

Greenest Planning Ever Coalition

Localism Bill Briefing House of Lords, Committee Stage

Neighbourhood Planning

4 July 2011

Summary

- The neighbourhood planning process must be accessible to, and representative of, the interests of all members of a community to ensure that local needs can be met in the most appropriate manner. As such, the Bill needs to be amended to ensure that business interests are not disproportionately represented in neighbourhood planning.
- Planning across all levels must be consistent and coherent, to ensure that national as well as local obligations and needs can be met. Neighbourhood plans and orders must be compatible with national policy and local development documents.

Reasons for Amendments

We welcome, in principle, the concept of neighbourhood planning and seeking to enable local residents to truly engage in the planning and development of their communities. Neighbourhood plans must be built on a robust, up-to-date evidence base and enable effective participation and involvement from all interested parties at every stage.

Neighbourhood Planning must be inclusive

The Greenest Planning Ever coalition is concerned that as the Localism Bill progresses through Parliament, it is being redesigned so that it no longer empowers local communities to determine the way their own locality is developed and managed. Rather, the Bill has become a vehicle to promote the interests of business (not necessarily local businesses) over all other considerations in the planning system. As it stands currently, there is a risk that the Bill will enshrine in law a new planning system that can be manipulated by opportunistic businesses at the expense of local communities and the environment.

We are concerned that Government amendments to Schedule 9¹ will provide for businesses to develop their own neighbourhood development orders or plans. Business led plans will not be obliged to "*further the social, economic and environmental well being of individuals*". Instead they can concentrate on promoting "*the carrying on of trades, professions and other businesses*". A neighbourhood forum may also be made up completely of individuals who work in the neighbourhood area concerned, excluding those that live there.

This is a fundamental change to the nature of neighbourhood planning that results in a massive power shift. Business will have the resources to undertake the neighbourhood planning process

¹ See new section 61F(5) under clause 2 of Schedule 9, pg 306 of Volume 2 of the Localism Bill

when communities do not. Some communities may become defensive about involving business interests and some will embrace the involvement of business as a way out from the immensity of the challenge of producing a plan. However, we are concerned that few communities will be able to have an equal partnership with business that achieves both the well-being objective and the promotion of business. The result could be that business acting to protect their own interests will dominate the neighbourhood planning process while local residents and community groups struggle to be heard.

Lord Whitty's amendments 148AZZB, 148AZZG and 148AZZH below seek to address the risk of imbalance within the neighbourhood planning system, to enable business to have a role in the process but to ensure that they cannot dominate and exclude local communities.

Neighbourhood Planning must be compatible with local and national planning

Neighbourhood planning must be guided by strategic and national planning. It must enable national needs and international obligations to be properly delivered at the local level, such as sustainable housing and renewable energy. Neighbourhood plans must be prepared under and be consistent with the strategic frameworks established in national and local plans and be subject to the requirement to achieve sustainable development. The Localism Bill does not currently include sufficient mechanisms to ensure consistency between plans at all levels. The amendments proposed below seek to redress this by requiring that plans at all levels must be compatible (amendments 153ZZA, 153ZZB and 153ZB).

Amendments

AMENDMENT 148AZZB

Aim: To ensure that neighbourhood forums are not established purely for the purpose of facilitating economic growth or business interests, but remain integral to the delivery of sustainable development.

In Schedule 9, Page 306, line 20 leave out paragraph (a) and insert –

- “(a) it is established expressly for the purpose of furthering the social, economic and environmental well-being of individuals living, or having an interest, in an area that consists of or includes the neighbourhood area concerned,”.

AMENDMENTS 148AZZG and 148AZZH

Aim: To ensure that neighbourhood forums are not comprised only of people who work in the neighbourhood area, but are representative of the different interests.

In Schedule 9, Page 306, line 37 leave out from “individuals” to end of line 44 and insert “including at least one individual falling within each of the sub-paragraphs (i) to (iii) of subsection (5)(b)”.

In Schedule 9, page 307, line 6 leave out “(or taken reasonable steps to attempt to secure)”.

AMENDMENTS 153ZZA and 153ZZB

Aim: To ensure neighbourhood plans and orders are compatible with national policy and guidance.

In Schedule 10, page 321, line 22 leave out “having regard to” and insert “the making of the order is compatible with” and leave out “it is appropriate to make the order,”.

AMENDMENT 153ZB

Aim: To ensure that neighbourhood plans and orders are in conformity with the local development plan documents.

In Schedule 10, page 321, line 33, leave out “general conformity with the strategic policies” and insert “conformity with the objectives and policies”.

Notes:

This briefing is supported by the following 12 organisations:

- Buglife – the invertebrate conservation trust
- Butterfly Conservation
- Campaign for Better Transport
- Campaign for National Parks
- Campaign to Protect Rural England
- Friends of the Earth England
- Open Spaces Society
- Royal Society for the Protection of Birds
- The Badger Trust
- The Wildlife Trusts
- Woodland Trust
- WWF-UK

These organisations are all members of the Greenest Planning Ever coalition, which is a campaign of the Wildlife and Countryside Link² and partners. The Greenest Planning Ever coalition has come together to ensure that the natural environment is at the heart of planning reform.

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² Wildlife and Countryside Link (Link) is a coalition of the UK’s major environmental organisations working together for the conservation and protection of wildlife and the countryside. Link is a registered charity number (No. 1107460) and a company limited by guarantee in England and Wales (No.3889519).