

The Levelling Up and Regeneration Bill 2023

The Levelling Up and Regeneration Bill received Royal Assent in October 2023. This 534-page bill is designed to underpin the Conservative government's levelling up agenda. The legislation overhauls planning and plan-making, reforms developer contributions and enshrines the government's 'levelling up missions' in law.

Here are some of the key measures at a glance:

Planning and land supply:

- The act aims to streamline the local plan-making process and reduce duplication by ensuring authorities have a single local plan.
- A new suite of national development management policies will be introduced to cover common planning considerations that apply widely in decision-making across different authorities (such as green belt and flood risk).
- The preparation, examination and adoption process is more 'front-loaded' and evidence requirements reduced. The government expects plans adopted within 30 months.
- The duty to co-operate will be removed - meaning an authority will not need to cooperate with neighbours so that its housing need is met by those neighbouring authorities.
- The act would result in amendments to the National Policy Planning Framework which remove the current requirement for a rolling five-year supply of housing land, where the local plan is up to date.
- The act allows planning fees for major and minor applications to be increased by 35% and 25% respectively.
- Councils will be able to consider slow build-out rates when approving planning.

Design codes and street votes:

- Every local planning authority will be required to produce a design code for its area. These will form part of a local plan or supplementary plan.
- The act includes new 'street vote' powers, which would allow residents on a street to bring forward proposals to redevelop their properties in line with their design preferences.

Developer contributions:

- A new infrastructure levy will be introduced to replace the current Community Infrastructure Levy and much of the section 106 system. However the levy, which will be charged on the value of a property when it is sold, will not now be introduced fully for a decade.
- Locally-produced 'infrastructure delivery strategies' will determine where and how infrastructure spending is allocated.

Royal Institution of Chartered Surveyors (RICS):

- The act gives the housing secretary power to order independent governance reviews of the Royal Institution of Chartered Surveyors.

Levelling up missions:

- The act requires the government to bring before parliament a statement of 'levelling up missions', which must include a target to reduce child poverty and an assessment of geographical disparities. Ministers must report on progress against these missions annually.

Planning enforcement:

- Planning authorities will be given stronger powers to deal with those breaching planning rules and processes.