

Guildford Borough Council

Report to:	Executive
Date:	27/02/2025
Ward(s) affected:	All
Report of Strategic Director of:	Economy, Planning and Place
Report Author:	Claire Upton-Brown/Laura Howard/Riaan van Eeden
Email:	Claire.upton-brown@guildford.gov.uk Laura.howard@guildford.gov.uk Riaan.vaneeden@guildford.gov.uk
Lead Executive Member:	Cllr Fiona White
Email:	Fiona.White@guildford.gov.uk
Status:	Open
Key decision:	Yes

Local Plan update including Local Development Scheme

1.0 Executive Summary

- 1.1 Local Plans are important as they shape how places across the borough will change in the future. They set a vision and key objectives for our area and provide a spatial strategy for how, when, and where communities' needs will be addressed. They contain planning policies on a range of matters including supporting economic growth, protecting and enhancing our natural environment and valued landscape, addressing and adapting to the impacts of climate change and ensuring that people's health and wellbeing are protected and enhanced through new development and associated infrastructure. An adopted Local Plan provides an investment framework for national government, infrastructure providers and other stakeholders.
- 1.2 This report seeks to provide further detail in relation to the scope and budget for the Local Plan update as well as formally agree an updated Local Development Scheme (LDS) which is available at Appendix 1 of this report. Government has requested that every council prepares an updated LDS by 6 March 2025. There is a

legislative requirement to publish a work programme, known as an LDS. The LDS sets the timetable for plan production and opportunities for stakeholders to be involved in the process. It follows on from the Council resolution in February 2024 to update the Local Plan: Strategy and Sites (LPSS).

- 1.2 Secondary legislation is yet to be enacted in relation to the plan-making reforms in the Levelling-up and Regeneration Act 2023 which will set out how 'new style' Local Plans should be prepared. The LDS has therefore been prepared in accordance with the existing Regulations and will need to be updated when there is further clarity. However, an updated National Planning Policy Framework (NPPF) was published in December 2024 which provides some certainty regarding the policy context and the housing need number within which the plan will need to be prepared.
- 1.3 The Government's new NPPF and associated guidance has significant implications for the Local Plan update in that Guildford's Local Housing Need calculated using their revised Standard Method results in a significantly higher number than previously (1,170 dwellings per annum from 743 dwellings per annum). This is an increase of 58% from the old Standard Method and an increase of 108% from the LPSS housing requirement of 562. The use of this figure is mandatory. It also introduces a new category of land within the Green Belt called 'grey belt'. Development which utilises grey belt land is considered 'not inappropriate' if certain criteria are met. For Guildford, this will become applicable in summer 2025 when there is no longer a five-year housing land supply due to the increased housing number. This reinforces the need to progress with an update to the Local Plan in a timely manner.
- 1.4 A growth bid to support the preparation of the new Local Plan was agreed by Council on 5 February. This budget is spread out over the next four years whilst the plan is prepared. It will primarily be used to commission the significant evidence base that is necessary to inform the policies and proposals in the new Local Plan.
- 1.5 Councils have a statutory duty to prepare and maintain an up-to-date Local Plan. To not do so risks Government intervention and would lead to a continuation of 'planning by appeal'. More significantly it would mean that the local planning authority had not proactively taken steps to shape the future of growth within the borough.

2.0 Recommendation to Executive

Executive resolves:

That the Local Development Scheme (LDS), as set out in Appendix 1 of this report is adopted and published, and that it has effect from 7 March 2025.

3.0 Reason(s) for Recommendations

To meet the Government's deadline for producing an updated LDS within 12 weeks of the publication of the National Planning Policy Framework (NPPF) 2024 (i.e. by 6 March 2025).

4.0 Status of Report

This report and its appendices are 'Open'.

