

FAQs on Neighbourhood Plans and the Emerging South Warwickshire Local Plan (SWLP)

Q1: Can a Neighbourhood Plan come forward before the emerging Local Plan?

Answer: It is important Neighbourhood Plan groups work closely with the Local Planning Authority to ensure that there aren't any conflicts between Neighbourhood Plan policies and Local Plan policies. Section 38 (5) of the Planning and Compulsory Purchase Act requires conflict to have been resolved in favour of the policy contained in the last document that has become part of the Development Plan.

Accordingly, whilst preparing a Neighbourhood Plan can technically be done within the regulations before or during preparation of the emerging Local Plan, it is considered that preparing a new Neighbourhood Plan or reviewing the existing one at this stage would risk the NDP becoming out of date soon after it is adopted or updated. It is likely that it would become superseded by the strategic policies and allocations in the SWLP. For this reason, we do not recommend that new Neighbourhood Plans are progressed at this stage of the Local Plan making process.

However, NDP Area Boundaries can continue to be designated while the SWLP is in progress. For information on this process, please see:

[Neighbourhood Planning - Locality Neighbourhood Planning](#)

Q2: Will a Neighbourhood Plan need to be updated once the South Warwickshire Local Plan has been adopted?

Answer: There is no statutory requirement to update the NDPs after a certain time unlike the Local Plan that must be reviewed every five years. However, where policies in the NDP are considered to be out of date / inconsistent with the South Warwickshire Local Plan once adopted, the NDP policies would not be accorded significant weight in decision making on planning applications. In that situation the NDP policies would need to be reviewed to ensure consistency with the adopted Local Plan as the most recent policies will take precedence. This would not necessarily mean that the whole of the Neighbourhood Plan will be considered out of date, just the specific policies that are superseded by Local Plan policies.

Q3: What advice is there for NDP Groups who want to review their Neighbourhood Plan?

Answer: We would advise waiting until the SWLP is at a more advanced stage (i.e. at least the Regulation 19 Submission Version) before NDP Groups look at reviewing an existing Neighbourhood Plan. This is so that the strategic policies of the SWLP will be at an advanced stage, and the NDP can then be prepared to be in general conformity with these policies. Reviewing NDPs at an earlier stage of the SWLP may mean that the NDP would need to be reviewed again at a later date, should the strategic policies of the SWLP be amended during a further stage of the Plan-making process.

The Timetable for the SWLP is set out here: [South Warwickshire Local Plan](#)

There is lots of guidance available for NDPs on the website. Some useful weblinks are listed below:

[Home - Locality Neighbourhood Planning](#)

[Neighbourhood planning - GOV.UK \(www.gov.uk\)](#)

[How to create a Neighbourhood Plan: Your step by step roadmap guide - Locality Neighbourhood Planning](#)