

Annex 1 - Summary of planning reforms relating to Local Plans and implications for Waverley Borough Council

1. A Written Ministerial Statement (WMS) was published on 6th December 2022 giving more detail on forthcoming changes to the approach to planning for housing. This includes:
 - a. Consultation on revisions to the standard method as an '*advisory starting point*' for plans.
 - b. Greater licence for LPAs to consider how many homes should be built, having regard to constraints including Green Belt, heritage assets, and the character of the area (and instruction to Planning Inspectors not to override "sensible local decision making").
 - c. An end to the obligation for LPAs to maintain a 5-year housing land supply (HLS) '*where their plans are up to date*'.
 - d. Giving LPAs who are well-advanced in preparing a new plan, but who wish to reassess the amount of land to be released, two years to adopt their plans. While doing this they only have to show a 4 rather than 5-year HLS.
 - e. Extending the protection afforded by Neighbourhood Plans against developer appeals from two years to five years.
2. DLUHC began formal consultation on reforms to national planning policy on 22nd December 2022. This can be viewed here: [Levelling-up and Regeneration Bill: reforms to national planning policy - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/levelling-up-and-regeneration-bill-reforms-to-national-planning-policy). The deadline for responding is the 2nd March 2023.
3. Following the consultation, the Government intends to publish a revised NPPF in Spring 2023. The consultation includes a copy of the NPPF with tracked focused changes (fdNPPF). A fuller review of the NPPF will follow in due course and consultation on this and proposed National Development Management Policies (NDMPs) will be undertaken once the Levelling Up and Regeneration Bill (LURB) has completed its passage through Parliament. The Government expects the new local plan system to come into force late in 2024, however there is uncertainty over this due to the process involved and the potential impacts of an early general election.
4. The consultation outlines specific changes that the Government proposes to make to the NPPF. Subject to the outcome of the consultation, these will take effect when a revised NPPF is published in Spring 2023. This includes changes to:
 - make clear how housing figures should be derived and applied so that communities can respond to local circumstances;

- address issues in the operation of the housing delivery and land supply tests;
 - tackle problems of slow build out.
5. The consultation states that the government remains committed to delivering 300,000 homes a year and that the best way to secure more high-quality homes in the right places is through the adoption of local plans. The proposed reforms are intended to create clear incentives for more local authorities to adopt plans.
 6. The main incentive is the proposal to remove the requirement for local authorities with an up-to-date plan to demonstrate continually a deliverable 5-year housing land supply. The consultation indicates that, in this case, 'up-to-date' means where the housing requirement as set out in strategic policies is less than 5 years old (unless it has been reviewed and found not to require updating). Waverley is unlikely to benefit from this proposed incentive because the strategic housing requirement in LPP1 will be more than 5 years' old from the end of February and the review concludes that it will require updating.
 7. The transitional arrangements set out in the consultation for the new local plan system include the following:
 - a. To give time to finalise plans that are in preparation when the new system comes into force, LPAs will have until the end of June 2025 to submit local plans for examination under the existing legal framework. To incentivise this, the Government proposes that, for a period of 2 years from publication of the revised NPPF (target Spring 2023), LPAs will only need to demonstrate a 4YHLS where they have reached at least Regulation 18 stage, with a local plan including a policies map with proposed allocations towards meeting housing need. This arrangement supports the completion of plans that are currently in preparation. The June 2025 deadline is extremely tight to bring forward an update of LPP1 and could result in abortive work and cost, given that LPAs that miss this deadline will need to prepare plans under the new plan-making system. The proposed incentive offers limited benefit as it would apply for a very short period, only starting when a detailed Regulation 18 local plan is consulted upon, and potentially ending in Spring 2025.
 - b. If the local plan is more than 5 years old when the new system goes live (and the LPA is not proactively working towards the June 2025 deadline for submission), the LPA will be required to begin preparing a new style local plan straight away and to adopt it within 30 months. This would be the case for Waverley if it has not formally commenced an update under option 1 above. It is unclear how a 30-month timescale could be achieved. It would not be feasible unless the Council has a well-developed evidence base to allow a rapid start to the formal process.

- c. Local plans that become more than 5 years old during the first 30 months of the new system (i.e. while the local planning authority is preparing their new plan) will continue to be considered 'up-to-date' for decision-making purposes for 30 months after the new system starts (target late 2024). This is a helpful clarification that a plan can remain 'up to date' while a new plan is brought forward.
8. Alongside specific changes to the NPPF, the consultation seeks views on a wider range of proposals, particularly focused on making sure the planning system capitalises on opportunities to support the natural environment, respond to climate change, and deliver on levelling up of economic opportunity. It also sets out the envisaged role for National Development Management Policies (NDMPs). These are intended to save plan-makers from having to repeat nationally important policies in their own plans, allowing them to be produced faster and to focus on locally relevant policies. The Government intends to consult on the detail of these wider changes in 2023.