

Levelling-up and Regeneration Bill

AMENDMENTS
TO BE MOVED
ON REPORT

[Supplementary to the Fourth Marshalled List]

After Clause 99

BARONESS ANDREWS

After Clause 99, insert the following new Clause—

“Revocation of permitted development rights for demolition of buildings

- (1) The Secretary of State must, following public consultation, exercise the powers conferred by sections 59, 60, 61, 74 and 333(7) of the TCPA 1990 to remove permitted development rights relating to demolition of buildings as set out in Class B of Part 11 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (S.I. 2015/596).
- (2) A permitted development right for demolition must be retained for small structures under a specified size limit.
- (3) The Secretary of State must make further provision for the purposes of subsection (2), and for any other demolition rights to be retained following public consultation.”

Member's explanatory statement

This amendment requires the Secretary of State to remove permitted development rights for the demolition of buildings. The amendment would reduce demolition, consequentially reducing carbon emissions; increase local communities' ability to shape local places; and protect non-designated heritage assets. A permitted development right for demolition would remain for small structures.

BARONESS ANDREWS

After Clause 99, insert the following new Clause—

“Revocation of permitted development rights for demolition of locally listed assets

The Secretary of State must exercise the powers conferred by sections 59, 60, 61, 74 and 333(7) of TCPA 1990 to remove permitted development rights relating to

the demolition of a heritage asset which has been placed on a local planning authority's local list of assets which have special local heritage interest.”

Member's explanatory statement

This amendment removes permitted development demolition rights for locally listed assets. The amendment is intended to protect non-designated heritage assets on a local planning authority's local list. The Secretary of State could provide further clarity by setting out a definition of what qualifies as a local list following consultation.

After Clause 108

LORD GOLDSMITH OF RICHMOND PARK
LORD RANDALL

After Clause 108, insert the following new Clause—

“Swift bricks and boxes

- (1) It is a condition in any grant of planning permission for new build developments greater than 5 metres in height, that there must be a minimum average of one swift brick or box per dwelling or unit.
- (2) Where feasible, swift bricks integrated into walls must be installed in preference to external swift nest boxes, following best practice guidance.
- (3) A planning authority may grant planning permission with exceptions or modifications to the condition specified in subsection (1) in exceptional circumstances, where possible following best practice guidance.
- (4) Where a planning authority considers that there are exceptional circumstances under subsection (3), it must publish those exceptional circumstances.
- (5) For the purpose of this section—
 - “best practice guidance” means the British Standard BS 42021:2022;
 - “swift brick” means an integral nest box integrated into the wall of a building suitable for the nesting of the common swift;
 - “swift nest box” means an external nest box suitable for the nesting of the common swift.”

Member's explanatory statement

This amendment would make planning permission for new developments conditional on the provision of a minimum number of swift bricks. These bricks provide the only permanent nesting habitat for red-listed cavity-nesting birds who are almost solely reliant on these sites to breed. Also known as universal nest bricks, they provide habitat for other small urban birds and invertebrates.

After Clause 226

BARONESS BOYCOTT
BARONESS YOUNG OF OLD SCONE
Revised version of Amendment 282F

282F After Clause 226, insert the following new Clause –

“Community cultivation schemes

- (1) The Secretary of State must by regulations make provision for a system that requires local authorities to maintain a list of land in its area suitable for community cultivation, and permits residents to cultivate suitable land held by public authorities for the purpose of growing food crops or “environmental protection” as defined in section 45 of the Environment Act 2021, on condition that certain requirements prescribed by the regulations are met.
- (2) Requirements prescribed by the regulations may, among other things, include requirements to –
 - (a) lay out the meaning of community cultivation, and “meanwhile use leases”;
 - (b) lay out what land is suitable and who can nominate land as being suitable;
 - (c) establish parameters around how long a piece of land would need to be available to be considered as suitable, with a principle that any land granted for the purpose of community cultivation is not granted in perpetuity;
 - (d) require local authorities to publish lists of land suitable for cultivation.
- (3) Before making regulations under this section, the Secretary of State must consult such persons or bodies as the Secretary of State considers appropriate.”

Member's explanatory statement

This amendment would allow the Secretary of State to place a requirement on local authorities to publish a list of all publicly owned land in their vicinity which was suitable for either the purposes of community cultivation or environmental improvement, and to allow community groups to bid on listed areas of land to use them for either of the aforementioned purposes.

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