

Frequently Asked Questions

New Plan-Making System

1. What changes have been made by Government since December 2024?

A number of changes have been made on planning reforms and also Local Government Reorganisation (LGR) and Devolution:

- Dec 2024 Updated National Planning Policy Framework (NPPF) 2024 and updated standard method for calculating housing need published
- Dec 2024 English Devolution White Paper published
- Jan 2025 Updated Five Year Housing Land Supply (5YHLS) published (2.7 years) with loss of 5YHLS due to updated standard method increasing housing figure being applied to the calculation. Presumption in Favour of Sustainable Development (NPPF Para.11d applies).
- Feb-Sep 2025 LGR invitation to councils to submit proposals for Hampshire and the Solent
- Feb-Apr 2025 Devolution consultation for Hampshire and the Solent (Devolution Priority Programme) and confirmation of a Mayoral Combined Authority
- Nov 2025-Jan 2026 LGR Consultation on Hampshire and the Solent proposals (as submitted by councils)
- Dec 2025 Hampshire and the Solent Mayoral election postponed for May 2026 to May 2028
- Dec 2025-Mar 2026 Draft NPPF including national development management policies published for consultation
- Mar 2026 Requirement for Secretary of State to be notified of intention to refuse residential developments of 150 homes or more, applies from 11 May 2026
- Mar 2026 Confirmation of new unitary councils for Hampshire and the Solent (5 unitary councils Option 1A, including splitting Test Valley, East Hampshire, New Forest and Winchester by parish)
- Jun 2026 National Scheme of Delegation of Planning Functions and maximum size of planning committee, applies from 31 Oct 2026

2. What does the new plan-making system look like?

The new plan-making system is a 30-month timetable, with three key 'gateway stages', as established under the Levelling-Up and Regeneration Act 2023 and implemented through The Town and Country Planning (Local Planning) (England) Regulations 2026 (SI 2026 No.186).

The new system is intended to speed up how long it takes to prepare and adopt a local plan. There are key stages that have to be completed within a certain timeframe to ensure new plans are adopted within 30 months. There are a minimum of three public consultations undertaken. The new process is summarised in the graphics below.



Stays the same



Many elements remain the same – setting vision/strategy and allocating land to meet corporate objectives, undertaking public consultation, producing evidence and policies.

Changes or New Processes

- 30-Month Timetable: Local planning authorities must prepare and adopt new-style local plans within a strict 30-month timeframe.
- Three-Gateway System: A new process involving three checkpoints for assessment:
 - Gateway 1: Self-assessment of readiness.
 - Gateway 2: Consultation on plan content and evidence.
 - Gateway 3: Final check before examination.
- Digital-First Approach
- Abolition of 'Duty to Cooperate'
- 5-Year Review Cycle: Plans must be reviewed at least every 5 years to ensure they are up to date

3. What is the timeframe for preparing a new local plan?

The start of the 30-month timeframe is triggered by progressing to Gateway 1. Following this, there are further prescribed statutory steps or milestones to progress through, towards publishing an adopted plan.

Before reaching Gateway 1 there is a period of at least 4 months to prepare, to include an initial scoping consultation, publication of a local plan timetable and the completion of a self-assessment. The initial scoping consultation is of a very high level, with our understanding that this is seeking views on how communities/bodies wish to be engaged and what should be covered by the Plan. The notice of intention to commence plan making must be published by 31 December 2026, with Gateway 1 passed by 30 April 2027.

This timetable is highly indicative, based upon Government timescales and will need to be finalised in due course. Earlier stages can be undertaken and later stages hopefully being able to transition to Mid Hampshire Plan. Transitional arrangements from Government are awaited.

- Oct-Dec 2026 Publish timetable and notice to commence plan-making
- By Apr 2027 Gateway 1 completed and publish self-assessment summary
- Apr 2028 Transition to Mid Hampshire Local Plan

- By Apr 2029 Gateway 2 Consultation on plan content and evidence and Gateway 3 Consultation on proposed Local Plan
- By Oct 2029 Submission, Examination and Adoption

4. What does this mean relating to the risk of speculative homes?

The Government changes to the standard method for calculating local housing need, introduced in December 2024, increased our housing requirement by 78%. The result of this significant increase led to the Council losing its five-year housing land supply and the NPPF paragraph 11d 'presumption in favour of sustainable development' being engaged. The presumption applies to planning applications for residential development. This means that speculative applications for residential development are being submitted for determination on this basis.

