EXPLANATORY MEMORANDUM TO

THE PLANNING DATA (ENGLAND) REGULATIONS 2026

2026 No. 420

1. Introduction

1.1 This Explanatory Memorandum has been prepared by the Ministry of Housing, Communities and Local Government and is laid before Parliament by Command of His Majesty.

2. Declaration

2.1 Matthew Pennycook MP, Minister of State for Housing, at the Ministry of Housing, Communities and Local Government confirms that this Explanatory Memorandum meets the required standard.

2.2 Caroline Crowther and Charlotte Spencer, Director for Leasehold, Private Renting and Digital, at the Ministry of Housing, Communities and Local Government confirms that this Explanatory Memorandum meets the required standard.

3. Contact

3.1 Eloise Maguire at the Ministry of Housing, Communities and Local Government can be contacted by Telephone: 0303 4444888 or email: digitalplanningteam@communities.gov.uk with any queries regarding the instrument.

Part One: Explanation, and context, of the Instrument

4. Overview of the Instrument

What does the legislation do?

4.1 This instrument requires a relevant planning authority to comply with data standards when processing planning data. This instrument specifies planning data as local plan timetable, minerals waste plan timetable and housing requirement data.

Where does the legislation extend to, and apply?

4.2 The extent of this instrument (that is, the jurisdiction(s) which the instrument forms part of the law of) is England and Wales.

4.3 The territorial application of this instrument (that is, where the instrument produces a practical effect) is England only.

5. Policy Context

What is being done and why?

Local Plan Timetable and Minerals and Waste Plan Timetable

5.1 As part of the legacy planning system, it has been challenging for communities and other stakeholders to understand when a Local Plan or Minerals and Waste Plan is coming forward and the stage it is at. This has made it difficult for stakeholders to understand when they can get involved.

5.2 The Levelling-up and Regeneration Act 2023 ("LURA 2023") made provisions to address these challenges which replace the existing requirement to adopt a Local

Development Scheme or Minerals and Waste Development Scheme, with a new simpler requirement to prepare and maintain a local plan timetable or a minerals and waste plan timetable. In line with the new local plan timetable and minerals and waste plan timetable requirements as set out in section 15B and 15BB of the Planning and Compulsory Purchase Act 2004 ("PCPA 2004"), as amended by Schedule 7 LURA 2023, Schedules 1 and 2 of this statutory instrument shall shift local plan timetables, and minerals and waste plan timetables, from a document-led requirement to a data-led requirement.

5.3 These changes will ensure there is a nationally consistent approach to processing and publishing plan timetable data from inception, enabling key stakeholders to track the progress of a plan more easily and the department to better track plan-making delivery and provide early support where needed.

5.4 The local plan timetable data, or minerals and waste plan timetable data, must be made available before or on the same day as the notice of intention to commence local plan or minerals and waste plan document preparation, or before or on the same day as the notice of intention to commence supplementary plan preparation, is published (whichever is earlier).

Housing Requirement Data

5.5 This instrument also requires a relevant planning authority to process and publish their housing requirement information in accordance with an approved data standard.

5.6 Housing requirement data is the minimum number of homes that a plan expects to provide during the period of the plan. This data is calculated for the purpose of a local plan and can be difficult to locate and to understand. This means it can be difficult and time consuming for stakeholders to find this information and use it effectively, requiring stakeholders to search for the data manually in each individual local plan. Often, there can be gaps in the housing requirement data that is collected, and this lack of consistent clear data can slow down plan examinations.

5.7 As such, legislation is necessary to improve transparency in plan-making and make it easier to collect data on how many new homes local plans plan for by ensuring there is a nationally consistent approach to processing and publishing housing requirement data in local plans, and for relevant planning authorities to make this data available by openly publishing this data in a consistent format.

5.8 In line with this instrument, housing requirement data is to be prepared in a consistent format. The data is to be made available by relevant planning authorities at the following points in a local plan's development; at pre-submission consultation (the public consultation that takes place before submitting the plan for examination by the Planning Inspectorate (PINS)), submission of the local plan to PINS for examination (an independent examination of the local plan to ensure that it is legally compliant), main modifications consultation (a consultation that takes place if PINS recommend that changes are made to the plan following examination), and for the adoption version of the local plan (the final version of the local plan which has been approved by PINS and formally adopted by the relevant planning authority. The data is to be made publicly available in a prescribed digital format, which is set out in supporting guidance for the data standard on https://www.gov.uk/guidance.

What was the previous policy, how is this different?

Local Plan Timetable and Minerals and Waste Plan Timetable

5.9 There was previously no legal standardised format for processing and publishing data for local plan timetables and minerals and waste plan timetables. This instrument provides for a consistent approach to processing and publishing local plan timetable data, and minerals and waste plan timetable data.

