

Wiltshire Council

Council

8 November 2011

Notice of Motion No. 25 – The Future of Local Planning

To consider the following notice of motion submitted by:

Councillor Chris Caswill - Chippenham Monkton Division
Councillor Simon Killane - Malmesbury

“Council welcomes implications for Wiltshire residents of the stated objectives of the proposed changes to local planning, as set out in the Localism Bill, the draft National Policy planning Framework (NPPF) and the proposals for neighbourhood planning. In particular Wiltshire will benefit from greater involvement of local communities in shaping the future of their places where they live. However Council has concerns about aspects of the proposals which would affect Wiltshire residents and resolves to express these to government, Wiltshire MPs and relevant legislative bodies.

1. As a planning authority, Council asks that the Localism Bill be amended to remove the clause which would make payments offered by prospective developers a material consideration in planning decisions. Clarification is also needed in the Bill and the other proposals that the aim is *‘sustainable development’*, (to include specifically environmental and social criteria), and not only *‘sustainable economic growth’*.
2. Council shares the widely expressed concerns about the presumption in favour of development which is currently highlighted in the Localism Bill and the NPPF, and the simplistic assertion that in future the answer to development proposals is ‘yes’. It believes this will not provide the necessary protection to local people and the Wiltshire countryside, and will ask that this is amended in the legislation and regulations to provide a more balanced planning framework, consistent with the aim of giving communities a genuinely enhanced say in planning decisions.
3. Given the timing of Wiltshire planning policy development, Council is particularly concerned that any presumption of development generally being allowed where plans are *“absent, silent, indeterminate or ... out of date”* should not apply immediately on approval of the NPPF, but be phased in over time. A managed transition phase is essential.

4. Whilst Council welcomes the objective of enhanced community involvement through neighbourhood plans, and the flexibility proposed in the draft regulations, the proposals need to be amended to allow some opportunities for communities to reshape or in some circumstances reject proposals for new development, alongside the 'Community Right to Build' and ability to decide on details. Without this power, Wiltshire communities will be understandably skeptical about the opportunities for local involvement.
5. Council is also concerned about the absence of any definition of the 'qualifying bodies' who can initiate neighbourhood plans, and about the proposals for 'Community Right to Build' orders, which together appear to allow developers and organizations other than Wiltshire residents, town and parish councils opportunities to determine local planning outcomes. Council will respond accordingly to the current consultation on these issues.
6. Looking to the future, and in the interests of transparency, Council takes this opportunity to state its intention that decisions on neighbourhood plans in Wiltshire will be taken in full Council, to give members and the public the maximum opportunity for understanding and engagement."

Note: As this is a motion similar to one previously rejected by Council in the last six months (17 May 2011) it is also signed by the following members in accordance with the constitution:

Cllrs Jon Hubbard, Howard Marshall, Mark Packard, Trevor Carbin, Desna Allen, Peggy Dow, John Knight, Bill Douglas, David Jenkins

Report attached to assist Council in its consideration of this motion.