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Fwd: Updating the Waverley Borough Local Plan and Neighbourhood Plans

5 messages

Lisa O'Sullivan <town.clerk@haslemeretc.org>
To: Pippa Auger <deputy.clerk@haslemeretc.org>

Tue, Nov 28, 2023 at 12:51 PM

From WBC regards updating the NP.

Kind Regards,

Lisa

----- Forwarded message -----

From: **Matthew Ellis** <Matthew.Ellis@waverley.gov.uk>

Date: Mon, 27 Nov 2023 at 17:11

Subject: Updating the Waverley Borough Local Plan and Neighbourhood Plans

To: Town & Parish Clerks <Town_Parish_Clerks@waverley.gov.uk>

Cc: Liz Townsend <Liz.Townsend@waverley.gov.uk>, Abi Lewis <Abi.Lewis@waverley.gov.uk>, Andrew Longley <Andrew.Longley@waverley.gov.uk>, Katherine Dove <Katherine.Dove@waverley.gov.uk>, Olivia Gorham <Olivia.Gorham@waverley.gov.uk>, Sarah Ball <Sarah.Ball@waverley.gov.uk>, Mark McEvoy <Mark.McEvoy@waverley.gov.uk>, Toneisha Williams <Toneisha.Williams@waverley.gov.uk>

Dear Clerk

Further to the Town and Parish Council Briefing on the Waverley Local Plan on the 1st November 2023, Waverley promised some clarification on the implications for your neighbourhood plans (NP) as a result of the Council updating its Local Plan.

One of the Basic Conditions that a Neighbourhood Plan is tested against at examination is whether the NP is in general conformity with the strategic policies of the Local Plan.

The adopted strategic policies in the Local Plan are set out in Local Plan Part 1 (LPP1) [Waverley Borough Council - Local Plan Part 1: Strategic Policies and Sites February 2018](#). However, there is a legal requirement to carry out a review of a Local Plan to assess if it needs updating no later than five years from adoption. Although Waverley has agreed that it will update its Local Plan following its statutory review, LPP1 remains the strategic policies that NPs need to be in general conformity with. Emerging NPs that are currently under examination will therefore be tested against the adopted strategic policies in LPP1.

The new Waverley Local Plan will set out both strategic and non-strategic planning policies for the Borough.

Strategic policies will include the distribution of the amount of housing required to areas and settlements across the Borough in the same way Policy ALH1 of LPP1 currently does. We want to work closely with the Town and Parish Councils in developing the new Local Plan.

Paragraph 84 of the NPPG [Neighbourhood planning - GOV.UK \(www.gov.uk\)](#) says that a NP will remain in force until it is replaced and, unlike a Local Plan, there is no legal requirement to review or update a NP.

However, paragraph 30 of the [National Planning Policy Framework \(publishing.service.gov.uk\)](#) (NPPF) states:

Once a neighbourhood plan has been brought into force, the policies it contains take precedence over existing non-strategic policies in a local plan covering the neighbourhood area, where they are in conflict; unless they are superseded by strategic or non-strategic policies that are adopted subsequently.

Paragraph 84 of the NPPG also advises that NPs can become out of date if a new LP that covers a neighbourhood area gets adopted after the NP. In these cases, the more recent plan policy takes precedence.

It is up to each individual Parish and Town Council to decide if it should update its NP and if so, whether it will include allocations for development. It is also up to them when they want to do this. However, this means that once Waverley's new Local Plan is adopted (the target is late 2027), if it sets a different housing requirement for an area or settlement than that was previously set out in LPP1, then its policies will take precedence. At that point, "Made" NP allocation policies based on the housing requirement in LPP1 will no longer be up to date to ensure that they are providing enough land to deliver the housing requirement set out in the new Local Plan.

Whilst it appears logical that a NP will need to be updated so that it can be made soon after the new Local Plan is adopted, Waverley also appreciates that we are still at an early stage of updating the new Local Plan, including gathering the evidence on how much housing will be required in the plan period. As such, the strategic policies, including the amount of housing your area or settlement needs to provide for, are unknown yet and Waverley will not be consulting on the spatial options for how we are going to do this until mid-next year at the earliest. However, it may be the right time to think about the evidence an update of your NP needs. This can include gathering information about sites that can be assessed for their potential for housing. As we said at the Briefing on 1st November, we can share any evidence that we are gathering for preparing the new local plan that is relevant for your NP as well as the information on sites promoted through our "call for sites" that we intend to carry out soon.

It is also up to each individual Parish and Town Council to decide if any of their made NP policies conflict with the more recently adopted Waverley Borough Local Plan Part 2 [Local Plan Part 2: Site Allocations and DM Policies \(Adopted on 21 March 2023\)](#) (waverley.gov.uk) to justify an update to their NP.

Although it is up to each Town and Parish Council to seek their own advice on preparing NPs, and in the past websites such as [Advice - Locality Neighbourhood Planning](#) have been really helpful, Waverley is keen to assist you with your NP's preparation. So please contact your Waverley lead officer for the NP if you want to discuss this email or any other NP issue further.

Kind regards

Matthew

Matthew Ellis

Team Leader (Local Plans and Planning Policy)

Waverley Borough Council

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