5.0 Strategic Priorities

The Corporate Strategy commits to the updating and adoption of the Local Plan as a means of achieving or contributing towards several corporate outcomes, including ensuring that new communities and development are delivered sustainably; meeting the borough's housing need; and making development across the borough sustainable and affordable. The Local Plan update will contain site allocations and a suite of planning policies to help guide and shape development within the borough. This will help achieve or contribute to achieving the following Corporate Strategy priorities:

- Priority 1: A more sustainable borough
- Priority 2: A more prosperous borough
- Priority 3: A more inclusive borough
- Priority 4: Decent and affordable homes
- Priority 5: a resilient and well-manged council

6.0 Background

6.1 There is a legal requirement to review Local Plans at least every five years to assess whether they need updating. The LPSS was reviewed in early 2024 and on 21 February 2024 Council resolved that the LPSS should be updated. Council also resolved that a further report be submitted to the Executive at a later date to clarify the appropriate timing for and budgetary requirements of the Local Plan update. This report, addressing these two remaining matters,

was intended to follow the enactment of the national planning reform legislation so it could consider its implications for the update process.

- 6.2 Since then, Government has confirmed that it intends to implement the new plan-making system as set out in the Levelling-up and Regeneration Act (LURA) 2023 from summer or autumn 2025. This will be enabled by new regulations that will set out the legislative framework for preparing 'new-style' local plans which Guildford will need to follow in preparing its Local Plan update.
- 6.3 In December 2024, Government published a revised National Planning Policy Framework (NPPF) and updated some of its associated national planning practice guidance. A summary of the key implications arising from the new NPPF is set out in section 8 of this report. The changes are significant and only serve to confirm the need to act in line with Council's February 2024 decision to update the Local Plan. Whilst there remain some uncertainties (most notably the absence of regulations under the LURA), the changes provide a firmer basis for the Council to continue to proceed with the Local Plan update process based on a clearer understanding of the national planning context and the evidence that will be required to produce a sound plan. In this regard, this report outlines the evidence requirements for the Local Plan update (see section 9). The budgetary requirements for the update have been agreed separately through the budget setting process.
- 6.4 At the same time as the publication of the updated NPPF, the Deputy Prime Minister asked that all local planning authorities produce an updated LDS within 12 weeks of the publication of the revised NPPF, i.e. by no later than 6 March 2025. An LDS is required by the Planning and Compulsory Purchase Act 2004 (as amended). The LDS must specify the local development documents which, when prepared, will comprise part of the development plan for the area. It therefore explains the documents the Council intends to prepare and when, in order to plan for future development and supporting infrastructure in the borough. The request stated that the updated LDS should include clear, realistic, and specific dates for consultation and submission of the local plan.
- 6.5 The Council's current LDS is from 2021 and is no longer relevant. It relates to the now adopted Local Plan: Development Management Policies (LPDMP). The LPDMP formed the second part of the Local

Plan - the first part comprising of the Local Plan: Strategy and Sites (LPSS) was adopted in 2019.

- 6.6 In this context, and in the absence of the regulations associated with 'new-style' local plans, an updated LDS has been prepared in accordance with the existing regulations (i.e. The Town and Country Planning (Local Planning) (England) Regulations 2012). This proposed LDS is reflected upon in section 10 of this report and attached as Appendix 1). Its production addresses the second matter of the February 2024 Council resolution regarding clarifying the appropriate timing for the Local Plan update.
- 6.7 Given the Local Plan update will need to be prepared under the forthcoming regulations it will be necessary to update the LDS (or timetable prepared under the new regulations) in due course in order to take account of any changing circumstances. This will enable the Council to be in line with its statutory requirement to prepare the Local Plan in accordance with the timetable set out in the LDS.

7.0 Scope of the Local Plan update

- 7.1 Whilst the current Local Plan comprises two parts, it is intended that the Local Plan update will be a single Local Plan document which will cover strategy and sites as well as more detailed development management (DM) policies. The Government intends to publish a set of National Development Management Policies (NDMP) and has indicated that it will consult on these in spring 2025. NDMP were introduced as part of the LURA. It is intended to ensure a nationally consistent approach to policies that are common amongst all local planning authorities, giving greater certainty to applicants, and helping to streamline and simplify the plan-making process. Whilst there will still be the opportunity to include more detailed DM policies within the Local Plan update, these will need to be locally specific and will need to be justified and consistent with the NDMP.
- 7.2 The Government intends to streamline the NPPF as part of this process. Much of the existing NPPF which includes DM policies would be stripped out to form part of the NDMP whilst the rest of the NPPF that relates to plan-making would be included in a slimmed down new NPPF.

8.0 Implications of the new NPPF

- 8.1 The new NPPF changes the national policy context in a number of areas.

