

Overview

The Land, Planning and Development Federation (LPDF) is very supportive of the Government's drive to reform the planning system to ensure that it is fit for purpose and helps to bring forward much-needed new homes, commercial development, and new infrastructure as quickly as possible. We also recognise the need for improved data collection on many aspects of the planning system, so that a robust analysis of policy changes, which are intended to improve the system, can be undertaken.

We acknowledge that the changes implemented through the new National Planning Policy Framework (NPPF) in December 2024, along with subsequent changes to the Planning Practice Guidance (PPG) and other elements of the planning system, will make a positive difference. Indeed, research by the LPDF has shown that in the first two quarters of 2025, there is an anticipated 160% increase in the numbers of planning applications which our members are seeking to submit, compared with the 6 months leading up to the publication of the new NPPF.

However, despite many reports having been prepared debunking the land-banking myth including the Letwin Report (2018)¹, the CMA Housebuilding Market Study (2024)², and a series of reports prepared by Lichfields on behalf of the LPDF and HBF including 'Taking Stock'³, 'Tracking the Progress'⁴ and, 'Feeding the Pipeline'⁵, there is still a perception that housebuilders do not build out sites sufficiently quickly. To quote from the Working Paper, "*We know that slow build out rates are of great frustration to many local planning authorities*"; this statement is neither helpful nor based on factual evidence, as has been shown from the reports listed above.

The CMA looked at this issue in some depth through their Market Study and they clearly concluded that:

"Overall, we do not consider that competition in the land market, or the land banks held by different housebuilders individually or in aggregate either locally or nationally, is significantly distorting competition between housebuilders in delivering houses. While it is likely that the amount of land being held in housebuilders' land banks is above the level we would see in a well-functioning market, this is primarily a symptom of wider problems in the market, mainly driven by the time and uncertainty associated with obtaining planning permission."

¹ [Letwin review web version.pdf](#)

² [Housebuilding market study final report](#)

³ [Taking stock -LPDF - HBF Research - May21 Final-compressed \(1\).pdf](#)

⁴ [Tracking Progress - Insight - Sept 21.pdf](#)

⁵ [Feeding the Pipeline Research.pdf](#)



Artificially reducing the levels of land banks without addressing these underlying drivers would be most likely to have a negative effect on the amount of housing that is being built.”

The CMA went on further to state that:

“Given this conclusion, we do not propose any remedies directed at land banks.”

As the Government has started to address some of the underlying drivers which were highlighted by the CMA, if these changes are implemented properly and other barriers in the system are tackled, then build-out rates will increase as a result. Housebuilders only see a return on their capital employed when they sell houses. It therefore makes no economic sense for a housebuilder to delay delivery. However, housebuilders are unlikely to build houses which they cannot sell, so they do need to pay careful attention to wider economic conditions such as mortgage interest rates and mortgage availability, to gauge so-called ‘market absorption’ rates.

The LPDF firmly believe that the best way in which the Government can increase housing delivery, is by ensuring that we have countrywide coverage of up-to-date local plans and that those local plans allocate a wide variety of sites, in a geographical spread of locations, and of varying sizes, to allow volume housebuilders and SMEs numerous opportunities to deliver. This should be supported by an efficient and effective Development Management process which provides certainty and consistency of outcome and allows for decisions to be made within statutory timeframes. It also needs Government demand-side support, in the form of an equity loan scheme, to stimulate first-time buyers to enter the market and to give confidence to the housebuilders to increase delivery to meet that increase in demand.

The response to this consultation should be read alongside our submission on the ‘Speeding Up Build Out’ Working Paper (WP).

About the LPDF

The LPDF seeks to represent the UK’s leading land promoters, home builders and commercial developers.

LPDF members support the housebuilding and commercial development sectors by promoting sites through the planning system, providing “shovel ready” land with a planning permission which can facilitate the delivery of infrastructure and serviced land parcels.

The LPDF seeks to actively engage with government on planning, housing and commercial development policy and to educate the wider public on the social, environmental and economic benefits of development through an evidenced based approach.



The LPDF encourages its members to deliver well designed, high quality, sustainable places which deliver a mix of housing types and tenures, commercial spaces and community uses that have a positive social, environmental, and economic impact.

Our key values include:

- Working in a positive and cooperative way with central and local government and key stakeholders, to deliver a planning system capable of supplying the homes and employment space we need.
- Promoting research and an evidence-led approach to policy development.
- Increasing the supply of new homes to meet demand and make home ownership a realistic possibility for all those who aspire to it.
- Ensuring that we build the affordable homes of all types and tenures that this country so desperately needs.
- Delivering new employment space to meet demand from businesses and support economic growth.
- Championing the impact of increased housing delivery on reducing intergenerational unfairness.
- Creating well designed, high quality and sustainable places to live and work.
- Educating and informing about the social, environmental and economic benefits of development.
- Supporting diversity of delivery in the market and championing SME developers.
- Promoting diversity and inclusivity within the sector.



Questions

Q.1. Do you agree that the build out reporting measures should apply to developments which involve the building of new dwellings (including mixed use development)?

No – Whilst the LPDF recognises the need to improve data collection within the planning system, we do have concerns with the way in which the Government is intending to implement these new procedures.

We do not object to the introduction of Build Out Statements per se, but, as detailed in our response to the WP, we believe that the only stage at which these would prove useful and workable is at the detailed planning application stage.

There is insufficient information available at the Outline Application stage to make an accurate assessment of delivery. Any requirement to submit a Build Out Statement at this stage would therefore be worthless, as any submitted Build Out Statement would be based upon issues outside of the developer's control (the need to gain Reserved Matters permission, the discharge of conditions, technical approvals, the provision of utilities connections, and other necessary infrastructure not being delivered by the developer).

It is the strong opinion of the LPDF that Build Out Statements should only apply to detailed planning permissions and should only be required at the stage when all issues listed above, which are not in the control of the developer, have been resolved. That is the only point where a reasonably accurate assessment of delivery can be undertaken.

It is also the LPDF's strong opinion that Build Out Statements should only be submitted to LPAs for information and they should not be negotiated locally. Developers are best placed to know what the optimal build out rate for a particular site will be, given the issues with the site, the prevailing economic conditions, current sales rates, and the wide range of other issues which could impact upon the speed at which a site is delivered. Having to negotiate an acceptable build out rate with an LPA, through the determination of a planning application, will only add further complexity to an already overly complex system and will add to the workload of already over-stretched LPAs. This is likely to have the overall impact of slowing the delivery of new houses rather than speeding them up.

It must also be noted that currently, many LPAs include the requirement for monitoring fees within S106 agreements, which are supposed to fund LPA monitoring officers allowing them to monitor the progress of schemes. Any introduction of build out reporting measures may therefore duplicate this process which would be unnecessary.

However, we do agree that if implemented, build out reporting measures should apply to developments which involve the building of residential properties over a certain site size threshold (see answer to **Question 3** and our response to the '**Reforming Site Thresholds**' Working Paper).



Q.2. Are there any other types of residential development that the build out measures should apply to? If yes, please give your reasons.

No – If implemented, the build out measures should apply to all residential development above a certain site size threshold.

Q.3. Do you agree with the proposed threshold of 50 dwellings for the build out measures to apply to?

Yes – If implemented, it would be sensible to apply the build out measures to sites which sit in the medium category of development or above (however, see our Reforming Site Thresholds WP response which contends it should be higher than 49), wherever the Government determine this threshold should sit through their consultation on ‘Reforming Site Thresholds’ Working Paper (see the LPDF’s response to this Working Paper for the detail).

Q.4. