

# Levelling-up and Regeneration Bill

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AMENDMENT

TO BE MOVED

IN COMMITTEE OF THE WHOLE HOUSE

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**After Clause 106**

BARONESS MCINTOSH OF PICKERING

After Clause 106, insert the following new Clause –

**“Agent of Change”: integration of new development with existing businesses and facilities**

(1) In this section –

“agent of change principle” means the principle requiring planning policies and decisions to ensure that new development can be integrated effectively with existing businesses and community facilities so that those businesses and facilities do not have unreasonable restrictions placed on them as a result of developments permitted after they were established;

“development” has the same meaning as in section 55 of TCPA 1990 (meaning of “development” and “new development”);

“licensing functions” has the same meaning as in section 4(1) of the Licensing Act 2003 (general duties of licensing authorities);

“provision of regulated entertainment” has the same meaning as in Schedule 1 to the Licensing Act 2003 (provision of regulated entertainment);

“relevant authority” means a relevant planning authority within the meaning of section 84 of this Act, or a licensing authority within the meaning of section 3 of the Licensing Act 2003 (licensing authorities).

(2) In exercising any functions under TCPA 1990 or any licensing functions concerning development which is or is likely to be affected by an existing business or facility, a relevant authority shall have special regard to the agent of change principle.

(3) An application for development within the vicinity of any premises licensed for the provision of regulated entertainment shall contain, in addition to any relevant requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (S.I. 2015/595), a noise impact assessment.

(4) In determining whether noise emitted by or from an existing business or community facility constitutes a nuisance to a residential development, the decision-maker shall have regard to –

- (a) the chronology of the introduction of the relevant noise source and the residential development, and
- (b) what steps have been taken by the developer to mitigate the entry of noise from the existing business or facility to the residential development.”



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*24 January 2023*

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