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Community Action and Neighbourhood Plans

Powers to allow communities to draw up Neighbourhood Plans (NPs) are one of the new “Community Rights” promoted in the Localism Act. At one level this looks like a power to be welcomed – but from a Conservative led Coalition bent on austerity and privatisation, what exactly is going on; and who will benefit?

By emphasising communities and neighbourhoods organisation, Neighbourhood Plans are part of the Big Society agenda. In terms of disputes over planning policy, they are a Government response to rebellious rural parishes and shire counties opposing urban sprawl and top down Government housing targets.

However, for urban communities and deprived neighbourhoods facing problems of lack of investment, jobs and affordable housing, or wishing to oppose gentrification or speculative commercial development, the question is whether NPs can provide an opportunity to advance neighbourhood renewal.

What are Neighbourhood Plans?

Neighbourhood Plans are land use plans covering development sites, transport, open space and other environmental issues that are drawn up by local communities. Once endorsed in a community referendum, they will be incorporated into the local authority Local Plan and hence have legal force.

However, Neighbourhood Plans (NPs) are not an open ended community right; the right depends upon conditions set down by Government and local authorities. For example, the Government has bowed to pressure from the house building industry and has said that NPs cannot be used to oppose new development – much to the disappointment of many (mainly rural) communities who want to use the power to block new housing schemes they don't want in their back yard.

Second, NPs must conform to the National Planning Policy Framework recently announced by Government, and also to local authority approved plans; they cannot buck approved planning policy.

Thirdly, local authorities will draw up the rules about who can draw up a NP. Local authorities will judge whether a neighbourhood organisation (called a “Neighbourhood Forum” in the Act) is representative and is thus permitted to draw up a plan. Parishes have an automatic right be recognised as legitimate bodies to draw to a NP, elsewhere the local authority will decide. This means that administering the NP process will be highly political.

Finally, there is no clear indication of where the money is coming from for communities to undertake the labour intensive and detailed work of drawing up a plan and taking it through the formal approval process.

Dampening Down Expectations

Though this is early days, many local authorities that researchers from the University of Northampton we have spoken to in Northamptonshire want to dampen down expectations. Where parishes and communities are opposing new housing development or claim development land as protected green space, local authorities want to dissuade communities from thinking they can change approved plans or block development they do not want. Where there is little or no development pressure, the challenge is in the other direction – since NPs deal with land use (use of buildings and land) their leverage on many problems facing neighbourhoods such as job shortages, lack of affordable housing, poverty, cuts in public services, or crime, is limited.

On top of this is the huge task of achieving change on the ground, once a NP is in place. For example, in Coin Street in London, a battle between the local community and developers and local authorities began in the mid 70s leading eventually to the transfer to the community of 13 acres of development land (see *A Very Social Enterprise, Coin Street Community Builders, 2008*). Some 30 years later much of the site is built out, but the scheme is some way from completion.

The lesson is that planning and development takes a long time, is very expensive and is intensely demanding for community activists. For communities, staying power and resilience are paramount. NPs are far from a silver bullet for the community in land and development disputes.

So who has got the time and resources for NPs? Local authorities certainly do not have the staff to do all the work helping out neighbourhoods. Richer communities may find their own funds, but the rest will struggle. The Government is aware of the pressure on them to provide some sort of financial support and announced last year that there would be £50 million to enable local authorities to fulfil their NP duties. This will be critical to the success of the scheme – but it is doubtful that local communities will see much of this because the loins share will be held back by local authorities for formal examinations of the plan, or for funding neighbourhood referendums.

The Opportunity

In spite of the conditions and limitations and the complex politics of NPs, can disadvantaged neighbourhoods in inner city areas or struggling small towns in former industrial areas or in pockets of rural poverty take advantage? Is the NP system for them, and what can they get out of it?

Community planning is not new as the Coin Street example shows, and if they are combined with effective community action, they can challenge property markets and local planning policies. They can set out what the community needs, make claims to sites for housing or open space or employment use, use the evidence in their plan to challenge unwanted development. In short, community plans can challenge local authority thinking and can potentially hold up unwanted development. They could ultimately build the political and community power to create community owned development trusts which can act as land owners and developers themselves.

In spite of their limitations, demanding the right to draw up a NP might be a good tactic for communities wishing to challenge developers or local authority thinking. Crucially, it is unclear at this stage whether there be an appeal process if a local authority resists the request of a (non-parish) community to draw up a NP.

Potentially NPs can be used in conjunction with two other new Rights. The Community Right to Buy allows communities to nominate sites for listing by the local authority as “assets of community value”, and if these assets come up for sale, communities will be given time to prepare bids for purchase. The Community Right to Build affectively gives planning permission for community proposals which have been approved at a community referendum without the need for the community to go through the process of seeking planning permission. These rights, however, have to go through a complex local authority vetting process.

(www.community.gov.uk/localgovernment/decentralisation/localismbill/keymeasures)

In short, the Right to NPs is an important but a strictly conditional right. Their political purpose is not to give communities the chance to oppose development they don't want or to activate communities opposed to local authority or government planning policies. Yet used with skill and imagination, NPs give another option for community activists, and could be a useful weapon for justice in the battle for land and property.

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