POLICY

Three more months to finish a plan, and the minister who directed *what Southend submits*.

On 23 October 2026 the housing and planning minister gave local plans whose final consultation ends by 31 December until 31 March 2027 to be submitted under the old system, and said there should be no expectation of a further extension. The same day he directed Southend-on-Sea City Council to publish the draft it had sent him, site BG1 included. Seven of the ten councils sent published ministerial letters on their plans this year appear to have an earlier submission date that the extension does not reach unless he amends it.

The Editor

Ground Level, generated

On 23 October 2026 the housing and planning minister, Matthew Pennycook, wrote two letters about local plans. The first went to all council leaders. It gave councils three more months, to 31 March 2027, to submit a local plan under the old system, provided the plan's last public consultation (known as Regulation 19) ends by 31 December. It also told them not to expect another extension.

The second went to Southend-on-Sea City Council. The minister's letter says the council's leader had told him that agreement across the council's political groups was possible only if one site, BG1, came out of the plan. The letter directs the council to publish the plan with BG1 still in it.

This piece sets out what each letter says and what they mean for the number of plans examined against a framework that has already been

replaced. Ten councils have been sent ministerial local plan letters that gov.uk has published this year, and seven of them carry a submission date that, on the letter's wording, the extension does not reach.

What the first letter does.

A new way of making local plans began on 25 March 2026. A council part-way through a plan could finish it under the old rules if it submitted the plan for examination by 31 December 2026. That date is in Schedule 1 to the commencement regulations, S.I. 2026/169, which also lets the Secretary of State direct a later date for a plan "specified in the direction".

On 23 October the minister used that power, in paragraphs 4(5) and 5(5). His direction covers "any local planning or minerals and waste development plan document being prepared in the legacy system which has concluded its final Regulation 19 consultation period by 31 December 2026". For those plans, "the deadline for submission will now be 31 March 2027". A council must finish that consultation by the end of the year even though it may submit at the end of March.

The direction has one exception. It "does not apply to any plans in relation to which I have already made a specific direction regarding the date of submission of a plan", and for those "an individual request will need to be made". The letter also asks each authority that "will no longer be submitting by 31 December 2026" to send the department a revised Local Development Scheme, which is the council's timetable for its plans, "by no later than the end of November".

The letter closes the question of a second extension in two sentences.

> *There should be no expectation of further extensions beyond the end of March. This is the last opportunity for areas seeking to progress plans to submission in the legacy system.*
>
> Matthew Pennycook, Minister of State for Housing and Planning, letter to all council leaders · Ground Level, 23 October 2026

What the second letter does.

Southend paused publication of its plan and asked for an extension. On 4 September the minister used his default powers under section 27 of the Planning and Compulsory Purchase Act 2004 to direct it to send him the draft and its evidence. The leader replied on 18 September. The 23 October letter says that reply "sets out in detail the efforts being made to reach an internal consensus within the Council" and "is also candid about the fact that such consensus can only be achieved through the removal of the BG1 allocation from the emerging plan".

The minister writes that he is "not convinced that there is a planning or evidential basis for reducing the housing requirement in the draft Plan and in particular removing site BG1". Doing so, he adds, "could also risk the Plan being found unsound at examination". The letter does not say where BG1 lies or how many homes it holds. The Southend letter also refers to the extension: "I draw your attention to my decision of 23 October to allow Plans which have concluded their final Regulation 19 consultations by

31 December 2026 a three-month extension to the deadline for submission."

Section 27 applies when the Secretary of State thinks a council is "failing or omitting to do anything it is necessary for them to do" about a plan. He treats the delay in publishing, and proposals to remove sites that would lower the housing requirement, as "clear evidence of a failure to do something necessary in connection with the preparation of the Plan".

The council must start a Regulation 19 consultation by 6 November, run it for at least 6 weeks and close it by 31 December. It must submit by 31 March 2027, with minor modifications allowed after the consultation; anything more significant "should be set out to the Secretary of State, to consider whether further action is necessary". It may not withdraw the plan and must progress it "up to the end of the examination process". None of the five directions mentions adoption, although the letter says they are meant to give the plan "the best possible opportunity to be adopted under the legacy plan-making system".

The letter says where site allocations are tested.