A number of the proposed site allocations for residential development in the draft Local Plan are already coming forward through speculative applications, as are other sites which were not proposed for allocation in the plan. The proposed position regarding the draft Local Plan will not therefore lead to a change in this position. The Local Plan is essentially being overtaken by events.

The difficult situation regarding 5YHLS is expected to be made worse by the Housing Delivery Test (HDT). The HDT measures housing completions over the last three years, against the last three years of housing requirement, which is now likely to be calculated against the new much higher housing target. Not meeting the HDT has the same impact as not having a housing land supply. Therefore, even the granting of planning permissions for speculative housing sites, whilst improving the 5YHLS position, would not remove the presumption in favour of sustainable development if the HDT is not met.

5. What are the outcomes of the Housing Delivery Test?

The current latest 2023 HDT result was 144% which had no consequences, but in recent years housing completions have decreased whilst at the same, the higher housing requirement required by Government is likely to apply from 2024/25.

Publication of the results of the 2024 and 2025 Housing Delivery Test (HDT) are awaited. We anticipate the latest outcome for 2025 will fall significantly to nearer 55%. Because we fall below 75%, the consequence means for our 5YHLS calculation a 20% buffer (rather than 5%) is applied, and the NPPF paragraph 11d 'presumption in favour of sustainable development' being engaged on this basis, and the risk of speculative housing sites will continue.

6. What is the planning justification for not proceeding with getting a Local Plan adopted quicker under the current system?

The planning reasons why we can't now proceed as planned are the scale and number of changes which have occurred since Regulation 18 Stage 2 in 2024, and have continued following Revised Regulation 18 in 2025. In particular, notably:

- having had to deal with the planning reforms of this magnitude (78% increase in housing requirement) has meant a repeated Regulation 18 consultation
- rare situation of landowners withdrawing sites would mean a further Regulation 18 consultation being needed if further sites were to be added to address deficit. There are risks associated with jumping straight to Regulation 19 pre-submission final draft. Not undertaking this additional stage would risk a consultation deficit with our communities

During the Revised Regulation 18 consultation, the Council received notification that the landowners of a significant element of the Weyhill proposal (Expansion of Weyhill, Policy NA16) comprising approximately 720 homes of a total proposed of approximately 1,034 homes, the proposed site at Appleshaw of approximately 35 homes (Land South of Eastville, Policy NA19) and part of the Stockbridge site with an estimated reduction in capacity of 50 homes against a total of approximately 100 homes (Land at Danebury School, Policy NA15), were no longer available for development. This equated to approximately 800 homes that were no longer being promoted.

To continue to prepare a local plan under the (current) 'legacy' plan-making system would require a draft local plan to be submitted for Examination by the Government's deadline of 31 December 2026. Prior to submission, a Regulation 19 final draft local plan would also need to be consulted upon, as well as an additional Regulation 18 to consult on any further new sites needed.

The rare combination of impacts highlighted above has led to the Council not being able to submit a sound Local Plan in the timescale set by Government. If the plan is not prepared under the legacy system, then the new local plan must instead be prepared under the new (30-month) plan-making system established under the Levelling-Up and Regeneration Act 2023.

An alternative approach could be to proceed with no local plan, however this option holds significant risk as it is contrary to Government advice and would risk Government intervention.

7. Will we still secure the necessary infrastructure without the current Local Plan going forward?

The planning application process will secure this through appropriate mechanisms. The scale of homes coming forward prior to the Local Plan getting to advanced stages, means decision on speculative applications and securing this infrastructure are being taken ahead of the draft Local Plan in any event.

New development will still be expected to provide or contribute to infrastructure (such as roads, schools and community facilities) through the planning application process. Decisions will continue to be taken using the adopted Local Plan 2016 as the development plan, together with made Neighbourhood Plans, as relevant, and with regard to the National Planning Policy Framework (NPPF). However, the weight accorded to the adopted Local Plan will be dependent upon the degree of

consistency with the NPPF. The Council will continue to work with partner organisations and infrastructure providers on the provision of infrastructure and community facilities and services associated with new development, in order to meet local needs, but much of the provision of infrastructure is not within the direct control of the Council.

