



Matthew Pennycook MP
Ministry of Housing, Communities and Local Government
2 Marsham Street
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By email only

12th March 2026

Dear Matthew,

Subject: Clarification on Local Plan Regulations and the Lack of Protection During Interim Periods.

Following our recent conversation, I am writing to seek clarification on local plan transition periods. Your response to my question in the chamber on 23rd February indicated that in areas where a valid local plan is in place, that plan would remain in effect and new housing numbers would not take effect until the end of that plan. The area would thereby be 'protected' from speculative development by the current local plan.

However, local councils all over the country and including in North East Hampshire are being inundated with speculative development applications that suggest otherwise. The guidance states that the new housing target numbers tip the balance in favour of development, effectively rendering the local plan redundant.

In Hart District, the Council has followed advice and started a new local plan process under the new guidance and new housing target numbers. However, it faces two key problems:

1. Starting the new local plan process triggers the new numbers to take effect immediately and, therefore, tips the balance of approval in favour of development before the new local plan can be implemented, leaving the Council with at least two years of 'unprotected' time during which many inappropriate developments could be pushed through on appeal.
2. The legal changes required for councils to progress their local plans have not been made, thereby holding up the process for councils which are keen to finalise this quickly.

My understanding is that when a local plan reaches the end of its intended cycle, or where it becomes out of date due to changes in national policy or housing need calculations, there is currently no formal mechanism ensuring continued protection from speculative and inappropriate development while the local authority prepares a replacement plan. Although councils work as quickly as they can to progress a new local plan, this process is complex and necessarily takes time. During that time, the absence of an up-to-date plan leaves communities exposed to speculative and inappropriate development.

This creates several significant issues:

- **Increased risk of speculative planning applications**, which may not align with local needs or strategic planning objectives.
- **Reduced certainty for both councils and residents**, as planning decisions default to national policy and the presumption in favour of sustainable development.
- **Local authorities effectively penalised despite acting responsibly**, as the plan making system does not provide transitional safeguards while a new plan is being prepared.
- **Changing national housing numbers and policy requirements**, which may render the outgoing plan out of date before the new plan can realistically be adopted.



This interim period, where the old plan has effectively fallen away, and the new one is not yet in place, creates a vacuum that undermines the integrity of community development. Communities which have engaged constructively in the plan-making process find their input carries little weight if there is a prolonged period during which no effective local plan is considered valid.

We are not an area that is against house building. The local plan introduced in 2019 set out a full programme to ensure its housing targets were met in appropriate places, with a brownfield first policy. Indeed, we know that across the UK there is already existing planning permission in place for over a million homes – it is the developers who are not building these given the current economic climate.

At the same time, we are seeing applications begin or re-ignite where previously declined in areas that will present flooding problems, transport challenges and endanger protected environments.

I would therefore be grateful if you could provide clarification on the following points:

1. Whether a valid local plan would be able to be completed with old housing numbers, before new housing target numbers take effect for that area.
2. What protections, if any, currently exist for local authorities during the interval between the triggering of the local plan process and its completion?
3. Does the Department intend to introduce transitional provisions to prevent inappropriate development during this interim phase?
4. How does the Department intend to support councils who may experience their local plan becoming out of date due to changes in national guidance or housing need calculations outside their control?
5. Support for councils to fast-track the local plan process in areas which are going through local government reorganisation, in order to ensure the plan is in place before council changes.
6. Confirmation that the local plan developed will remain in place for the area of the old council, even after that Council ceases to exist, for the full duration of the local plan.

Any clarity you can provide would be extremely helpful, and I would welcome further detail on whether the Department is considering legislative or policy changes to address this issue.

Thank you for your attention to this matter. I look forward to your response.

Yours sincerely,

Alex Brewer MP