



House of Commons

Tuesday 28 March 2017

CONSIDERATION OF LORDS AMENDMENTS

NEIGHBOURHOOD PLANNING BILL

On Consideration of Lords Amendments to the Neighbourhood Planning Bill

NOTE

This document includes all amendments tabled to date and includes any withdrawn amendments at the end. The Lords amendments have been arranged in accordance with the Neighbourhood Planning Bill (Programme) (No. 3) Motion to be proposed by Secretary Sajid Javid.

Lords Amendment No. 22

Secretary Sajid Javid

To move, That this House disagrees with the Lords in their Amendment.

Secretary Sajid Javid

To move the following Amendments to the Bill in lieu of the Lords Amendment No. 22:—

Page 11, line 40, at end insert the following new Clause—

(a)

“Permitted development rights relating to drinking establishments

- (1) As soon as reasonably practicable after the coming into force of this section, the Secretary of State must make a development order under the Town and Country Planning Act 1990 which—
 - (a) removes any planning permission which is granted by a development order for development consisting of a change in the use of any building or land in England from a use within Class A4 to a use of a kind specified in the order (subject to paragraph (c)),

Neighbourhood Planning Bill, *continued*

- (b) removes any planning permission which is granted by a development order for a building operation consisting of the demolition of a building in England which is used, or was last used, for a purpose within Class A4 or for a purpose including use within that class, and
 - (c) grants planning permission for development consisting of a change in the use of a building in England and any land within its curtilage from a use within Class A4 to a mixed use consisting of a use within that Class and a use within Class A3.
- (2) Subsection (1) does not require the development order to remove planning permission for development which has been carried out before the coming into force of the order.
- (3) Subsection (1) does not prevent—
- (a) the inclusion of transitional, transitory or saving provision in the development order, or
 - (b) the subsequent exercise of the Secretary of State’s powers by development order to grant, remove or otherwise make provision about planning permission for the development of buildings or land used, or last used, for a purpose within Class A4 or for a purpose including use within that class.
- (4) A reference in this section to Class A3 or Class A4 is to the class of use of that name listed in the Schedule to the Town and Country Planning (Use Classes) Order 1987 (SI 1987/764).
- (5) Expressions used in this section that are defined in the Town and Country Planning Act 1990 have the same meaning as in that Act.”

Secretary Sajid Javid

Page 32, line 20, at end insert—

“() section (*Permitted development rights relating to drinking establishments*);”

(b)

Lords Amendment No. 12

Secretary Sajid Javid

To move, That this House disagrees with the Lords in their Amendment.

Neighbourhood Planning Bill, *continued*

Lords Amendment No. 4

As an Amendment to the Lords Amendment:—

Nick Herbert
 Sir Nicholas Soames
 Nicky Morgan
 Mr Andrew Mitchell
 Sir Henry Bellingham
 Maria Caulfield

Philip Davies
 Mr Bernard Jenkin
 Antoinette Sandbach

Gordon Henderson
 Nigel Mills

Mr Philip Hollobone
 Jason McCartney

(a)

Line 75, at end insert—

“(1E) Within 28 days of receipt of notification under this section by the local planning authority the neighbourhood forum may notify the local planning authority of its views on the proposed development application.

(1F) A local planning authority shall, in determining the development application, take into account the views expressed in a notification by the neighbourhood forum under sub-paragraph (1E).”

Member’s explanatory statement

The purpose of this amendment is to ensure that the neighbourhood forum’s views on the development application are notified to the planning authority and are taken into account by the authority.

Lords Amendment No. 23

As an Amendment to the Lords Amendment:—

Nick Herbert
 Sir Nicholas Soames
 Sir Henry Bellingham
 Maria Caulfield
 Philip Davies
 Gordon Henderson

Mr Philip Hollobone
 Jason McCartney

Mr Bernard Jenkin
 Antoinette Sandbach

Nigel Mills

(a)

Line 37, at end insert—

“(6A) In subsection (5)(a) the reference to “functions” does not include powers to acquire compulsorily any land.”

Member’s explanatory statement

The purpose of this amendment is to ensure that powers of compulsory acquisition which are currently only exercisable by Ministers, or which require the consent of Ministers, cannot be delegated to local authorities.

Neighbourhood Planning Bill, *continued*

NEIGHBOURHOOD PLANNING BILL (PROGRAMME) (NO. 3)

Secretary Sajid Javid

That the following provisions shall apply to the Neighbourhood Planning Bill for the purpose of supplementing the Orders of 10 October 2016 (Neighbourhood Planning Bill (Programme)) and 13 December 2016 (Neighbourhood Planning Bill (Programme) (No. 2)):

Consideration of Lords Amendments

1. Proceedings on consideration of Lords Amendments shall (so far as not previously concluded) be brought to a conclusion four hours after their commencement at today's sitting.
2. The Lords Amendments shall be considered in the following order: Nos. 22, 12, 10, 11, 13 to 21, 85 to 90, 1 to 9 and 23 to 84.

Subsequent stages

3. Any further Message from the Lords may be considered forthwith without any Question being put.
 4. The proceedings on any further Message from the Lords shall (so far as not previously concluded) be brought to a conclusion one hour after their commencement.
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