Planning for a higher Standard Method derived Local Housing Need figure

- 8.2 The new Standard Method for calculating local housing need has been amended in two significant ways. First, it is no longer based on the 2014-based household projections but instead a 0.8% uplift on existing housing stock. This is consistent with the level of growth that has occurred nationally over the last ten years and would lead to a proportionate starting point. Using housing stock also removes the volatility associated with housing projections which are updated regularly and, as they are based on past trends, often result in artificially low projections caused by historic suppression of household formation due to low levels of housing delivery. Second, it increases the affordability uplift in those areas that are least affordable. This is intended to focus growth in areas which have the greatest affordability pressures and highest demand for housing.
- 8.3 Application of the new Standard Method increases local housing need for Guildford from 743 dwellings per annum to 1,170 dwellings per annum. The use of this figure is now mandatory with very little scope to deviate from this. What little scope there is relates to specific circumstances¹, none of which are considered to apply to Guildford. Whilst this increase is significant, Guildford is by no means unique in this regard as most Councils have experienced a significant uplift in numbers, especially in the South-East.

Approach to Green Belt review and meeting housing and other development needs

- 8.4 The other notable change is the approach to Green Belt and the extent to which this is an 'absolute' constraint to meeting housing and other development needs. Whilst it is still expected that all other sustainable opportunities are explored prior to using Green Belt, the NPPF is now explicit that meeting development needs does

¹ See [NPPG: Housing and economic needs assessment](#) Paragraph: 003 Reference ID: 2a-003-20241212 and Paragraph: 014 Reference ID: 2a-014-20241212.

constitute the exceptional circumstances necessary to amend Green Belt boundaries. Furthermore, it states that these needs should be met in full unless it is clearly demonstrated that doing so would *'would fundamentally undermine the purposes (taken together) of the remaining Green Belt, when considered across the area of the plan'* (see NPPF paragraph 146). This is very high bar and is unlikely to apply in most circumstances. As part of the Local Plan update, all other reasonable options for meeting identified development needs outside of the Green Belt will be fully explored first. This includes potential suitable and available sites within and around Guildford town centre.

Introduction of 'grey belt' as part of a sequential approach to plan-making where green belt release is necessary

- 8.5 A further considerable change in relation to Green Belt is the introduction of 'grey belt'. In this regard *'for the purposes of plan-making and decision-making, 'grey belt' is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. 'Grey belt' excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development'* (see NPPF, Annex 2). The NPPF introduces a form of sequential approach whereby plans should give priority to previously developed land in the Green Belt, then consider grey belt which is not previously developed, and then other Green Belt locations (see NPPF paragraph 148). However, this approach needs to be considered alongside the need to promote sustainable patterns of development.

Imminent lack of a five-year housing supply

- 8.6 Since the LPSS was adopted, Guildford has benefited from a five-year housing land supply. In the context of the increased housing need figure, it will no longer have a five-year supply when the new land supply is calculated in summer 2025. This will result in the presumption in favour of sustainable development being engaged².

² See NPPF paragraph 11d

It is important to note that this will impact all planning applications not just those within the Green Belt.

The role of the existing LPSS pipeline of housing supply in meeting the higher housing need figure

- 8.7 The lack of a five-year supply is unlikely to be remedied by the outstanding supply within the LPSS that is yet to come forward. This is for two reasons. First and most obviously, the far higher housing figure resulting from the standard method increases the need for delivery, including over the next 5 years. The LPSS planned for an annual housing requirement of 562 dwellings per annum. Second, the pipeline of delivery reflected by the latest housing trajectory, and from the strategic site allocations in particular, is coming forward far more slowly than was expected.
- 8.8 Regarding the latter point, supply from the Local Plan strategic site allocations, whilst significant, is largely expected to be delivered outside of the short to medium term. Weyside Urban Village and Former Wisley Airfield are still securing reserved matters approvals whilst Blackwell Farm and Gosden Hill Farm have yet to submit outline applications. Given their scale and complexity, they will also have longer lead-in times before they start delivering homes on the ground. For this reason, whilst the outstanding supply from the LPSS will help to minimise the extent of additional Green Belt release necessary to deliver the total housing requirement over the new plan period, they will make a minimal contribution in the coming years. As a result, there will be increased pressure for some of this shortfall in supply to come forward on speculative grey belt sites.
- 8.9 Any sites that are permitted in the period during which the Local Plan is being updated, and which will deliver homes within the plan period, will form part of the total planned supply and therefore help reduce the number of new site allocations that are necessary within the updated plan. It should be noted that any sites that are permitted in the Green Belt, or on land that is taken out of the Green Belt as part of the Local Plan update, will be required to meet the new 'Golden Rules'³. For major housing development this includes a 50% affordable housing contribution.

