

**WAVERLEY BOROUGH COUNCIL**  
**OVERVIEW AND SCRUTINY - SERVICES**

**26 SEPTEMBER 2023**

**Title: Update on the preparation of a new Local Plan**

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**Portfolio Holder: Cllr Liz Townsend, Portfolio Holder for Planning & Regeneration**

**Head of Service: Abi Lewis, Executive Head of Regeneration and Planning**

**Key decision: No**

**Access: Public**

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**1. Purpose and summary**

- 1.1 This report provides an update on the proposed scope and timetable for the new Waverley Borough Local Plan to enable the Committee to provide its views to the Executive and Council. The intention is that the proposed scope and timetable set out in this report will be the basis for initial engagement with stakeholders.

**2. Recommendation**

- 2.1 It is recommended that the Committee provides its views on the updates provided in this report.

**3. Reason for the recommendation**

- 3.1 To assist in progressing work on the new Waverley Borough Local Plan.

**4. Background and project plan**

- 4.1 The Council on 21 February 2023 resolved that LPP1 requires updating and made budget provision for work to commence in 2023/24. The Full Council on 18 July 2023 resolved that work should commence on a comprehensive update of the Local Plan, meeting the requirements of the existing development plan system but ensuring flexibility to migrate to the new system if implemented. An indicative scope and timetable were provided.
- 4.2 The Overview and Scrutiny – Services committee considered the options for the Local Plan update on 21 June 2023 and made additional recommendations in relation to matters to be addressed during work on the

new Local Plan (see paragraph 1.11 of report to Council on 18 July). These included the need to justify a local calculation of the Local Housing Need and to share emerging housing figures and the spatial strategy with Neighbourhood Plan groups at the earliest opportunity.

4.3 Based on the approach agreed by Council on 18 July 2023, it is proposed that the scope and timetable for the new Local Plan should be as outlined below.

#### 4.4 Project scope and exclusions

4.4.1 The new Local Plan will:

1. Be a borough-wide Local Plan for the period 2023-43 (15 years from adoption).
2. Incorporate strategic and non-strategic matters (combining elements of LPP1 & LPP2).
3. Build on existing plans and evidence (keep new evidence focused and proportionate).
4. Start with a refreshed vision & objectives and test reasonable alternatives to deliver this (focus on the spatial strategy and where possible leave recently adopted Development Management policies alone if they are robust).
5. Exclude Design Codes, which will be prepared in parallel as a Supplementary Plan or Supplementary Planning Document (depending on whether the planning reforms are implemented).
6. Make the necessary strategic and non-strategic site allocations (unless the latter can be adequately dealt with in Neighbourhood Plans and/or Supplementary Plans).
7. Be succinct and visual in line with Government's proposed reforms, including greater use of digital technology & engagement.

#### 4.5 Timescale

4.5.1 The timescale outlined below is based on the report to Council on 18 July, but additional time has been added for preparing the plan by pushing the submission back from summer to autumn 2026. The target adoption date remains the same (winter 2027) as the examination period is shown as 12 rather than 15 months, which is considered reasonable as the planning reforms propose a simpler examination process in just 9 months.

##### *Milestones*

1. Consult on scope, vision & objectives - autumn 2023.
2. Identification & assessment of spatial options - summer 2024.
3. Consult on preferred options plan – summer 2025.
4. Publish submission plan for consultation – spring 2026.
5. Submit Plan for examination – autumn 2026.
6. Adopt plan with main modifications – winter 2027.

