

# John Redwood urges government to accept new clauses to Planning Bill

NC17

To move the following Clause—

## **“Community right of appeal**

- The Town and Country Planning Act 1990 is amended as follows.
- After section 78 (right to appeal against planning decisions and failure to take such decisions) insert—

## **“78ZA Community right of appeal**

- The Secretary of State must by regulations make provision—
- enabling communities to appeal against a decision to grant planning permission or permission in principle for a development, and
- about such appeals.
- The regulations may require a certain number or proportion of residents of a local area to record objection against a decision for such an appeal to proceed.
- The regulations may, in particular, make provision the upholding of such appeals and the revocation of permission if—
- the development is inconsistent with a relevant neighbourhood plan, or
- due process has not been followed in relation to the planning application.
- The first regulations under this section must be laid before Parliament before the end of the period of six months beginning on the day on which this section comes into force.””

## **Member’s explanatory statement**

This new clause would introduce a community right of appeal against the granting of planning permission

## **Amendment 57**

Clause 83, page 91, line 30, leave out “national development management policy” and insert “the development plan”

## **Member’s explanatory statement**

This amendment would require any conflict between a local development plan and a national development management strategy to be resolved in favour of the local development plan.

## **NC15**

To move the following Clause–

### **“Requirements of the National Planning Policy Framework**

- The Secretary of State must ensure that the National Planning Policy Framework (NPPF) is in accordance with subsections (2) to (6).
- The NPPF must not contain a presumption in favour of sustainable development including where there are no relevant development plan policies, or such policies are out-of-date.
- The NPPF must provide for the right for persons to object to individual planning applications.
- The NPPF must provide that the Planning Inspectorate may only recommend that local plans not be adopted if–
  1. the consequences of that local plan would be detrimental to the objectives of such plans, and
  2. that local plan is markedly and verifiably atypical in comparison to other such plans.
- The NPPF must permit local planning authorities to impose bans on greenfield development in their areas, other than in exceptional circumstances, where–
  1. greenfield areas make a marked contribution to the local economy through leisure or tourism, and
  2. where sufficient brownfield land is likely to be available to meet housing needs identified in neighbourhood and local plans.
- The NPPF must include specific measures designed to support the creation of additional retirement homes, sheltered accommodation for the elderly and facilities for care homes.
- This section comes into force at the end of the period of six months beginning on the day on which this Act is passed.”

### **Member’s explanatory statement**

This new clause requires a revised NPPF within six months to provide that, among other things, there should be no presumption of sustainable development.

## **5 Year Land Supply– NC14**

**“Prohibition of mandatory targets and abolition of five-year land supply rule**

(1) Any housebuilding target for local planning authorities in–

- the National Planning Policy Framework (NPPF),

(b) regulations made under any enactment, or

(c) any planning policy document may only be advisory and not mandatory.

(2) Accordingly, such targets should not be taken into account in determining planning applications.

(3) The NPPF must not impose an obligation on local planning authorities to ensure that sufficient housing development sites are available over five years or any other given period.”

#### **Member’s explanatory statement**

This new clause requires a revised NPPF within six months to provide that housing targets are advisory not mandatory and that the five-year housing land supply rule will no longer apply.