

Committee(s): Culture Heritage and Libraries Open Spaces and City Gardens West Ham Park	Dated: TBC 6 October 2022 6 October 2022
Subject: Levelling Up and Regeneration Bill	Public
Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?	NA
Does this proposal require extra revenue and/or capital spending?	N
If so, how much?	£-
What is the source of Funding?	NA
Has this Funding Source been agreed with the Chamberlain's Department?	N
Report of: Remembrancer	For Information
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Summary

The Bill sets out measures, often in the form of a framework containing little detail, on environmental protections and heritage assets. The Government's intention that rules and guidance will be grafted on in the future.

Briefings and engagement will take place throughout the progress of the Bill through Parliament.

This report provides an overview of the Bill as it relates to heritage and open spaces.

Recommendation(s)

Members are asked to note the report.

Main Report

Background

1. The Bill was announced in the 2022 Queen's Speech and is a very substantial measure, which runs to 325 pages with 196 clauses and 17 schedules.
2. The Bill touches on many of the policy areas, such as landscape protection and planning rules, which were included in the Government's recent White Paper on planning. The White Paper proposed new categories of land for planning

purposes, which in some cases appeared to reduce protections for some green and open spaces.

3. In collaboration with colleagues from the Environment and Open Spaces department, in particular those working at Epping Forest and Hampstead Heath, steps were taken to advocate stronger protections for green and open spaces, Metropolitan Open Land, and the historic environment.
4. The content of the present Bill suggests that many of the former proposals contained in the White Paper will not be progressed. Overall, the Bill better reflects the City's interests regarding heritage, environmental and open space protection.

Environment

5. The Bill will replace existing environmental assessment processes (Strategic Environmental Assessment, Sustainability Appraisal and Environmental Impact Assessment) with a requirement for 'Environmental Outcome Reports'. Whilst many of the elements of this new regime are similar to the current arrangements, further rules will be set out in future secondary legislation. In formulating future rules, the Bill requires the Secretary of State to ensure that there is no reduction in the overall level of environmental protection.
6. To provide further guidance, the Government has indicated it will produce a series of National Development Management Policies, which will build on current policy in the National Planning Policy Framework (NPPF). The Government intends that these national policies will provide a consistent approach across England on issues which apply in most areas such as Green Belt and heritage policies. These policies would carry the same weight as policies in the development plan. Local plans will be limited to addressing locally specific matters such as allocating land for development.
7. The Bill places a greater emphasis on community engagement, for example through enhanced pre-application consultation. If the measures come into force, in a City Corporation context, this move will be embedded in a new version of the City's 'Statement of Community Involvement'.
8. The Government's stated objective is the replacement of the existing (and partly EU-derived) regimes for Environmental Impact Assessment (EIA) and Strategic Environmental Assessment (SEA). To achieve this, the Bill enables secondary Environment Outcome Reports (EOR) regulations to be prepared that will allow the government to specify new "specified environmental outcomes". Those outcomes will be based on the Government's current 25-year Environment Plan. Included within the scope of environmental protection are the effects of human activity on the natural environment, cultural heritage and landscape, as well as the protection of people from those activities. It also extends to issues relating to maintenance, restoration and enhancement of the environment. Future rules will cater for the way in which the new EOR will interact with the

existing EIA and SEA regimes. The Bill provides that the new EOR regulations will not offer lower protections than currently applicable.

Design

9. Reflecting the Government's stated desire to promote high quality of design in buildings and spaces, the current National Planning Policy Framework (NPPF) guidance on the need for each local authority to have a design guide or design codes in place will become a statutory requirement. Local authority-wide design codes will have full weight in making decisions on development. These guides, or codes, will either be set out within the local plan or in a supplementary plan. The national 'Office for Place' will support local authorities to turn design visions into local standards, deliver design codes and design better outcomes.

Heritage

10. Designated heritage assets, including scheduled monuments, registered parks and gardens, World Heritage Sites and registered battlefields are to be given the same statutory protection as listed buildings and conservation areas. The overall level of protection has been strengthened from 'preserving' to 'preserving and enhancing'.
11. Local authorities will also have a new statutory duty to maintain an Historic Environment Record. Officers in the City's Planning Department welcome this move as a way of increasing the level of information available on local heritage assets. Funding and details are not yet clear, however.
12. The Bill introduces a new temporary stop notice which will be available where it appears unauthorised works are being undertaken to a listed building. This would require all specified works to cease for a maximum of 56 days from the date of the notice.
13. The Bill creates a regime by which the Secretary of State may make regulations relating to environmental protection such as relating to landscape; maintenance, enhancement or restoration of the natural environment; cultural heritage including buildings, structures or anything of artistic interest.

Conclusion

14. Culture, Heritage and Libraries, and Open Spaces officers have been consulted in the preparation of this Report.
15. To date, three briefings have been provided to parliamentary audiences. Further briefings on points of City interest will be circulated during the Bill's passage through Parliament. The points raised will reflect the Corporation's support for financial services innovation across the UK and the City's stated aim to ensure that relevant areas of the Capital are included in the levelling up programme. Engagement will include underlining the contribution to levelling

up made by financial and professional services, City Corporation projects, and the importance of environmental protections contained in the Bill.

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