8 million acres) by 2030⁴.

Let us all be clear in this. Regardless of what the new land use becomes, be it housing, woodland, or energy production, it is always a loss to agriculture and our food security. There is little comfort in having a warm house and hot oven if you have nothing to cook in it. It is embarrassing that we are having to even be saying this.

Significant weight does not appear very often in planning policy. The loss of productive agricultural land, and specifically BMV land, must be given "significant weight" in the planning balance through strong policy. There is a strong case to extending the classification of BMV land to include 3b. However, the importance of low-grade land that has invested in methods such as irrigation must also carry great weight too. 'Low-grade' land is usually our sandier soils which grow vegetables and are fundamental to a balanced and healthy diet.

On 22nd December 2022 the House of Lords Land Use in England Committee, following a lengthy public consultation, published its report called *Making the most out of England's land*.⁵ Within this report solar farms are given their own section on page 39-40. This recommendation is paragraph 132 and states:

"Although there are provisions within the NPPF to dissuade the development of solar farms on Best and Most Versatile land, from the evidence received we are concerned that too many exceptions are being made. We believe that a consistent policy toward encouraging the installation of solar panels on industrial, commercial and domestic buildings is needed and would negate the need for largescale ground mounted solar farms. Alongside that, we would like to see stricter regulations put in place to prevent the development of solar farms on BMV land."

The amount of food that can be produced on open farmland compared to land filled with solar panels is not the same, if the land is even grazed at all. And whilst agrivoltaics goes some way to addressing it, that is not the type of solar development that is being proposed at significant scale and quantity across our country's farmland.

According to data in the UK Governments Renewable Energy Planning Database January 2023, ground mounted solar applications have surged enormously in recent years.

Year	Number of New Ground Mounted Solar Applications	Installed Capacity MWelec
2016	26	190
2017	15	171
2018	27	583
2019	73	1132
2020	118	2667
2021	259	6572
2022	332	7132

⁴ <https://www.cisl.cam.ac.uk/business-action/business-nature/natural-capital-impact-group/news/two-million-hectare-shortfall>

⁵ <https://committees.parliament.uk/committee/583/land-use-in-england-committee/>

The recent Government Food Strategy aimed to broadly maintain domestic food production levels. Taking farmland, of any ALC grade, out of food production or reducing the output of farmland, as is done with solar farms at best, can only reduce domestic food production levels.

Furthermore, policy and policy makers are always referring to the guidance that BMV land should be avoided, but is anyone actually monitoring this? Our research has drawn a blank, and so did that of the CPRE.⁶

So do we agree the proposed amendment and existing references in the Framework are the right approach? Absolutely not.

At some point, you really do have to start saying no to using farmland. They say we are only three meals away from anarchy. When do we start to say no?

Question 41: Do you agree with the changes proposed to Paragraph 155 of the existing National Planning Policy Framework?

Question 42: Do you agree with the changes proposed to Paragraph 158 of the existing National Planning Policy Framework?

We wish to answer these questions together, as they are so similar. And our response is an extension of our response to question 38 above.

Paragraph 155, to be 157 in the draft, states (red text is the proposed addition):

To help increase the use and supply of renewable and low carbon energy and heat, plans should:

- a) *provide a positive strategy for energy from these sources, that maximises the potential for suitable development, and their future re-powering and maintenance, while ensuring that adverse impacts are addressed satisfactorily (including cumulative landscape and visual impacts);...*

Paragraph 158, to be 160 in the draft, states (red text is the proposed addition):

When determining planning applications for renewable and low carbon development, local planning authorities should:

- c) *approve an application for the repowering and life-extension of existing renewables sites, where its impacts are or can be made acceptable. The impacts of repowered and life-extended sites should be considered for the purposes of this policy from the baseline existing on the site.*

CARE Suffolk has a focus on ground mounted solar applications, and so our comments are based on our experience of that particular renewable technology.

Ground mounted solar applications are almost always⁷ put forward by developers as being 'temporary' for 25-40 years.

Residents commonly point out that this time frame, whilst technically being 'temporary' in the literal sense, is still long term and more than a generation. One Councillor at a recent Mid Suffolk Planning Committee Meeting pointed out that he has worked for 40 years and nothing about it felt temporary, and asked how many people in the room would ever see the land return to agriculture. For most, it would be permanent.

Many local authorities have dismissed genuine concerns and significant impacts from solar farm applications with a swift self-assurance that it is only 'temporary'.

In fact, recently one planning officer even convinced herself that the significant adverse impacts of landscape harm on the whole are actually neutral because in 40 years' time the development would be removed.⁸ The public are regularly told that construction impacts are only temporary and do not carry much weight in the planning balance. When did it become OK to treat the entire lifetime of an industrial development in the countryside with the same contempt?

⁶ Page 9 of <https://www.cpre.org.uk/resources/building-on-our-food-security/>

⁷ We have not looked at every solar farm application, but of the very many we and the Solar Campaign Alliance have looked at, not one has stated it will be permanent.

⁸ Committee Report for Babergh District Council on application DC/21/00060.

Bold claims that everything can be removed, the soil will return to its current state, and everything will be hunky-dory again are flouted about. Yet the small print states that anything below 1m in depth will remain, requests for studies demonstrating soil is not adversely impacted go unanswered, and the public grow ever cynical of renewable energy and those pushing for it at any cost and against community wishes.

To amend the NPPF to now favour the repowering of all those solar farms, which have been granted on the understanding that they were going to be temporary, is a colossal betrayal to communities and Councils across the country.

This would pave the way for permanent loss of agricultural land, permanent loss of valued and beautiful countryside landscapes, and permanent harm to heritage assets and the historic landscape at a truly unmatched pace in human history.

It is reckless.

Question 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?

Please see our answer to question 38 regarding footnote 54. We have no comments about the new footnote 62.

Question 49: Do you agree with the suggested scope and principles for guiding National Development Management Policies?

We welcome the scope to include issues such as safeguarding local wildlife sites in the event a local plan becomes out-of-date. This is commendable and provides a fall-back that could be foreseen to protect such areas from developers that seek to take advantage.

However, the notion to “preclude new plans from including policies which duplicate or are inconsistent with National Development Management Policies” returns us to the position of imposing development on communities by Government and riding roughshod over local say.

Top-down targets haven't been the most welcomed of Government policies in recent years!

This preclusion is undemocratic!

But more important than that, local plans are designed to be suitable to the local area. Whilst it is generally recognised that the policies may be 'universal' that may not always be the case and there will always be nuances.

Perhaps then it is more appropriate to make the NDMP optional, allowing local authorities to pick and choose which policies they want to include in their local plan. Where a local authority chooses to adopt an existing NDMP then it can simply do so within a new local plan or supplementary plan. It would not need to include the time and page-adding supporting text and evidence as is the current situation. It could simply be an exact copy of the chosen NDMP with a short statement affirming that they wish to adopt the NDMP and the evidence associated with that policy.

If the goal really is to reduce the amount of time and resources (and pages) needed to create a new plan then this would achieve this. And it would do it without the undemocratic power grab that government said was an unintentional consequence⁹ of the last attempt at planning reforms.

It is important that local plans retain the ability to include policies that duplicate or even conflict the NDMP. The NDMP may intend to provide a safeguard for local plans that go out-of-date. But local plans also need to be able to provide local communities with a safeguard against changes to the NDMP that could have unintended consequences. Otherwise, it isn't really a local plan led system anymore and our planning system moves into a dictatorship.

⁹ <https://www.cprekent.org.uk/news/planning-reforms-consultation-cpre-deeply-concerned/>