³ The Golden Rules are set out in detail by the NPPF at paragraphs 156 and 157.

9.0 Budget and developing an evidence base

9.1 The Local Plan update will need to be informed by a relevant and up-to-date evidence base. This should be adequate and proportionate, focused tightly on supporting and justifying the policies concerned, and take into account relevant market signals. The current agreed budget seeks to cover the additional costs that will arise over the coming years as part of the update process under the current system. It covers the period 2025/26 to 2028/29. This is intended to cover the costs of commissioning the range of necessary evidence base documents as well as other process costs such as securing ongoing legal support and paying for the examination process itself. Studies that officers currently consider will be necessary to form a robust evidence base include those relating to an understanding of:

- needs (e.g. Housing – including type and mix - and Traveller Accommodation, Employment and retail)
- constraints and potential opportunities for development (e.g. Green Belt study review, Urban Capacity Study and Design Code, Land Availability Assessment, Strategic Flood Risk Assessment)
- infrastructure constraints and requirements (e.g. Transport Modelling, Water Cycle Study, Infrastructure Delivery Plan, Suitable Alternative Natural Greenspace (SANG))
- other overarching studies and statutory requirements (e.g. plan viability study, climate change, sustainability appraisal, habitat regulations assessment)

9.2 Updated evidence on Local Plan viability and supporting infrastructure will also assist in supporting introduction of a Community Infrastructure Levy (CIL) following Government's announcement last year that it no longer intends to pursue an alternate and replacement Infrastructure Levy as was included in the LURA. A further growth bid will be necessary to cover the costs associated with introducing a CIL charging schedule.

10.0 Consideration of timetable

10.1 The LDS has been prepared based on an approach to undertaking the update in a positive and expeditious yet considered manner. There are a number of statutory stages in the process that must be undertaken. Furthermore, there are elements of the process that are difficult to quantify and could potentially result in delays to the

anticipated adoption date. First, the number of responses received as part of the various consultation stages may impact on timing. The previous LPSS generated a significant number of responses (80,000 comments across four consultation stages) and it is likely that the new Local Plan will garner similar interest.

- 10.2 Second, the timetable may be impacted by the need to undertake additional evidence base gathering, including in relation to site assessments, to ensure that any site allocations or proposals are justified and deliverable.
- 10.3 Third, the LDS assumes that there will be only one Regulation 18 consultation and one Regulation 19 consultation. This accords with the minimum statutory requirements in producing a Local Plan. As stated earlier, the regulations will be amended in summer or autumn 2025 however it is anticipated that there will remain a minimum of two consultation stages. Whilst the changes between Regulation 18 and Regulation 19 consultation versions can be significant, main modifications (i.e. significant changes) cannot be made to the Regulation 19 consultation version and the version that is subsequently submitted to the Secretary of State (the Submission Local Plan). For this reason, if main modifications are considered necessary then a further Regulation 19 consultation would need to be undertaken. Whilst this consultation would be targeted and comments only sought on the main modifications, it would still result in a delay to the process.
- 10.4 The LDS reflects that work on the Local Plan update will begin in earnest now that the budget has been agreed. In the initial stages this will primarily comprise the commissioning of the necessary evidence base to inform the drafting of the new Local Plan. The following activities will need to have been undertaken prior to the first formal public consultation:
- Scoping of the necessary evidence base;
 - Developing engagement strategy;
 - Updating the Statement of Community Involvement (SCI);
 - Prepare initial tranche of evidence base;
 - Plan visioning and spatial strategy options development;
 - Early and ongoing engagement with relevant internal and external stakeholders including with the cross-party Local Plan Panel;
 - Prepare draft plan; and

- Sustainability Appraisal and Habitats Regulations Assessment.

The LDS indicates that the first consultation will be undertaken in September/October 2026.

