

LOCALISM BILL: REAL PLANNING POWERS HANDED TO THE PARISHES

ACT OF PARLIAMENT TO GIVE YOU UNPARALLELED CONTROL OVER THE FUTURE OF YOUR COMMUNITY

The Localism Bill was published by the Coalition Government on 13th December 2010 and represents the most radical shift in power since town and country planning was first born in the aftermath of World War Two.

The Bill is long and complex but at its heart are four powers that will fundamentally change the role of parish councils. In short, your council will now have the opportunity to play a core role in the planning system. That is not just as a consultee but as a plan maker and decision taker on planning matters.

Power 1: Neighbourhood Plans

Parish councils will have the right to produce Neighbourhood Plans which will shape development at the parish level. Current local plans will take on the strategic role, e.g. housing numbers, strategic infrastructure, etc, and the Neighbourhood Plan will have to broadly follow this. But the detail of what is planned for the future of a community will now be determined by the parish council through the Plan. This includes where housing should be located, what local infrastructure (play areas, doctor's surgeries, etc) is needed and what development is generally not permissible.

A Neighbourhood Plan will have to be independently examined and then pass a local referendum amongst the population of the community it serves. If the majority of those voting are in favour, then a local authority is duty bound to take the plan into account when considering planning applications.

The cost of producing Neighbourhood Plans is to be covered through the proceeds of development permitted in the local area and from specific Government funding.

What should a Neighbourhood Plan contain? How can we ensure that it reflects what local people really want?' [Navigus Planning](#) can help you to think about the future of your area, to shape your Neighbourhood Plan and to enable local residents to contribute effectively to the plan.

Power 2: Neighbourhood Development Orders

As part of the neighbourhood planning process, any parish council which produces a Neighbourhood Plan will also be able to make a Neighbourhood Development Order (NDO). An NDO automatically grants planning permission for specific development or classes of development.

The classes of development which can be granted an NDO will be controlled and must be in accordance with the Local Plan. But they will be decided by the parish council and voted on in a referendum of the local community. If the majority of those voting are in favour, then the NDO will be passed.

Where a scheme is brought forward by the parish council itself, it may seek an NDO giving it a

‘community right-to-build’. This will help to deliver a community-led site-specific development which may be homes, businesses or facilities.

What types of development should we be seeking an NDO for? Should this have conditions attached and if so, what should they be?’ [Navigus Planning](#) can advise you and can help you to prepare a ‘community right-to-build’ NDO.

Power 3: Duty to consult local communities on major planning applications

The Localism Bill now requires prospective developers to consult local communities before submitting planning applications for certain developments. Developers have often done this as a way of ‘demonstrating’ that they have consulted locally on plans they have in fact already produced – in other words, a ‘tick the box’ exercise. The new powers mean that they will have to comprehensively consult on all large proposals before the plans have been produced and then show how they have taken the local community’s views into account in the submitted version. Failure to reflect what local people want from development could result in refusal of planning permission.

How do we ensure that developers are properly consulting us and that our views are fully reflected in their plans?’ [Navigus Planning](#) can support you in your response to developer plans.

Power 4: Local referendum on key issues

All too often local people are denied a voice on important issues. The Localism Bill changes this by allowing a local referendum to be held on any matter that the local community wishes. This referendum must be held by a local authority if a minimum of 5% of the local electorate sign a petition.

Following the referendum, the local authority must consider the steps it proposes to take and publish its decision and reasons. So if a community held a referendum over, for example, whether a bus service should run at different times or the hours of opening of a daycare centre, the local authority would have to take into account the result of the vote and go on record with its intentions on how to address the matter.

Are there particular issues in your local community which you think deserve a referendum? How might these impact on your neighbourhood planning or on developers’ proposals? [Navigus Planning](#) can help to guide you through the decisions.

**THE LOCALISM BILL HAS CHANGED THE FACE OF PLANNING.
PARISH COUNCILS ARE AN INTRINSIC PART OF THAT CHANGE.
NAVIGUS PLANNING IS HERE TO HELP GUIDE YOU THROUGH IT.**

- The [Journal of Local Planning](#) is specifically for parish councils and provides quarterly advice, examples of good practice and updates on what is happening in the world of planning relevant to communities. An annual subscription costs £50 – email info@navigusplanning.co.uk for more details or to sign up.
- [Navigus Planning](#) is a town planning consultancy focused on the needs of parish councils. We can provide general planning advice and training, as well as specific representations on planning applications. Our rates are very competitive and a subscription to the [Journal of Local Planning](#) gives you access to our services at preferential rates.

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