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UK



RAMBLERS

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## Lords Committee Stage briefing from the Walking and Cycling Alliance on the LEVELLING UP AND REGENERATION BILL (LURB)

### INTRODUCTION

This briefing outlines the views of the 7 organisations comprising the Walking and Cycling Alliance (WACA):

- The Bicycle Association, the national trade association for the UK cycle industry;
- The Bikeability Trust, the charity which promotes the Bikeability cycle training programme;
- British Cycling, the governing body for competitive cycling;
- Cycling UK, the national membership charity promoting everyday cycling;
- Living Streets, the national charity promoting everyday walking;
- Ramblers, the national charity primarily focussed on recreational walking; and
- Sustrans, the walking and cycling charity, best known for the National Cycle Network.

### BACKGROUND

In 2020, the Government proposed reforms to England's planning system in a [White Paper](#). Concerns about the original proposals prompted the formation of the [Better Planning Coalition](#) (BPC). BPC's members are united by a common goal: **a planning system fit for people, nature and the climate**. WACA are broadly supportive of the BPC's amendments, with four of our organisations (Cycling UK, Living Streets, the Ramblers and Sustrans) being members of the BPC.

Since the LURB was passed by the Commons, the Government has launched a consultation on:

- some [minor revisions to its National Planning Policy Framework](#) (NPPF); and
- an '[NPPF prospectus](#)', outlining not only these revisions but also some further changes to the NPPF which it proposes to make in the future.

During the Commons debates on the LURB, the Government had suggested that WACA's (and BPC's) concerns would best be dealt with through the NPPF rather than through legislation. However **the new draft NPPF does not include any new policy on these issues**. Instead, it defers further action on sustainable transport and active travel, and indeed on the climate more generally, to a future NPPF revision.

This briefing focuses on an amendment, proposed by WACA and supported by BPC, on **embedding walking, cycling and rights of way networks into local development plans**. This would help safeguard land (e.g. disused railway lines) that could form useful walking and cycling routes, while ensuring that new developments are well-connected to such routes, and securing developer contributions for new or improved walking and cycling provision.

It then outlines the BPC's amendments which seek to embed **climate** and **health and wellbeing** as key considerations in national and local planning policy and decision-making. It concludes by summarising the BPC's amendments on **environmental outcome reports** (EORs) and **permitted development rights** (PDRs), as well as an amendment from Council for National Parks and other BPC members on the **statutory role of national parks**. We strongly support these amendments, given their relevance for promoting and improving conditions for walking and cycling.

## EMBEDDING CYCLING, WALKING AND RIGHTS OF WAY NETWORKS IN DEVELOPMENT PLANS

This amendment, proposed by WACA and supported by BPC, seeks to ensure that plans for walking and cycling networks and rights of way networks drawn up by county councils or combined authorities are incorporated into local planning authorities' Development Plans, and reflected in their planning decisions. This would help to safeguard land for new walking and cycling routes or rights of way (e.g. disused railway lines) or to improve existing routes. It would also ensure that developments are connected with existing or new walking, wheeling and cycling networks, while securing developer contributions to introduce or upgrade such routes.

It aims to address the problem of local planning authorities unwittingly (or even intentionally) frustrating a higher-tier authority's aspirations for walking, cycling or rights of way networks, by not recording those network aspirations in their own Development Plans, thereby failing to safeguard land for those networks, to connect new development with existing networks and/or to secure developer contributions to implement or upgrade specific routes.

This problem is most common in two-tier areas, where the local transport or highway authority (usually a county council or a combined authority) is not the same body as the local planning authority (usually a district council, some city councils or metropolitan unitary authorities). However, it can arise even within the same authority. In one case, one part of a unitary authority commissioned Sustrans to assess the feasibility of re-opening a disused railway line as a walking and cycling route, yet another part of the same authority then gave permission for a housing development which blocked that disused railway line before Sustrans had completed the study. In another case, planning permission was granted by a local planning authority for development which adversely impacted a section of the National Cycle Network (which Sustrans manages), with planning officers unaware of the existence and importance of this walking, wheeling and cycling route.

'Local transport authorities' have a duty to prepare a (statutory) Local Transport Plan (LTP) for their area. They are also responsible for drawing up one or more (non-statutory) Local Cycling and Walking Infrastructure Plans (LCWIPs) for their area (or parts of their area), while 'local highway authorities' outside London (which are usually the same body) are each required to draw up a (statutory) Rights of Way Improvement Plan (RoWIP) for their area. DfT is due to consult on new statutory guidance on LTPs, which is expected to require local transport authorities to include LCWIPs, and potentially also RoWIPs, in their LTPs.

Meanwhile, 'local planning authorities' are responsible for preparing a Development Plan for their area. As well as spelling out where different kinds of development will or will not be permitted, Development Plans can also safeguard land (e.g. to prevent developments from blocking potential future transport links or rights of way) and can help secure funding contributions from developers towards the costs of providing or improving these links.

The Government has argued that our concerns about this lack of coordination would best be addressed through the NPPF, rather than through legislation. However the current NPPF – and its proposed revision – only mentions LCWIPs in passing and omits RoWIPs altogether. As a result, developments are still being granted permission without taking account of or adequate provision for walking, cycling or rights of way networks.

We therefore urge Peers to support **Amendment 240**, tabled by Lord Berkeley, Lord Young of Cookham, Lord Hunt of Kings Heath and Baroness Randerson (see ['Amendment papers'](#) for current 'Marshalled list').

