

considered to prepare the way for the preparation of development plan documents, marine plans and other local development documents. Plan reviews prepare the way for the preparation of such documents as they involve an assessment of whether policies in a plan need updating.

Plans are required to set out strategic policies that address strategic priorities. These may include cross-boundary matters, including issues such as whether an authority is able to meet all its housing need. Given the direct implications of plan reviews in enabling such matters to be addressed through the updating of policies, it is important that the bodies subject to the Duty to Co-operate have an opportunity to engage in both how plan reviews are undertaken and the review of the plan. Engagement with neighbouring authorities and prescribed bodies needs to occur before a final decision on whether to update policies in a plan is made, as such engagement may influence that decision.

The level of co-operation is expected to be proportionate to the task and should not unduly delay the plan review. For example, an authority may set out how they propose to review the policies in their plan and when and how neighbouring authorities and prescribed bodies will be engaged. A record of how authorities will be engaged in the review of plans and of where agreement has or hasn't been reached on the need to update a policy or policies can be set out in the Statement of Common Ground.

Paragraph: 075 Reference ID: 61-075-20190723

Revision date: 23 07 2019

Plan reviews

Paragraph: 061 deleted

Revision date: 23 07 2019

How often should a plan or policies be reviewed?

To be effective plans need to be kept up-to-date. The National Planning Policy Framework states policies in local plans and spatial development strategies, should be reviewed to assess whether they need updating at least once every 5 years, and should then be updated as necessary (<https://gov.uk/guidance/national-planning-policy-framework/5-Delivering-a-sufficient-supply-of-homes#para73>).

Under regulation 10A of The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) (<http://www.legislation.gov.uk/ukxi/2017/1244/regulation/4/made>) local planning authorities must review local plans, and Statements of Community Involvement at least once every 5 years from their adoption date to ensure that policies remain relevant and effectively address the needs of the local community. Most plans are likely to require updating in whole or in part at least every 5 years. Reviews should be proportionate to the issues in hand. Plans may be found sound conditional upon a plan update in whole or in part within 5 years of the date of adoption. Where a review was undertaken prior to publication of the Framework (27 July 2018) but within the last 5 years, then that plan will continue to constitute the up-to-date plan policies unless there have been significant changes as outlined below.

There will be occasions where there are significant changes in circumstances which may mean it is necessary to review the relevant strategic policies earlier than the statutory minimum of 5 years, for example, where new cross-boundary matters arise. Local housing need will be considered to have changed significantly where a plan has been adopted prior to the standard method being implemented, on the basis of a number that is significantly below the number generated using the standard method, or has been subject to a cap where the plan has been adopted using the standard method. This is to ensure that all housing need is planned for as quickly as reasonably possible.

Paragraph: 062 Reference ID: 61-062-20190315

Revision date: 15 03 2019

What documents does the requirement to review apply to?

The requirement to review applies to all development plan documents, including local plans (which would include those containing strategic or non-strategic policies) and in addition, to Statements of Community Involvement. While not a statutory requirement, the National Planning Policy Framework expects the same approach to be taken with spatial development strategies.

Paragraph: 063 Reference ID: 61-063-20190315

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Are policies considered out-of-date if they are not updated after 5 years?

The National Planning Policy Framework is clear that strategic policies should be prepared over a minimum 15 year period and a local planning authority should be planning for the full plan period (<https://www.gov.uk/guidance/climate-change#how-can-local-planning-authorities-identify-appropriate-mitigation-measures-in-plan-making>). Policies age at different rates according to local circumstances and a plan does not become out-of-date automatically after 5 years. The review process is a method to ensure that a plan and the policies within remains effective. Applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Due weight should be given to relevant policies in existing plans according to their consistency with the National Planning Policy Framework. It will be up to the decision-maker to decide the weight to give to the policies.

Paragraph: 064 Reference ID: 61-064-20190315

Revision date: 15 03 2019

What can authorities consider when determining whether a plan or policies within a plan should be updated?

The authority can consider information such as (but not exclusively):

- conformity with national planning policy;
- changes to local circumstances; such as a change in Local Housing Need;
- their Housing Delivery Test performance;
- whether the authority can demonstrate a 5 year supply of deliverable sites for housing;
- whether issues have arisen that may impact on the deliverability of key site allocations;
- their appeals performance;
- success of policies against indicators in the Development Plan as set out in their Authority Monitoring Report;
- the impact of changes to higher tier plans;
- plan-making activity by other authorities, such as whether they have identified that they are unable to meet all their housing need;