Figure 1 - Outline programme

Workstream	2023					2024					2025					2026					2027																				
	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N
<b>A. Project Management</b>																																									
A1 Update LDS																																									
A2 Comms strategy																																									
A3 Review/ update SCI																																									
A4 Governance arrangements																																									
<b>B. Engagement/ DTC</b>																																									
<b>C. Evidence Base</b>																																									
C1 Scope evidence required																																									
C2 Briefs & procurement																																									
C3 Preparation of evidence - Tranche 1																																									
C4 Preparation of evidence - Tranche 2																																									
<b>D. Appraisals</b>																																									
<b>E. Reg 18 scope &amp; options</b>																																									
E1 Draft scope, vision & objectives																																									
E2 Consult on scope, vision & objectives																																									
E3 Call for sites																																									
E4 Analysis & feedback																																									
E5 Consideration of spatial options																																									
E6 Input from stakeholders																																									
<b>F. Reg 18 Preferred Options Plan (Reg 18)</b>																																									
F1 Agree structure of plan inc retained policies																																									
F2 Drafting of plan & topic papers																																									
F3 Consult on Reg 18 preferred options plan																																									
F4 Analysis & feedback																																									
<b>H. Draft Plan (Reg 19)</b>																																									
H1 Revise draft plan																																									
H2 Publish Reg 19 Plan																																									
H3 Analysis & summary of reps																																									
<b>I. Examination &amp; Adoption</b>																																									
I1 Submit plan																																									
I2 Examination & Main Mods																																									
I3 Adoption																																									

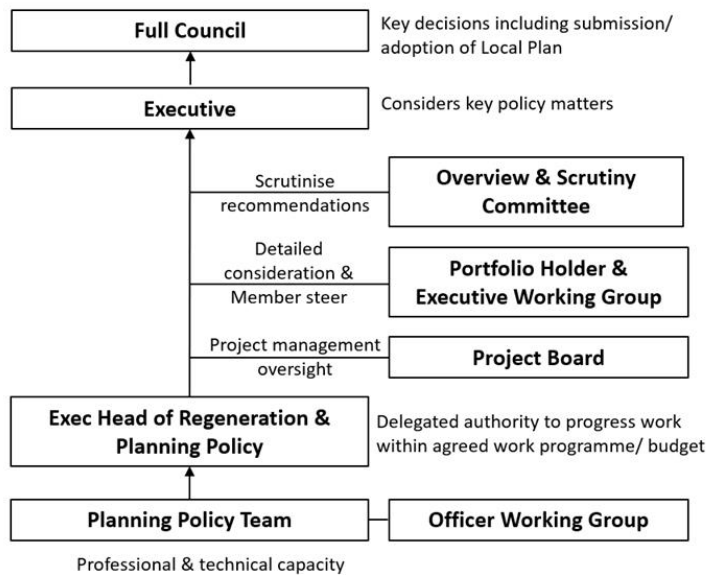
4.5.2 The above information will be the basis of the updated Local Development Scheme (the statutory document specifying the development plan documents to be prepared by the Council).

4.5.3 The risks identified at paragraph 7.2 below include the uncertainty over the implementation of the planning reforms. The currently proposed transitional arrangements would require the Council to begin preparing a new-style Local Plan as soon as the new system comes into force (anticipated November 2024 - but this could be disrupted by the general election) and to adopt the Plan within 30 months (May 2027 if there are no delays). The programme set out above manages this uncertainty by utilising the period up to November 2024 for technical work and initial engagement, which would allow a smooth transition to the new system if it were introduced at that point.

#### 4.6 Governance

4.6.1 Figure 2 below shows the internal arrangements for preparing the new Local Plan.

Figure 2 – Governance arrangements



- 4.6.2 The Planning Policy Team is being supported by an Officer Working Group from relevant service areas, meeting every 6 weeks or as required. The Project Board will be comprised of senior managers.
- 4.6.3 A Local Plan Executive Working Group (LPEWG) has been established to facilitate information exchange between Officers and Members. The Terms of Reference are provided at Annexe 1. Initial members of the LPEWG are Cllrs Liz Townsend, Peter Clark, Janet Crowe, Paul Follows, Terry Weldon, and Steve Williams. The LPEWG will meet every 4-6 weeks. It will act in an advisory capacity to enable Officers to undertake work relating to the Local Plan with a policy steer from Members. The Portfolio Holder for Planning and Regeneration will provide an update to the Executive on matters considered by the LPEWG.
- 4.6.4 The Overview and Scrutiny Committee – Services has an important statutory role in scrutinising recommendations at key decision points. Periodic updates can be provided to the committee in between these milestones, with the Portfolio Holder and/or officers attending to give a verbal report on progress against the original timetable and take questions from the committee. Updates will be provided to other Members through Member Briefings at key stages.

## **5. Next Steps**

### **5.1 Updating the evidence base.**

5.1.1 Officers are reviewing existing sources of evidence and will discuss the need for new studies and assessments with the Executive Working Group. As set out in the report to Full Council on the 21 February 2023, this will include:

- Housing & Economic Development Needs Assessment
- Housing & Employment Land Availability Assessment
- Climate Change/ Net Zero evidence
- Green & Blue Infrastructure (including biodiversity net gain/ SPA mitigation)
- Water Cycle Study/ Strategic Flood Risk Assessment
- Transport Modelling/ Assessment
- Infrastructure Delivery Plan
- Viability Assessment
- Sustainability Appraisal/ Habitat Regulations Assessment

5.1.2 The first study to be commissioned will be the Housing and Economic Development Needs Assessment (HEDNA) to provide evidence of the need for new homes and floorspace for economic uses, associated with different scenarios. This will include an assessment of whether there are exceptional circumstances that justify using an alternative to the Government's "standard method" for calculating local housing need.

5.1.3 Subsequent work will focus on evidence to establish how much of the assessed need for development can be accommodated in the Borough having regard to environmental, infrastructure, and policy constraints.

5.1.4 As part of the Housing and Employment Land Availability Assessment, a 'call-for-sites' will be issued to gather information about sites that local communities, landowners, developers, or other parties would like to see assessed during the preparation of the new Local Plan. This will include a wide range of potential uses including housing, employment, and greenspace.

### **5.2 Communications & engagement strategy**

5.2.1 The Communications Team is assisting with the preparation of a strategy outlining how local communities and stakeholders will be engaged in accordance with legal requirements and the Council's Statement of Community Involvement (SCI). The intention is to put information into the public arena and seek feedback on an ongoing basis to help inform the draft plan – an ongoing conversation rather than silence punctuated by formal set-piece consultations. To facilitate this, the aims of the communication and engagement strategy will be to:

- Provide an opportunity for local residents and stakeholders to share their views right from the start of the plan process.
- Ensure statutory consultees are kept fully apprised as the new Local Plan progresses.
- Help residents understand the strategic planning process, why it's important, and how it affects them.
- Enable residents and stakeholders to help to shape the future of Waverley.
- Provide a schedule of activity for officers so the project team knows when communications activity is due to take place, what it entails and who will undertake the work.

5.2.2 The town and parish councils are key stakeholders in the preparation of the new Local Plan, not least because it will provide the strategic framework for future Neighbourhood Plans. A briefing is being arranged with the councils to discuss the scope and timetable for the new Local Plan.

5.2.3 The SCI is currently being reviewed to ensure that it reflects all legal and policy requirements in relation to plan-making and development control. The updated SCI will be reported to the Overview and Scrutiny Committee in November and will then be subject to consultation before it is finalised by the Executive and Full Council. This will not delay initial engagement on the new Local Plan, which will be undertaken in line with the engagement strategy, which will go above and beyond the requirements set out in the current SCI.

### 5.3 Consultation on the scope of the new Local Plan

5.3.1 Regulation 18 of the Town & Country Planning (Local Planning) Regulations requires the Council to notify prescribed bodies (and others that it considers appropriate) of the subject matter of the proposed Local Plan and to seek representations on what it should contain. The Council must take account of any representations in preparing the Local Plan.

