

Neighbourhood Planning Bill

AMENDMENT
TO BE MOVED
ON REPORT

[Supplementary to the Revised Marshalled List]

After Clause 13

LORD TRUE
LORD TOPE

Insert the following new Clause—

“Local determination of the application of prior approval for conversion from office to residential use

(1) Notwithstanding—

- (a) any section of the Town and Country Planning (General Permitted Development) (England) Order 2015, the Town and Country (General Permitted Development) (England) (Amendment) Order 2016, or
- (b) any section of any other order or regulation purporting to convey a right to developers to automatic prior approval of the conversion of an office (Class B1(a)) or retail premises to residential use (Class C3), or the demolition of such premises for such conversion,

consent may be refused by the local planning authority for the conversion, or demolition for conversion, of any such office or retail space to residential use, if the local authority has, by a majority vote in Council, passed a formal resolution stating that the purported right to approval for such demolition or conversion without full planning consideration shall no longer apply within that local authority planning area, or in any part of it.

- (2) In reaching any decision on the conversion of offices to residential use the local planning authority shall be able to take account of all representations from the public or from local businesses, and of all aspects of an approved local plan, neighbourhood plan or supplementary planning document incorporated within an approved local plan, provided that it has previously passed a resolution under subsection (1).
- (3) A resolution under subsection (1) may only be adopted if the local planning authority has laid before the Council no less than a week prior to the vote under subsection (1) a report demonstrating that—

After Clause 13 - *continued*

- (a) the operation of prior approval is damaging local businesses and the local economy and that planning control over the retention of office space is necessary for the future economic development of the area, or
 - (b) active businesses within the area covered by the resolution are being expelled from office or retail space to enable its conversion to residential use.
- (4) No resolution may be adopted under subsection (1) if the local authority concerned has not met its housing targets in the preceding year, or cannot satisfactorily demonstrate in the report tabled under subsection (3) that it will exceed those targets in the year concerned.
- (5) A copy of the report laid under subsection (3) must be submitted to the Secretary of State no later than the day on which the agenda for the Council meeting concerned is published.
- (6) The Secretary of State may set aside, within three months of its passing, any resolution made by a local planning authority under subsection (1) if the Secretary of State does not consider that conditions under subsection (3)(a) and (b) are being met.”

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23 February 2017