11.0 Options

11.1 The recommended option is to adopt the LDS. The Council has a statutory duty to prepare and maintain an up-to-date Local Plan and this option would fulfil the Council's obligations in this respect. It would also enable the Council to fulfil the request from government to submit and LDS by the 6 March 2025.

11.2 The alternative option is to not adopt the LDS. This would mean that the Council would not meet the Government's timetable for producing an updated LDS by 6 March 2025. It would also mean that the Council would not be fulfilling its statutory duty. Where authorities fail to do so, the law provides powers for the Government to take action to ensure that plans are progressed and are in place. In December 2024, the Government published revised local plan intervention policy criteria to be used by the Secretary of State to inform decisions on exercising local plan intervention powers set out in sections 27, 27A of the Planning and Compulsory Purchase Act 2004. It would also mean that development would continue to come forward through speculative applications. This would result in unplanned development without an understanding of its cumulative impact and the necessary infrastructure required to support it. It would also lead to ongoing uncertainty for residents and developers regarding where growth will occur. 'Planning by appeal' also has significant cost and resource implications.

12.0 Consultation

The timetable has been shared with the Portfolio holder.

13.0 Key Risks

13.1 There is a risk of delay to the process should there be higher than anticipated level of consultation responses or there is a need for an additional consultation stage. There may also need to be additional work to identify sufficient land to accommodate the housing need or work to demonstrate deliverability.

13.2 There is also uncertainty regarding the detail of the new plan-making system and the impact this may have on the update process. Once there is greater clarity, a new LDS will need to be prepared to

ensure that the Local Plan update is carried out in line with the relevant regulations.

14.0 Legal and Governance Implications

- 14.1 Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended) requires a local planning authority to prepare, maintain and make available to the public a Local Development Scheme. The scheme is to set out the timetable for the production of, and must specify, the local development documents which are to comprise the Council's Development Plan Documents (i.e. Local Plans, Neighbourhood Plans etc). It enables those with an interest in the plan making process to understand which documents are to be prepared for the area and at what stages they will be able to participate.
- 14.2 Section 9D Local Government Act 2000 and Paragraph 3-9 (1) Part 3 and Article 4.1 (a) of the Council's Constitution empower the Executive to make decisions in relation to the preparation of the budget for and, the Local Development Scheme itself.
- 14.3 Any decision recommended to the Executive takes account of the risks, benefits and duties set out in this report.

15.0 Financial Implications

Whilst this report makes references to the budget officers consider necessary to prepare a new Local Plan, decisions in relation to this have been agreed as part of the growth bid and budget setting process. There are therefore no financial implications associated with this report and its recommendations.

16.0 Human Resources Implications

As part of preparing the new Local Plan, there may be a need to hire temporary staff to assist with collating the consultation responses.

17.0 Equality and Diversity Implications

- 17.1 All public authorities are required by the Equalities Act 2010 to specifically consider the likely impact of their policy, procedure or practice on certain groups in the society.
- 17.2 It is our responsibility to ensure that our policies, procedures and service delivery do not discriminate, including indirectly, on any sector of society. Council policies, procedures and service delivery may have differential impacts on certain groups with protected

characteristics, and these will be highlighted in the Equalities Impact Assessment (EqIA) screening. Likely differential impacts must be highlighted, and described, as some may be positive. Where likely significant adverse differential impacts are identified, consideration should be given to opportunities to reduce or mitigate this through a full equalities impact assessment.

17.3 There is no requirement for an EqIA on the LDS. An EqIA screening will be undertaken as part of the Local Plan update.

18.0 Climate Change and Sustainability Implications

The updated LDS is an essential pre-requisite to achieving a new Local Plan. The new Local Plan will contain a suite of planning policies that will contribute to the achievement of climate change objectives.

19.0 Next Steps

The LDS will be published on our website and as requested, will be emailed to the Ministry. Work associated with the Local Plan update will continue in line with the LDS.

20.0 Background Papers

None

21.0 Appendices

21.1 Appendix 1 – Local Development Scheme March 2025

Report clearance progress:

Finance	Emma Parry	10/02/2025
Legal & Governance	James Tong	13/02/2025
Human Resources	Ali Holman	04/02/2025
Equalities	Ali Holman	04/02/2025
Strategic Director	Ezra Wallace	29/01/2025