5.3.2 There is flexibility about how the Council satisfies the requirements of Regulation 18. The outline programme indicates that this will involve several stages: initial consultation on the scope of the plan and vision and objectives at the end of 2023; input from stakeholders in considering spatial options during 2024; and consultation on a preferred options draft plan in mid-2025. For the initial consultation, the proposed scope and timetable for the new Plan will be explained as set out in paragraphs 4.4 and 4.5 above, with additional detail and questions relating to how the plan can meet the aims of the Government's planning reforms (e.g. more succinct and visual documents) and how it can provide an appropriate framework for neighbourhood plans.

5.3.3 As part of this consultation, views will be sought on whether the existing vision and objectives in LPP1 remain fit for purpose for the new Local Plan for the period to 2043. This is important because the vision and objectives should be the starting point for every aspect of the new Local Plan and the monitoring arrangements that will ensure that the Plan is delivering the

desired outcomes. Questions will include the priority of different aspects of the vision and objectives. The consultation will highlight areas where changes may be required, for instance to give greater prominence to mitigating and adapting to the impacts of climate change.

- 5.3.4 Consultation feedback will assist the Council in agreeing the scope and content of the new Local Plan and the guiding vision and objectives early in 2024. This will focus subsequent work, speeding up the plan making process.

## **6. Relationship to the Corporate Strategy and Service Plan**

- 6.1 An up-to-date Local Plan is central to delivering the Council's strategic priority of "Effective strategic planning and development management to meet the needs of our communities".

## **7. Implications of decision**

### **7.1 Resource (Finance, procurement, staffing, IT) Drafted by: Name, Post**

- 7.1.2 There are no direct financial implications arising from this report, which is for information only. The Council on 21 February 2023 agreed an indicative budget of £150k in 23/24 and a further £550k in the years 24/25-25/26, to cover the forecast cost of updating the local plan, with expenditure over the period 2023/24 to 2027/28. There is also £150k available in the local plan reserve, taking the total available budget to £850k.

### **7.2 Risk management**

- 7.2.1 The governance and reporting arrangements are designed to manage risks. Updates will be provided to the Executive through the Executive Working Group. The Overview and Scrutiny Committee will be updated at key stages. A resource plan & risk register will be prepared to include the following identified risks:

- i. Vacant posts & competing workload constraining the capacity of the Planning Policy team. This will be managed through the Project Board.
- ii. Capacity of other WBC services to support the project. This will be managed through the Officer Working Group and Project Board.
- iii. Ability of statutory consultees to provide timely and positive input. This is difficult to manage but early engagement will ensure that consultees know when input will be required.
- iv. Volume and complexity of representations, which may necessitate additional technical work and consultation. Consultees will be encouraged to use the Council's digital consultation portal to ensure that representations can be handled efficiently.
- v. Potential concerns over implications for Neighbourhood Plans which could necessitate further work and engagement. This will require close working with the Town and Parish Councils.

- vi. Potential change in political viewpoint (general and local elections before the adoption of the new Local Plan). This risk can be managed to some extent by ensuring that the programme is flexible, and technical work is robust in exploring the available options for the Plan.
- vii. Uncertainty over implementation of planning reforms and transitional arrangements. This can be managed through the work programme to ensure a smooth transition in the event the reforms are implemented (see para 4.5.3).

### **7.3 Legal**

- 7.3.1 Legal services will continue to provide support throughout the plan making process. The cost of employing counsel to represent the Council during the examination process is included in the agreed budget estimate.

### **7.4 Equality, diversity and inclusion**

- 7.4.1 There are no direct equality, diversity, or inclusion implications in this report but the implications of the new Local Plan will be considered at each stage of the process.

### **7.5 Climate emergency declaration**

- 7.5.1 The new Local Plan will allow the Council to strengthen policies in relation to climate change mitigation and adaptation to contribute to meeting the Council's environmental and sustainability objectives.

## **8. Consultation and engagement**

- 8.1 See section 5.2 above.