8. When can we begin plan making for Mid Hampshire (and South West Hampshire) and why? And could this be affected by any legal challenge to LGR?

The Government is intent on proceeding with Local Government Reorganisation (LGR) and the creation of new unitary councils. Elections to the shadow unitary councils are planned for May 2027, with the vesting date for the new unitary councils on 1 April 2028 at which point they will become local planning authorities. New local plans for Mid Hampshire and South West Hampshire can be formally prepared from 1 April 2028. The timeframes for the LGR process and plan-making are not aligned which poses challenges. However, Government have indicated they are going to publish transitional arrangements, although no timescale for this is provided yet.

There will be opportunities for informal collaboration and joint working, for example on evidence base studies and the alignment of future policies and priorities ahead of the formal creation of the new authorities.

Whether there will be a legal challenge to LGR, and whether this would be successful, are both unknown, therefore we can only proceed on the basis that LGR is to be implemented and on the timetable as announced.

9. What weight will the draft Local Plan have in determining planning applications?

Paragraph 49 of the NPPF informs the consideration of planning applications as follows:

- a) the stage of preparation of the emerging plan (the more advanced, the greater the weight that can be given);
- b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- c) the degree of consistency with the relevant emerging plan policies with the National Planning Policy Framework (NPPF) (the more consistent, the greater the weight).

Therefore, whilst the Council undertook a site selection process, supported by (proportionate) evidence, the draft local plan is at an early stage (Regulation 18) and therefore the policies carry very limited weight.

National policy strongly favours approving housing development making it difficult to refuse applications where the Council has no 5-year housing land supply.

Many of the proposed sites for allocation for residential development in the Draft Plan already have current planning applications or are anticipated to have a planning application in by the end of 2026.

10. What will be the role of the Spatial Development Strategy (SDS) for Hampshire and the Solent produced by the Hampshire and Solent Combined County Authority (HSCCA)?

The HSCCA and Mayor will prepare a Spatial Development Strategy (SDS) for the region, which will set the scale and distribution of development including broad locations for strategic growth and the delivery of infrastructure. This will include housing figures to be planned for each new unitary council area.

Other relevant factors regarding devolution and local government reorganisation (LGR) and their timetable are detailed below:

- Jun 2026 Devolution Hampshire and Solent Combined County Authority (HSCCA) established
- May 2027 LGR Elections to Shadow unitary councils (including purdah period)
- 1 April 2028 LGR Vesting Date for unitary councils at which time they become local planning authorities and a new local plan will need to be prepared for this new planning geography
- May 2028 Devolution Election of Hampshire and the Solent Mayor to lead Mayoral Strategic Authority.

11. What role will Test Valley have in influencing the Mayor's proposals through the future Spatial Development Strategy (SDS) for Hampshire and the Solent?

The Hampshire and the Solent Combined County Authority (HSCCA) will have non-constituent (non-voting) members and associate (non-voting) members. It is expected that this will include representatives of District and Borough councils within Hampshire. The Council can also expect to be formally consulted on the draft SDS and will engage with its preparation process, through which we can have influence. There may also be opportunities to engage informally and have input into the evidence gathering and any evidence base studies which may be prepared to support the SDS.

12. Will we start planning for Test Valley borough under new system, or switch straight to unitary areas?

The draft Local Plan would continue to be prepared based upon the current Test Valley administrative area (excluding that area within the New Forest National Park), as we cannot formally begin preparation of Local Plan for the new unitary authorities until they are created. However transitional arrangements from Government for draft Local Plan preparation for areas undergoing LGR, are awaited.

As such, there may be opportunities for informal collaboration and joint working with our neighbouring authorities, for example on evidence base studies in the

meantime, for the areas covered by the new unitary council geographies. Even at this early stage, there will be opportunities to seek to align policy and evidence across boundaries, where appropriate. It will be for the new unitary council in due course to determine how to continue to take the draft Local Plan forward, once they take responsibility after the vesting date in 1 April 2028.

