

Note clarifying the JLP submission letter regarding paragraph numbering in the NPPF (Dec 2024)

The Joint Local Plan submission letter ([examination library reference LPA03](#)) states:

“NPPF transitional arrangements

With the Joint Local Plan at a well-developed stage of plan preparation, we are working under the transitional arrangements in paragraph 226c of the draft National Planning Policy Framework (NPPF). This means that the Joint Local Plan is likely to be examined under current version of the NPPF dated Dec 2023. Once adopted, the councils will start work on a new plan to address national policy requirements at that time.”

This was correct at the time of writing on 9 December 2024, based on the wording in the July 2024 draft version of the NPPF (Appendix 1), but when the final version of the NPPF was published on 12 December 2024 (Appendix 2), the bullet point numbering had changed. **The corresponding bullet point is now 234b.**

Updated version

For the avoidance of doubt, the Councils confirm that the transition arrangements for the Joint Local Plan, updated to the NPPF (December 2024), are as follows:

“NPPF transitional arrangements

With the Joint Local Plan at a well-developed stage of plan preparation, we are working under the transitional arrangements in **paragraph 234b of the National Planning Policy Framework, December 2024**. This means that the Joint Local Plan is being examined under version of the NPPF dated December 2023. Once adopted, the councils will start work on a new plan to address national policy requirements at that time.”

Extract from the Draft National Planning Policy Framework, July 2024

Annex 1: Implementation

For the purposes of plan-making

226. The policies in this Framework (published on [publication date]) will apply for the purpose of preparing local plans⁸² from [publication date + one month] unless one or more of the following apply:

- a) the emerging annual housing requirement⁸³ in a local plan that reaches or has reached Regulation 19⁸⁴ (pre-submission stage) on or before [publication date + one month] is no more than 200 dwellings below the published relevant Local Housing Need figure⁸⁵;
- b) the local plan is a Part 2 plan that does not introduce new strategic policies setting the housing requirement unless the relevant Local Plan Part 1 has been prepared applying the policies in this version of the Framework;
- c) the local plan is or has been submitted for examination under Regulation 22⁸⁶ on or before [publication date + one month].

Where a, b or c applies, the plan will be examined under the relevant previous version of the Framework⁸⁷.

Footnotes

⁸² Under the Town and Country Planning (Local Planning) (England) Regulations 2012.

⁸³ Defined as the total housing requirement, divided by the number of years in the plan period. The housing requirement can include any unmet need arrangements. Where a joint local plan is in preparation, to determine whether a shortfall exists between the emerging annual housing requirement and the relevant Local Housing Need figure, any shortfall should be apportioned to each local authority equally to determine whether a shortfall exceeds 200 dwellings per annum. Where there is an operative Spatial Development Strategy (SDS) that is less than 5 years old, the SDS will continue to provide the housing requirement for relevant emerging local plans.

⁸⁴ Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012

⁸⁵ As published on [insert date] at [insert web link].

⁸⁶ Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012

⁸⁷ The policies in the version of this Framework (published on 19 December 2023) may apply for the purpose of preparing plans that reach or reached Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (pre-submission) stage between 19 March 2024 and [publication date plus one month].

Source:

https://assets.publishing.service.gov.uk/media/66acffddce1fd0da7b593274/NPPF_wi_th_footnotes.pdf

Extract from the National Planning Policy Framework, December 2024

Annex 1: Implementation

For the purposes of plan-making

234. For the purpose of preparing local plans, the policies in this version of the Framework will apply from 12 March 2025 other than where one or more of the following apply:

- a) the plan has reached Regulation 19⁸² (pre-submission stage) on or before 12 March 2025, and its draft housing requirement meets at least 80% of local housing need⁸³;
- b) the plan has been submitted for examination under Regulation 22⁸⁴ on or before 12 March 2025;
- c) the plan includes policies to deliver the level of housing and other development set out in a preceding local plan (such as a joint local plan containing strategic policies) adopted since 12 March 2020;
- d) the local plan is for an area where there is an operative Spatial Development Strategy and the local plan has reached Regulation 19 (pre-submission stage) on or before 12 March 2025; or
- e) the plan deals only with minerals and/or waste matters and has reached Regulation 19 on or before 12 March 2025; or has been submitted for examination under Regulation 22 on or before 12 March 2025.

235. Where paragraph 234a, b, c, d or e apply, the plan will be examined under the relevant previous version of the Framework.

Footnotes

⁸² Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012. In this context “reached Regulation 19” refers to when Regulation 19 has been complied with (i.e. when the planning authority has made a copy of each of the proposed submission documents and a statement of the representations procedure available, and the statements required in Regulation 19(b) have been sent to consultation bodies).

⁸³ Calculated using the standard method in national planning practice guidance, published on 12 December 2024.

⁸⁴ Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

Source:

https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf