

Neighbourhood Planning Bill

AMENDMENTS
TO BE MOVED
IN GRAND COMMITTEE

Clause 5

LORD KENNEDY OF SOUTHWARK
LORD BEECHAM

Page 5, line 9, at end insert –

“with reasonable payments made by local authorities for the purposes set out in paragraphs (a) and (b) to be recovered from the Secretary of State.”

After Clause 5

LORD KENNEDY OF SOUTHWARK

Insert the following new Clause –

“Permitted development: change of use to residential

Where the Secretary of State, in exercising the powers conferred by the Town and Country Planning Act 1990, makes a general permitted development in respect of change of use to residential use as dwelling-houses, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to –

- (a) transport and highway impacts of the development;
- (b) contamination risks on the site;
- (c) flooding risks on the site;
- (d) noise impacts of the development;
- (e) minimum space standards for the dwelling-houses;
- (f) in cases where the authority considers the building to which the development relates is located in an area that is important for provision of particular services (for example offices), whether the introduction of, or an increase in, a residential use of premises in the area would have an adverse impact on the sustainability of the provision of those services;

After Clause 5 - continued

- (g) whether the location or siting of the building makes it otherwise impractical or undesirable for the building to change use to a use falling within Class C3 (dwelling houses) of the Schedule to the Town and Country Planning (Use Classes) Order 1987;
- (h) impacts of air quality and noise on the intended occupiers of the development; and
- (i) the impact of neighbouring buildings and their uses on the intended occupiers of the development.”

Insert the following new Clause—

“Land use following lapse of planning permission

If planning permission lapses, the local authority may direct the use of that land for purposes relating to priorities in the local development plan or neighbourhood plan.”

Clause 7

LORD KENNEDY OF SOUTHWARK

Lord Kennedy of Southwark gives notice of his intention to oppose the Question that Clause 7 stand part of the Bill.

Clause 8

LORD KENNEDY OF SOUTHWARK

LORD SHIPLEY

BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

The above-named Lords give notice of their intention to oppose the Question that Clause 8 stand part of the Bill.

After Clause 11

LORD BEECHAM

Insert the following new Clause—

“Guidance on clustering of betting offices and pay day loan shops

- (1) Before exercising his or her powers under section 41(1) the Secretary of State must issue guidance to local authorities on the granting of planning for permission for change of use to betting offices and pay day loan shops.
- (2) This guidance must set out the manner in which policies in neighbourhood plans and local plans about the number, density and impact of betting offices and pay day loan shops are to be taken into account when determining applications for change of use, in a way which prevents a deleterious effect on the neighbourhood or local area.”

After Clause 11 - continued

LORD CAMERON OF DILLINGTON

Insert the following new Clause—

“Right to reject a second development application

A local planning authority has the right to reject a planning application if the applicant, or any associated individual or body, already has planning permission to build 50 or more homes in the area.”

After Clause 12

LORD KENNEDY OF SOUTHWARK

LORD SCRIVEN

LORD SHIPLEY

Insert the following new Clause—

Local Authorities and development management services

- (1) A local planning authority may set a charging regime in relation to its development management services.
- (2) In setting the amount of a charge under subsection (1) a local planning authority must secure that, taking one financial year with another, its income from charges does not exceed the cost to the authority of delivering the development management services for which the charges are imposed.”

After Clause 13

LORD BEECHAM

LORD KENNEDY OF SOUTHWARK

Insert the following new Clause—

“Review of sustainable drainage

Before exercising his or her powers under section 41(1) the Secretary of State must carry out a review of the impact on communities’ resilience to flooding of planning legislation, government planning policy and local planning policies concerning sustainable drainage in relation to the development of land in England.”

BARONESS ANDREWS

Insert the following new Clause—

“Compulsory acquisition: payments from charitable trusts involved in conservation

In a case where—

- (a) a local planning authority has the power to compulsorily acquire a listed building or a building in a conservation area; and
- (b) a charitable trust whose objectives include the conservation of such property has given an obligation by deed to the local authority to pay to the local planning authority the costs of such acquisition;

the planning authority must exercise its powers to compulsorily acquire the relevant building.”

After Clause 13 - continued

LORD KENNEDY OF SOUTHWARK

Insert the following new Clause –

“Change of use of drinking establishments

- (1) In section 3 of the Town and Country Planning (Use Classes) Order 1987 after paragraph (6)(o) insert –
 - “(p) as a drinking establishment”.
- (2) Before exercising his powers under section 41(1) of this Act, the Secretary of State must exercise the powers conferred by sections 59, 60, 61, 74 and 333(7) of the Town and Country Planning Act 1990 to remove permitted development rights relating to the change of use or demolition of “drinking establishments.”

Clause 24

BARONESS ANDREWS

Page 20, line 29, at end insert –

- “(2A) No regulations may be made under subsection (1) which have the effect of modifying any procedures that apply specifically to the acquisition of land belonging to the National Trust and held by the Trust inalienably.
- (2B) In subsection (2A), “held inalienably”, in relation to land belonging to the National Trust, means that the land is inalienable under section 21 of the National Trust Act 1907 or section 8 of the National Trust Act 1939.”

After Clause 36

LORD CAMERON OF DILLINGTON

Insert the following new Clause –

“Review of compulsory purchase process

The Secretary of State must, by the end of 2018, have completed a review of the entire compulsory purchase process and brought forward proposals to ensure compulsory purchase legislation is both fit for purpose and included within a single Act of Parliament.”

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25 January 2017