13. Could the Government require us to do something different?

The Government requires all local planning authorities to produce a Local Plan to meet development needs. However, it is for the Council to decide which approach to plan preparation it chooses for the future whether this be via the legacy or the new local plan making system. If local plan preparation is not progressed, the Council runs the risk of the Government intervening and instructing the Council to make progress in any case.

14. What are other authorities in Mid Hampshire and South West Hampshire areas planning to do?

For Mid Hampshire:

- East Hampshire and Winchester are progressing under the new plan-making system,
- New Forest are reviewing their current position of progressing with preparing a local plan under the existing 'legacy' plan-making system

For South West Hampshire:

- Eastleigh and Southampton are progressing under the new plan-making system.
- South West Hampshire includes the parishes of Chilworth, Nursling and Rownhams, and Valley Park from Test Valley; and the parishes of Totton and Eling, Marchwood, Hythe and Dibden and Fawley from New Forest.

The New Forest and South Downs National Park Authorities (NPA), (who would have land within the Mid-Hampshire authority but would continue to be the local planning authorities for the national parks), are progressing draft local plans under the current 'legacy' plan-making system. The NPAs would not be affected by local government reorganisation (LGR).

15. Does this risk more development in Test Valley, either through speculative applications or more pressure to meet needs from other areas going forward?

Since the Government increased the housing requirement for our Borough so significantly, this is going to be a risk for some time, whichever route the Council takes.

The issue of a lack of a 5YHLS and not meeting Housing Delivery Tests in the near future, means the risk of speculative homes will continue for many years. A number of the proposed site allocations for residential development in the draft Local Plan are already coming forward through speculative applications, as are

other sites which were not proposed for allocation in the plan. The position regarding the draft Local Plan will not therefore lead to a change in this position.

16. Can the evidence that has already been produced be used to support the determination of planning applications?

Various evidence base studies have been prepared to support draft Local Plan preparation to date. These studies address a wide range of planning considerations and requirements, including both future needs, development requirements, mitigation and planning constraints.

There may be cases where this technical evidence can help to inform development management decision making as well as other Council policy and strategy as relevant, although the weight to be attached to this evidence may be limited. This evidence base will be reviewed and may be carried forward to inform plan preparation under the new system.

17. What will happen to all the comments submitted for the Draft Local Plan that was being prepared for Test Valley under the previous system?

All comments made have been acknowledged and summarised. Comments made at Regulation 18 Stage 2 (2024) draft and earlier consultation stages are already on the Council's website, and a summary of the key issues raised was published alongside the Revised Regulation 18 2025 draft consultation. The comments made at Revised Regulation 18 2025 will be published in due course.

18. What happens if we do not have an up-to-date Local Plan?

Decisions will continue to be taken using the adopted Local Plan 2016, as the development plan for the area, together with made Neighbourhood Plans as relevant, together with the National Planning Policy Framework (NPPF). However, the weight accorded to the adopted Local Plan will be dependent upon the degree of consistency with the NPPF. The Council has undertaken formal reviews of the adopted Local Plan including its strategy and policies on the five year anniversaries of the adoption in January 2021 and January 2026 respectively against national planning policy to determine whether it remains consistent and up-to-date.

The issue of a lack of a 5YHLS means that NPPF paragraph 11d 'presumption in favour of sustainable development' is engaged and applies to planning applications for residential development results from the Government's increase in housing numbers to be provided in December 2024. The current lack of a 5YHLS is a trump card in favour of permission being granted applying to planning applications for residential development for the foreseeable future.

19. Under the new plan making system and with a new National Planning Policy Framework (NPPF), will it be harder to justify policies for things like Local Gaps and Residential Areas of Special Character (RASC)?

Decisions will continue to be taken using the adopted Local Plan 2016 as the development plan, together with made Neighbourhood Plans, as relevant, plus with regard to the National Planning Policy Framework (NPPF). However, the weight accorded to the adopted Local Plan will be dependent upon the degree of consistency with the NPPF.

Policy constraints such as local gaps and Residential Areas of Special Character (RASC) were reviewed in the draft Local Plan and were proposed to be retained, in principle. These policy designations will need to be reviewed again for inclusion in any future draft Local Plan. This will need to take account of development requirement and the latest version of the NPPF.

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