## **9. Other options considered**

- 9.1 The 'do nothing' option of putting work on the local plan on hold was ruled out because the Council needs an up-to-date local plan to address priorities for the development and use of land in the borough, and to safeguard against speculative development proposals in unsustainable locations.

## **10. Governance journey**

- 10.1 Recommendations and comments made by the committee will be reported to the Executive and Council.



## **Annexes:**

Annexe 1 – Terms of Reference for the Local Plan Executive Working Group

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### **Background Papers**

There are / are no background papers, as defined by Section 100D(5) of the Local Government Act 1972).

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Agreed and signed off by:

Legal Services: Name, Post, date

Head of Finance/Finance: Candice Keet, Senior Accountant, 08/09/23

Strategic Director - Place: Dawn Hudd, 07/08/23

Portfolio Holder for Planning & Regeneration: Cllr Liz Townsend, 07/08/23

## **ANNEXE 1**

### **WAVERLEY BOROUGH COUNCIL LOCAL PLAN EXECUTIVE WORKING GROUP (LPEWG) TERMS OF REFERENCE**

The Local Plan Executive Working Group exists to facilitate information exchange between Officers and Members, with input from representatives of stakeholder organisations including other councils as required on matters relating to the update and production of the Local Plan.

The Group will consider documents and information relating to the Local Plan and related matters as required. The Chair and Officers will provide an update to Executive on the progress of the LPEWG, accordingly.

The Group will not have any formal decision-making powers and will act in an advisory capacity to enable Officers to undertake work relating to the Local Plan with a policy steer from Members.

Role of the LPWG:

- 1) To request, consider and comment on documents that relate to the Local Plan including (but not restricted to) policy options, draft policies and evidence studies prepared to support the Local Plan;
- 2) To facilitate and support the achievement of Local Plan milestones and the wider Local Development Scheme timetable;
- 3) To receive reports and presentations on the development of the Local Plan evidence base and Members of the LPEWG to provide comments;
- 4) To provide a sounding board for officers and the Planning and Regeneration Portfolio Holder in relation to matters arising during the preparation and examination of the Local Plan.
- 5) To assist in establishing work which will need to be presented and considered by the Overview and Scrutiny Committee and matters on which wider Member briefings/ workshops are required.

Membership:

The LPEWG may consist of a maximum of NINE members, comprised of:

- The Planning portfolio holder, who will also chair the meetings.
- FIVE other Waverley Borough Council members.

Other councillors or representatives of outside bodies may be invited to attend as necessary.

The LPEWG meetings must have at least 3 members, including the Chair, to be quorate.

The LPEWG will be supported by the Executive Head of Planning Development, the Head of Regeneration and Planning Policy and Officers of the Planning Policy and Development Management teams as required.

In accordance with the Council's Constitution and Member protocols, all interests must be declared by Members. If any Member openly declares an interest, they must reclude from the discussion/ meeting. Interests that are not, or could not be perceived to be, relevant to the LPEWG work need not be declared.

#### Budget:

A budget for Local Plan work has been agreed by the Council and any expenditure should be within the budget as managed by the Head of Planning Policy and Regeneration in liaison with the Head of Finance.

If additional spend outside of the agreed budget is identified by Officers as a direct result of LPEWG discussion, this will be raised with the Head of Finance and the Executive.

#### Group Logistics:

1) The frequency of meetings will be flexible to ensure Officers can engage with the group as needed which may vary when dealing with the Planning Inspectorate, for example.

- a) Agendas/papers for meetings will aim to be circulated 5 working days before the meeting, where possible, although this may vary due to availability of stakeholder representatives and other external sources.
- b) Where matters to be discussed are confidential in nature, officers shall inform members of this (including the reasons for confidentiality) and members will undertake to maintain confidentiality, in accordance with the Member Code of Conduct.

#### Longevity:

The LPEWG will remain active until such time it is no longer needed, superseded or reviewed. This will be decided by the Portfolio Holder for Planning in consultation with the Executive.