Housing Requirement Data

5.10 There are no previous legal requirements to process and publish housing requirement data in a consistent format in local plans. However, a new requirement to set out policies in relation to the amount and type of development in the relevant planning authority's area, noting that "housing" is a "type of development" was introduced in section 15C(3) of the PCPA 2004, as amended by Schedule 7 to the LURA 2023.

5.11 Since 2018, central government has set a policy expectation that relevant planning authorities will use a housing need figure derived from a nationally set formula, as set out in the Planning practice guidance for housing need (Planning practice guidance - GOV.UK). This instrument shall standardise the way that relevant planning authorities set out this housing requirement figure. Furthermore, this instrument shall set the requirement for relevant planning authorities to process their data on housing requirement in their local plan, in a standardised way and openly publish this planning data in a consistent format.

6. Legislative and Legal Context

How has the law changed?

6.1 This instrument is made under sections 84 (1) and 86(1) of LURA 2023 that allows an appropriate authority to make planning data regulations to specify which planning data can be made subject to approved data standards and requiring planning authorities to comply with those standards once created. Planning authorities must also make planning data available to the public.

Why was this approach taken to change the law?

6.2 The aim of this instrument is to make high-quality, standardised, open data available to drive faster and more informed decision-making and increase efficiency and productivity levels across the planning sector in England.

7. Consultation

Summary of consultation outcome and methodology

7.1 Between 25 July and 18 October 2023, for a period of 12 weeks, a consultation was published on GOV.UK to seek views on proposals to implement the plan-making powers in the LURA 2023 . This included four questions (Questions 8 – 11) on digital plans, including one on data standards.

7.2 The responses to this consultation were supportive and reinforced the value of mandating data standards as part of the plan-making process but also noted the need to consider planning authority capacity for implementation. We considered these responses throughout policy development to inform what plan-making data was standardised and the support that should be provided to planning authorities as part of implementation. A summary of the consultation responses and the government response (Government response to the proposed plan-making reforms: consultation on

implementation - GOV.UK) was published on 27 February 2025. In the response, the government committed to data standardisation in the plan-making process, to help speed up plan-making and support those involved in the plan-making process to work more openly and efficiently. The government committed to continuing developing and testing guidance and tools to support faster plan delivery, and to work to provide greater standardisation and consistency of key local plan information in an open and accessible format.

8. Applicable Guidance

8.1 To support relevant planning authorities in following and implementing these new data standards, guidance is provided as part of the approved data standards and published on GOV.UK by 17 April 2026.

Part Two: Impact and the Better Regulation Framework

9. Impact Assessment

9.1 A full Impact Assessment has not been prepared for this instrument because no, or no significant impact on the private, voluntary or public sector is foreseen.

Impact on businesses, charities and voluntary bodies

9.2 There is no, or no significant, impact on business, charities or voluntary bodies because the instrument applies to relevant planning authorities.

9.3 The legislation does not impact small or micro businesses.

9.4 The non-significant impact on the public sector is that relevant planning authorities will benefit from faster planning processes through the implementation of data standards. To achieve this, planning authorities will be expected to follow these requirements and begin to process and publish their planning data for local plan timetables, minerals and waste plan timetables, and data for housing requirement, from the date that this instrument comes into force.

9.5 The department will provide additional support to enable relevant planning authorities to adhere to the new data standards via services provided on the Planning Data platform (e.g. the provide service on the Planning Data platform which provides feedback on compliance with a data standard) and the Open Digital Planning Community (ODP) which provides hands on support and learning and development opportunities. This wide range support is designed to offset any additional costs to relevant planning authorities for implementing the policy change.

10. Monitoring and review

What is the approach to monitoring and reviewing this legislation?

10.1 The approach to monitoring this instrument is that the department, in liaison with key stakeholders, will keep the effects of this instrument under review. The department will continue to monitor and respond as appropriate to any feedback. The department also conducts significant ongoing engagement with authorities in forums in which issues can be raised, such as with planning authority members of its ODP.

10.2 The instrument does not include a statutory review clause. This is because there is no expected significant impact on businesses (greater than +/-£10 million net annualised).

Part Three: Statements and Matters of Particular Interest to Parliament

11. Matters of special interest to Parliament

11.1 None.

12. European Convention on Human Rights

12.1 As the instrument is subject to negative procedure and does not amend primary legislation, no statement is required.

13. The Relevant European Union Acts

13.1 This instrument is not made under the European Union (Withdrawal) Act 2018, the European Union (Future Relationship) Act 2020 or the Retained EU Law (Revocation and Reform) Act 2023 ("relevant European Union Acts").