



Department for Levelling Up, Housing & Communities

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28 November 2022

Dear Ariane,

Thank you for your letter of 9 November 2022 to the Secretary of State regarding the planning data clauses in the Levelling Up and Regeneration Bill. I recognise the interest of the Local Government, Housing and Planning Committee in this chapter of the Bill. I hope that I can provide some further clarification on the points raised and can offer some reassurance in this letter.

I appreciate clarity was requested regarding the definition of planning data, relevant planning enactment and how data sets will be specified. The definitions of 'planning data' and 'relevant planning enactment' are set out under Clause 81 of the Bill. Regarding data sets, we have not specified any data sets within the planning data chapter of the bill.

In relation to the impact of new data standards on planning applications (and the relevance of the Scottish Government's digital strategy for planning), the planning data powers will, so far as they may apply to devolved matters, apply only to Environment Outcome Reports (EORs). We are having ongoing discussions with the Scottish Government regarding EORs which will inform how the clauses operate across the UK in a way that respects the devolution settlements.

Regarding timescales for the Bill, Royal Assent is currently estimated for Spring 2023; however, timelines are dependent on the parliamentary scrutiny process. In terms of data standards, there will be an incremental approach to introducing data standards across the planning system.

Ministers from the Department for Levelling Up, Housing and Communities will write to Ministers in the Scottish Government shortly, setting out the proposed next steps for agreeing consent across the whole Bill and on amendments. The UK Government is committed to the Sewel Convention, and therefore will not legislate in areas of devolved competence in Scotland without the consent of the Scottish Parliament.

Concerning the National Planning Policy Framework 4 (NPF4), we do not anticipate the Bill will have any direct impacts, as the planning data powers in the Bill apply mainly to England. Any future impact on the NPF4 will be contingent on continued conversations with the Scottish Government on EORs.

I hope that these responses have provided clarification on the planning data chapter of the Bill and our proposals on digital planning, which will allow a transformation in the use of high-quality data and provide modern, digital services across the planning process. I would like to thank the Local Government, Housing and Planning Committee for their scrutiny of the Bill as part of the legislative consent process. I also note and greatly appreciate the continued engagement between officials in the Scottish Government as we collaboratively work towards resolving these issues.

Yours sincerely,

RT HON LUCY FRAZER KC MP
Minister of State for Housing and Planning
Department for Levelling Up, Housing and Communities