> *Examination remains the appropriate forum for testing individual site allocations and the supporting evidence base in a transparent and impartial manner.*
>
> Matthew Pennycook, Minister of State for Housing and Planning, letter to Cllr Daniel Cowan, Leader of Southend-on-Sea City Council · Ground Level, 23 October 2026

Southend's cabinet member for planning, Cllr Kevin Robinson, said the council was "taking legal advice" and that publication "does not mean that this draft local plan has been formally adopted by the City Council nor that it is the final version".

Ten councils, and a date that moved.

Southend's is the latest of ten councils sent ministerial local plan letters that gov.uk has published this year. Three further letters about the City of London's plan went to the Planning Inspectorate, not the council, and are not counted. The table lists all ten.

COUNCIL	LETTER	WHAT THE MINISTER DIRECTED	SUBMISSION DATE SET
Buckinghamshire	13 February	Timetable, with consultation to start by 23 July	31 December 2026
Three Rivers	18 March	Add named sites, to reach about 85% of need	30 November 2026
Torbay	11 June	Evidence for a plan that meets 42% of need	None set
Stockport	1 July	Consultation to start by 1 October	31 December 2026
Basildon	21 July	Consultation to start by 10 August	31 December 2026
Tonbridge and Malling	4 September	Consultation to start by 11 September	31 December 2026
West Northamptonshire	15 September	Consultation to start by 5 October	31 December 2026
North East Lincolnshire	25 September	Consultation to start by 30 September	31 December 2026
Rochford	30 September	No step on the plan (holding direction)	None set
Southend-on-Sea	23 October	Consultation to start by 6 November	31 March 2027

Seven of the ten set a submission date on or before 31 December 2026. By the terms of the 23 October letter those plans appear to sit outside the extension unless the minister amends the direction. Stockport shows how an amendment works. It wrote on 12 June to ask for its date to move from 30 November to 31 December, and on 1 July the minister agreed, while refusing to drop a fixed date for its Regulation 19 consultation.

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Councils whose published ministerial directions set a submission date on or before 31 December 2026. The extension of 23 October does not apply to plans with a specific direction on the date of submission.

SOURCE · MINISTERIAL LETTERS TO BUCKINGHAMSHIRE (13 FEBRUARY), THREE RIVERS (18 MARCH), STOCKPORT (1 JULY), BASILDON (21 JULY), TONBRIDGE AND MALLING (4 SEPTEMBER), WEST NORTHAMPTONSHIRE (15 SEPTEMBER) AND NORTH EAST LINCOLNSHIRE (25 SEPTEMBER), ALL 2026, ON GOV.UK

Eight of the ten are amongst the 82 councils that the department named on 18 May as funded to finish a plan under the old system, the group covered in an earlier piece. Three Rivers and Rochford are the two that are not.

8 *of 10*

Councils sent a ministerial local plan letter published on gov.uk in 2026 that are amongst the 82 named on 18 May 2026 as awarded funding to finish a plan under the old system.

SOURCE · MHCLG, FUNDING TO SUPPORT LOCAL PLAN IMPLEMENTATION: SUCCESSFUL LOCAL PLANNING AUTHORITIES, 18 MAY 2026, READ AGAINST THE TEN COUNCILS' LETTERS ON GOV.UK

On 25 September the minister wrote to North East Lincolnshire: "I note the Council's request for an extension to the current submission deadline. However, I have been clear that December 2026 remains the deadline for plans progressing under the legacy system." Four weeks later, on 23 October, he set a later date

for plans whose last consultation ends by 31 December. North East Lincolnshire's own direction still says 31 December.

The government's case.

The minister's case starts with what the deadline has done. He writes that "the existence of that clear deadline, alongside appropriate intervention when required, has driven a significant acceleration in plan progress, with 56 plans reaching pre-submission consultation so far this year". That is his own count.

His second argument is fairness. Forcing councils that "have done the right thing, but who are at risk of missing the 31 December 2026 deadline by small margins, to begin anew in the new plan-making system would not be fair". He adds that it "runs counter to our shared aims of a plan-led approach to development and universal plan coverage".

In the Southend letter he adds a third argument, the cost of having no up-to-date plan. That letter says Southend's last local plan was adopted in December 2007. Its Housing Delivery Test score, which sets homes delivered against homes required, fell from 37% in 2023 to 20% in 2025, and the latest published figure for its housing land supply is 1.3 years. The Southend letter warns of "piecemeal and speculative development, with reduced public engagement and fewer guarantees that it will make the most of the area's potential". Under the framework published on 17 August, a score below 75% means "an evidenced unmet need for housing is deemed to exist" for policy S5(1)(j), the route for housing outside settlements that the universal tilt piece examines.

