



# South Northamptonshire Council

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Ms Andrea Leadsom MP  
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Date: 18<sup>th</sup> February 2011

Dear Andrea

Thank you for coming to Springfields on 21<sup>st</sup> January 2011.

We covered an interesting range of issues and it was very helpful to hear your views, in particular about the Localism Bill. As we explained, we are progressing a range of issues including:

- transferring planning powers from WNDC to the Districts (first phase is now confirmed to be implemented from 1<sup>st</sup> April 2011, second phase working date of 1<sup>st</sup> April 2012)
- pre-submission draft of the Joint Core Strategy (agreed on 31<sup>st</sup> January at the West Northamptonshire Joint Strategic Planning Committee Meeting)
- Neighbourhood planning – Vanguard Neighbourhood Plan submission for Yardley Gobion sent to DCLG in February, and actively working on how we might develop a programme of plans for the district
- HS2 – we have allocated £100,000 to a revenue reserve in order to ensure that local communities are protected should the line take place

In terms of the Core Strategy, a planning structure is evolving following 15 months of public consultation. This will give local communities certainty with respect to infrastructure provision and development.

We promise to identify some issues of concern for you. You may wish to refer to these during future debates in the House. These issues, each with a short explanation, are enclosed.

We look forward to meeting you in the summer for another interesting debate.

Yours sincerely

Jean Morgan  
Chief Executive

Jean Morgan Chief Executive



*We will show strong leadership across South Northamptonshire, to preserve what is special,  
protect the vulnerable, enhance performance and encourage potential.*



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## Issues for MPs Questions

### 1. Localism Bill

- (i) It would be helpful if the Localism Bill could make it clearer that the cost of the proposed Neighbourhood Planning Referendums should be borne on a 50:50 basis between the Parish Council or the 'neighbourhood' initiating them and the District Council.

(This would help ensure a more equitable sharing of the financial burden for councils. In SNC's case, we could be faced with 92 Neighbourhood Plans – i.e. one for each Town or Parish Council area – or indeed rather more if neighbourhood plans were to be prepared at 'community' – i.e. village or hamlet – rather than parish level. The prospect of bearing a cost of preparation (of £22,000 each and potentially as much as £63,000 each for larger plans – see DCLG Localism Bill Impact Assessment) could be a potentially substantial cost facing the District Council.)

- (ii) In this context, it would be helpful if the Bill and the associated guidance for the development of Neighbourhood Plans made it clear that it is possible to prepare them to cover a number of distinctive settlements on the basis of a 'cluster' or federated approach where the community expresses a wish to prepare their plan in that way.

*(In a rural area where the likely amount of development in neighbouring parishes may be quite limited, it would be much more efficient and save a lot of duplication of effort if a coordinated 'clustered' approach could be adopted. The issue here is that the current advice indicates that Parish Council level is the likely level for Neighbourhood Plans in rural areas; and while it implies such plans may be prepared at a more detailed 'community' level, it does not imply they could be prepared at a 'clustered' level. Unless the Bill or guidance make clear the potential for a flexible approach, the reality is that the Regulations will then be applied in a narrowly interpreted way)*

- (iii) It would be helpful if the Bill and the associated guidance for the development of neighbourhood plans made it clear that it is possible to prepare an Environmental Impact Assessment for them all together within a District, rather than having to bear the cost of preparing them for each plan.

*(Again, this sort of change is to try to reduce costs.)*

- (iv) It would be helpful if the proposal in the Localism Bill to change the rule for 'Predetermination' should be accompanied by a legal obligation to declare all interests, especially to ensure pecuniary interests, if any are explicit.

*(It is obviously important than in making this change that there are no opportunities for hidden gain.)*

- (v) It would be helpful if the Bill could make it clear that the minimum signatures required to trigger a local Referendum should be 25% of the registered electorate in the District, or the community affected by a Neighbourhood Plan in those cases.

*(This would avoid vexatious and expensive Referendums on matters of minor interest that should be raised through other more appropriate channels.)*

2. Forthcoming consolidated National Planning Policy Guidance due from DCLG on or around the passage of the Localism Bill

- (i) It would be extremely helpful if the current obligation to maintain a five year land supply were removed from the forthcoming consolidated National Planning Policy Guidance due from DCLG on or around the passage of the Localism Bill.

*(It is this obligation which has driven much of the development that communities have opposed.)*

- (ii) It would be helpful if the Guidance would make clear the status of all the existing detailed PPS guidance that is presumably not going to be included, and in particular whether Council's local Development Framework Documents can incorporate it where relevant in future.

*(Current national planning guidance makes clear that local planning documents – i.e. the Local Development Framework – should not repeat matters that are already included in the national guidance. LDFs are therefore drafted in a way that refers back to that national guidance, so that it can be 'taken as read' and is thus part of the local plan for an area. However, if – as is being indicated – the new consolidated guidance sweeps away the detail in current guidance that LDFs rely on, the result will be that LDFs will be predicated on guidance that no longer exists! Thus, the Government's drive to produce slim-line national guidance could result in the unintended consequence that LDFs will have to be much more fulsome than is currently the case. (We get no sense that DCLG has thought through this unintended consequence, but it does need to be resolved or there will be a significant local vacuum.)*

- (iii) It would be helpful if the Localism Bill or the Guidance could make it more explicit that all existing heritage, conservations and landscape designations remain in place and are not affected by the passage of the Bill.

*(It would be a truly perverse outcome if a Bill intended to provide greater power to local communities led to development ignoring the heritage inherited and the context in which development is to fit and the interests of future generations are compromised by development vandalism. This would be an infinitely worse outcome than the current planning system!)*

3. Proposal for Local Setting of Planning Application Fees

- (i) We would encourage you to press Government to implement this proposal. It is strongly supported by Councils, because it reflects the localism agenda and would be immensely helpful in financial terms.

*(The present nationally set fees simply do not cover the true full costs of dealing with planning applications. We understand the development industry is strongly opposing the proposal, arguing that at this time they should not have to bear extra costs. The key point is that it is unreasonable for communities to bear a large part of the costs of work which results from the activity of developers who benefit from the planning permissions that are granted, and to which many communities are opposed.)*

- (ii) We would strongly encourage you to press Government to take a wide-ranging view of what costs should be legitimately included in the fees for dealing with planning applications.

This involves not simply the costs of the planning application case officers and the related support staff. It also includes the costs of many specialist staff who are directly contributing to assessing and advising on such applications – for example, conservation/heritage specialists, archaeologists, highways officers, environmental health officers on issues such as noise and air quality impact, and legal advisers. It also includes the costs of planning policy work, *i.e.* preparing the local plans on which planning application decisions are based.

*(We believe that DCLG are proposing to take a very narrowly defined view of what costs are included in dealing with planning applications. If they do, then Government will undermine its stated objective of passing the full costs of dealing with applications to those who generate the work and benefit most directly - especially in financial terms - from it. It would be iniquitous if such a narrow approach were to result in the community continuing to bear a significant part of these costs. This is all the more important in the present financial circumstances. If Councils could recover the full costs of dealing with applications, then that would result in significant extra income from developers which would then reduce pressures for budget reductions in other frontline services.)*