

Levelling Up and Regeneration Bill

Lords Third Reading Briefing

As of 5th July

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The Royal Town Planning Institute (RTPI) champions the power of planning to create sustainable, prosperous places and vibrant communities. As a professional body, we have over 27,000 members across the public and private sector and are responsible for setting formal standards for planning practice and education. As a learned society, we use our expertise and research to bring evidence and thought leadership to shape planning policies and thinking.

Summary

It is right that planning reform features prominently in this Bill because it is an essential public service driving health, prosperity and sustainability that communities and businesses need to thrive.

However, some of the measures proposed in this Bill and other supporting documents would fundamentally weaken England's planning system without amendments described in this briefing.

The Royal Town Planning Institute ask peers to support changes that would:

- Give communities a greater say through plan-making by strengthening the legitimacy of NDMPs
- Improve England's planning services by reinstating permission for Virtual Planning Committees
- Drive local levelling up and environmental outcomes for communities by removing the Infrastructure Levy and aligning Environmental Outcomes Assessments with climate and health considerations

Key amendments

Strengthen English NDMPs

- Amendment tabled by [Baroness Thornhill \(Clause 88\)](#) to **strengthen requirements for English NDMPs to receive public consultation and parliamentary scrutiny (as with National Policy Statements)**. The RTPI and Better Planning Coalition have produced a [joint briefing](#) for peers on the importance of this measure. New [RTPI research](#) found that public consultation and political/parliamentary scrutiny have been critical to the success of similar policies in other jurisdictions (e.g. in Scotland and Wales).
- Amendment tabled by [Baroness Taylor of Stevenage \(After Clause 87\)](#) on the **hierarchy of planning policies** is supported by the RTPI because uncertainty about English NDMP's legal status and weighting in decisions are less clear than in other jurisdictions. RTPI research has shown that, unlike in England, similar policies are either an integral part of the development plan (in Scotland and Wales) or are closely aligned with distinct levels of federal or devolved administration (in Germany and the Netherlands).

Reinstate Virtual Planning Committees

Amendment tabled by [Baroness McIntosh of Pickering \(After Clause 70\)](#) on allowing local authorities to meet virtually, is strongly supported by the RTPI who've argued that its omission undermines Government's commitment to improving 'information and records relating to land' on the face of the Bill. [RTPI research](#) has found that 88% of planners believed remote meeting arrangements worked 'well' or 'very well' during the pandemic and 90% supported their continuation.

The RTPI encourage peers to support the improvements outlined. To arrange a briefing please contact, Senior Public Affairs Officer, Joel Cohen: joel.cohen@rtpi.org.uk

Remove Infrastructure Levy provisions

Tabled by [Baroness Pinnock \(Schedule 12\)](#) to remove the Infrastructure Levy's Schedule 12 from the Bill. The RTPI support IL's removal because – after careful consideration of the technical consultation – we believe the proposal will be more complex and more resource-intensive than the current system. In a recent letter to the Minister signed by 30 organisations we urged government to prioritise reforms to the current developer contributions system.

Align Environmental Outcomes Assessments with climate and health considerations

- Amendment tabled by [Baroness Hayman of Ullock \(Clause 143\)](#) to **ensure that climate and other key environmental considerations will be included** in the new EOR regime. The RTPI's [consultation response](#) reasoned that a strength of the previous regime was its “ability to become Sustainability Appraisal”, to consider if a plan was ‘worth having’ and made the point that climate and human health must be considered in order for EORs to comply with the principle of non-regression.
- Amendments tabled by Baroness Ritchie of Downpatrick (Clause 148) to ensure that **the consent of the relevant devolved administration in [Scotland](#), [Wales](#) and [Northern Ireland](#) is sought**. The RTPI's [consultation response](#) expressed concern that “introduction of a different regime for England, distinct from the alternative used in other nations, could create confusion for industry and difficulties on cross-border plans and projects.”

Other amendment statements

Amendment tabled by [Baroness Pinnock \(After Clause 128\)](#) on planning application fees would enable local planning authorities to determine their own fees. This is supported in the RTPI's response to the recent planning fees consultation in order to provide full cost recovery.

Amendment tabled by [Lord Crisp \(After Clause 128\)](#) introducing a duty to promote healthy homes and neighbourhoods, is supported by the RTPI because it may improve the alignment of planning and building regulations. These are currently disjointed - resulting in poor quality homes and places – and prioritising health and wellbeing in our built environment will bring multiple economic, social, and environmental benefits.

Detailed briefings

Each of the amendments put forward by the RTPI are accompanied by more detailed briefings that we hope peers can use to inform their contributions to the debate. These can be accessed on our website:

<https://www.rtpi.org.uk/policy-and-research/planning-reform-national-planning-policy/>

To discuss these changes further, please contact joel.cohen@rtpi.org.uk