**Amendment 240:** new Clause, to be inserted after Clause 93 —

### **Cycling, walking and rights of way plans: incorporation in development plans**

- (1) A local planning authority must ensure that the development plan incorporates, so far as relevant to the use or development of land in the local planning authority's area, the policies and proposals set out in:
  - (a) any local cycling and walking infrastructure plan or plans prepared by a local transport authority;
  - (b) any rights of way improvement plan.
- (2) In dealing with an application for planning permission or permission in principle the local planning authority shall also have regard to any policies or proposals contained within a local cycling and walking infrastructure plan or plans and any rights of way improvement plan which have not been included as part of the development plan, so far as material to the application.
- (3) In this section:
  - (a) "local planning authority" has the same meaning as in section 15LF of PCPA 2004;
  - (b) "local transport authority" has the same meaning as in section 108 of the Transport Act 2000;
  - (c) a "rights of way improvement plan" is a plan published by a local highway authority under section 60 of the Countryside and Rights of Way Act 2000.

### **Explanatory statement**

This New Clause would require development plans to incorporate policies and proposals for cycling and walking infrastructure plans and rights of way improvement plans. Local planning authorities would be required to have regard to any such policies and proposals where they have not been incorporated in a development plan.

### **BETTER PLANNING COALITION (BPC) AMENDMENTS: INCORPORATING CLIMATE, HEALTH AND NATURE CONSIDERATIONS INTO PLANNING POLICIES AND DECISION-MAKING**

The [Government's Levelling Up White Paper](#) defined Levelling Up Missions for public transport connectivity (Mission 3), health (Mission 7) and wellbeing (Mission 8). However neither the Bill nor the draft NPPF revisions contain any targeted measures to address these issues.

The BPC's proposals include amendments to address these issues, notably:

- **Climate: Amendment 309**, drafted by BPC, seeks to ensure that national planning policies, local plan-making and development decisions are all consistent with the 'net zero' target and carbon budgets set under the Climate Change Act, while Amendments 8, 18, 179, 201, 214, 222, 226, 270 and 271 have similar goals. This is particularly important for the WACA organisations, given the need to ensure that the location (as well as the design) of new developments supports active travel and public or shared transport, so as to avoid entrenching car-dependence.
- **Health and Wellbeing:** The BPC-drafted **Amendment 241** would require English local planning authorities' Development Plans to incorporate a 'general health and well-being objective' – to reduce health inequalities and improve well-being – and to consider

this when making planning decisions. It specifically mandates local planning authorities and the Secretary of State where appropriate to have special regard to the creation of walkable '[20 minute neighbourhoods](#)' and walking, wheeling and cycling routes. Amendments 30, 188 and 213 also seek to integrate health and well-being considerations into national and/or local planning policy.

- **Environmental Outcome Reports (EORs):** The Government proposes EORs to replace the current processes for assessing the climate, air quality and other environmental impacts of Development Plans and specific new developments. BPC's nature subgroup is proposing various amendments (*numbers 372, 375-381, 384 and 388*) aimed at preventing any regression in the standards required of EORs compared with current standards, and/or requiring full parliamentary scrutiny of any proposed changes to these processes – see [Wildlife and Countryside Link briefing](#). Amendments 219, 367-374 and 389 have similar aims.
- **Permitted Development Rights (PDRs):** BPC fears that the over-use of PDRs (whereby planning permission is not required for certain types of development) risks enabling developments that would have adverse environmental, heritage and other impacts. BPC's *Amendment 312F* would require the Government to establish a review of the impacts of PDRs, and to publish a report of its recommendations within 12 months of the LURB coming into force.

For more information and the texts of these amendments, see [BPC's Committee Stage briefing](#) or contact BPC Coordinator Owen Edwards, [owen@betterplanningcoalition.com](mailto:owen@betterplanningcoalition.com).

## PROTECTED LANDSCAPES (i.e. NATIONAL PARKS AND AREAS OF OUTSTANDING NATURAL BEAUTY)

The Campaign for National Parks (CNP), Wildlife and Countryside Link (WCL) and other BPC members have proposed a new Clause (*Amendment 387*, tabled by Lord Randall of Uxbridge, Baroness Jones of Whitchurch, Baroness Willis of Summertown and Baroness Bakewell of Hardington Mandeville). It adds to the purposes of Protected Landscapes (i.e. National Parks and Areas of Outstanding National Beauty) and the powers and duties of the bodies charged with managing them, particularly relating to the recovery (as well as protection) of nature. In doing so, it gives effect to the recommendations of the Government-commissioned '[Glover Review](#)' of England's Protected Landscapes. One of the proposed new purposes is to contribute to "equitable opportunities of all parts of society to improve their connection to nature in those areas and the enjoyment of their special qualities".

For more information on this amendment, see [BPC's Committee Stage briefing](#) or contact CNP's Senior Campaigns Officer Nick Hall ([nickh@cnp.org](mailto:nickh@cnp.org)).

## FOR FURTHER INFORMATION

For more information from WACA, contact Cycling UK's Policy Director Roger Geffen ([roger.geffen@cyclinguks.org](mailto:roger.geffen@cyclinguks.org)) or Sustrans' Senior Policy and Parliamentary Officer Dan Simpson ([dan.simpson@sustrans.org](mailto:dan.simpson@sustrans.org)).