The councils' case.

The Local Government Association welcomed the extension. Its Inclusive Growth Committee chair, Cllr Carl Cashman, said, as Local Government Lawyer reported on 23 October, that it would "help avoid wasting taxpayers' money and hundreds of hours of work, or local plans being rushed at the eleventh hour".

Councils describe practical pressures. Cheltenham, Gloucester and Tewkesbury said on 23 October that they can submit their joint plan by 31 March 2027, "provided the final consultation on the draft plan is completed by the end of December 2026". A Rochford committee report of 27 August proposed asking for 26 February 2027, citing "the limited period available for Member consideration of the completed evidence base". It also recorded a cost: a short extension "may result in a limited continuation of the Council's exposure to speculative development proposals and planning by appeal". On 30 September the minister placed Rochford under a holding direction, after it removed "a substantial number of sites" from its draft.

The other half of the case is about who decides. Basildon's leader, Andy Barnes, called the minister's decision to step in "premature and unnecessary, effectively taking local decision-making out of the hands of Basildon's elected councillors", according to Local Government Lawyer on 17 September. The Southend letter welcomes "the constructive engagement that has clearly taken place between political groupings and independent members" and records that the leader's reply "rightly recognises the importance of securing an up-to-date local plan". The dispute is over what happens when a

council's members and the minister's reading of its evidence point different ways.

Which framework the plans meet.

Plans submitted under the old system are examined against the December 2024 framework, not the one published on 17 August. Annex A paragraph 8 of the new framework says plans in the old system "should be produced in accordance with the version of this Framework published in December 2024, unless any of the transitional arrangements in Annex 1 to that Framework apply". Those arrangements send some plans to earlier versions still.

The extension changes how many plans fall on each side of that line, and the letter does not say by how many. The minister's letter counts 56 plans reaching pre-submission consultation this year. The Planning Inspectorate's annual report for 2025/26 counts 55 plans in examination and 25 submitted in the year, against 44 the year before, and puts the fall down to councils choosing "to postpone submissions until later in 2026". The figures count different things and cannot be added.

The rule is clearer than the count. A plan that makes the new date is examined under the old rules, and one that misses it restarts under the new. So in the usual case every plan that would have missed 31 December and now makes 31 March is examined against the December 2024 framework instead of the August 2026 one.

The difference shows at adoption. Annex A paragraph 2 gives "very limited weight" to development plan policies "materially inconsistent with national decision-making policies" in the August framework, with one exception for policies "examined and adopted or made against this Framework". A plan examined under the old rules cannot meet it, as the earlier piece linked above explains.

What a missed date costs.

A council that misses 31 March 2027 starts again in the new system. The regulations that set the new system's start dates still use 31 December 2026 and 30 April 2027, or later where a council's plan is recent enough, and the letter does not say how those dates fit with 31 March. The department's rollout guidance says statutory stages do not carry across: a council "cannot carry out a regulation 18 statutory consultation under the existing system and move directly to publishing your Gateway 1 self-assessment under the new system". It expects a new-system plan "within 30 months from publishing your Gateway 1 self-assessment".

The old route takes time too. The Inspectorate's median time from submission to report for strategic plans was 19.4 months in 2025/26, down from 31.5 the year before. At that pace a plan submitted on 31 March 2027 would reach an inspector's report in November 2028. That is an illustration, not a forecast.

19.4 *months*

Median time from submission to the Inspector's report for strategic local plans, in 2025/26. In 2024/25 it was 31.5 months.

SOURCE · PLANNING INSPECTORATE, ANNUAL REPORT AND ACCOUNTS 2025/26, GRAPH 1 AND DATA TABLES

What to watch.

6 November. Southend must start its consultation and publish a revised Local Development Scheme. It may also set out exceptional circumstances, which the minister says "neither alters nor removes the direction".

30 November. Authorities that will not submit by 31 December are asked to send revised schemes to the department. Where councils publish them, they will show how many plans use the extra months.

31 December. The last day on which a final Regulation 19 consultation can conclude if a plan is to use the extension. The new submission date follows on 31 March 2027.

The seven. Whether any of the seven councils with earlier dates asks for a change, as Stockport did. The rollout guidance, last updated on 6 March, still gave 31 December 2026 as the cut-off on 27 October.

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