

The Rt Hon Mr Alistair Carmichael (Chair)
Environment, Food and Rural Affairs Committee
House of Commons
London
SW1A 0AA
efracom@parliament.uk

Tuesday 24th June 2025



Dear Mr. Carmichael,

In the context of the rapid passage of the government's Planning and Infrastructure Bill, the Animal Sentience Committee would like to share their opinion on the government's proposed planning policy reform. This opinion was written by Dr Penny Hawkins and Professor Christine Nicol in June 2025.

For clarity and noting my committee's statutory powers under the Animal Welfare (Sentience) Act 2022, this opinion does not constitute a formal report that requires a government response.

Background

Planning reform is a major mission for the government. It is viewed as a key lever to boost economic growth, build more homes to address housing needs, streamline local plans, and deliver infrastructure projects. The Planning and Infrastructure Bill¹(PIB) is central to the government's broader 'Plan for Change' and has a focus on making the planning system more streamlined and reducing unnecessary delays and costs.

In parallel, the government aims to improve biodiversity and restore nature. The Planning and Infrastructure Bill intends to meet both economic and environmental objectives. Rather than case-by-case negotiations around every planning application, developers will pay a flat-rate tax which will contribute to a Nature Restoration Fund and be used to support the delivery of Environmental Delivery Plans (EDPs), drawn up by Natural England. The EDPs must demonstrate an environmental 'uplift'. The vision is that the new bill will increase strategic coordination of conservation measures, allowing large-scale, rather than patchwork, improvements to biodiversity and nature restoration.

The Animal Sentience Committee (ASC) understands, and accepts, that people need houses to live in, and they need to travel and have access to infrastructure that is fit for purpose. The committee broadly welcomes the over-arching commitment to 'nature' within the PIB but is aware of continuing debate about whether additional safeguards are needed to protect specific, locally or nationally important wildlife habitats.

The ASC considers that an important area of concern has been overlooked. Planning policies and decisions will impact the lives and welfare of countless wild animals, and they also have the potential to affect the welfare of companion

¹ [Planning and Infrastructure Bill - Parliamentary Bills - UK Parliament](#)

animals. Paying due regard to animal welfare requires that these potential impacts are considered alongside the benefits of streamlining planning policies for humans.

Due regard to animal welfare

The Planning and Infrastructure Bill does not mention the welfare of sentient animals, although it is incumbent on the government to pay all due regard to the ways a policy might impact on animal welfare. The PIB appears to conceptualise 'biodiversity' or 'the environment' as a single entity, without recognising that these are populated by individual animals capable of experiencing positive and negative welfare states.

The ASC wishes to draw attention to the fact that the current approach to overall net biodiversity and environmental restoration is predicated on restoring or improving future habitats without considering impacts on existing populations of sentient animals. For example, an EDP may conclude that the destruction of an area of land inhabited by certain species (such as hares, voles, wrens, badgers, great crested newts) can go ahead if new habitats suitable for species of conservation concern are provided elsewhere. This should result in increased future numbers of some species and greater overall diversity. However, under this model the needs (and often lives) of existing animals are forfeited for the future benefits of other animals and ecosystems.

This may, to some extent, be inevitable if legitimate planning goals are to be met. But there should be proper consideration of the impacts of each development on existing animals. These individuals may be killed directly (for example, by plant machinery), killed indirectly (if their burrows or food sources are destroyed) or displaced to highly uncertain futures. These severely negative welfare impacts apply whether the animals are of high conservation concern (like newts and bats) or relatively common (such as rabbits, voles, wrens and three-spined stickleback).

From an animal welfare perspective, the PIB is effectively weighing the lives, and wellbeing, of currently existing wild animals on the one hand, against the existence and welfare of future animals who would live in the new habitats created to offset the impact of developments on the other. These new habitats could be highly beneficial for individual animals and biodiversity, but this will make no difference to the experiences of the animals whose habitats are damaged or destroyed.

Potential approaches to paying due regard

A requirement to predict and consider the impact on animal welfare during construction would be beneficial. This could result in measures such as avoiding breeding seasons and placing developments away from established habitats or feeding grounds wherever possible. It may also be possible to translocate certain species to a suitable alternative habitat. This would have less of a welfare impact than simply allowing animals to die out of sight.

A requirement to consider the welfare of wild animals through thoughtful design would be beneficial. This could result in measures such as the incorporation of designs that reduce roadkill (such as tunnels or bridges), avoid light pollution, reduce bird-strikes, and minimise cat predation and disturbance from dogs. Other

approaches include hedgerows and wildlife corridors, 'swift bricks'² and requirements to plant native regional flora, to support populations of wild animals within the development as far as possible.

A requirement to consider how new housing could promote the welfare of companion animals would be beneficial. This might be achieved by, for example, undertaking 'pet sufficiency assessments'³ to ensure the inclusion of adequate suitable areas for companion animal exercise and gardens that would allow enough space.

Recommendations

The Planning and Infrastructure Bill, and all relevant planning and infrastructure policies, should include consideration of the types of measure suggested above, in order to pay due regard to ways in which a policy might have an adverse effect on the welfare of sentient animals. The committee would expect such considerations in line with the Animal Welfare (Sentience) Act 2022.

When EDPs are developed, Natural England should also consider the impacts of development on the welfare of all sentient animals directly and indirectly affected, regardless of their conservation status.

Developers should be provided with guidance on how to reduce short- and long-term welfare risks to all wild animals, and how to promote long-term welfare benefits for companion animals.

If you have any questions or comments at all, please contact me via the Animal Sentience Committee secretariat at: SentienceSecretariat@defra.gov.uk

Yours sincerely,



Michael Seals CBE

Animal Sentience Committee Chair

You can find out more about the Animal Sentience Committee at: [Animal Sentience Committee - GOV.UK \(www.gov.uk\)](https://www.gov.uk/animal-sentience-committee)

² An amendment to the PIB which would have required every new home to have at least one 'swift brick' was blocked by the government at the committee stage:

[Labour blocks proposal for 'swift bricks' in all new homes in England | Birds | The Guardian](#)

³ Analogous to 'Play Sufficiency Assessments' in Scotland and Wales:

[Play Sufficiency Assessment Regulations 2023: planning guidance - gov.scot](#)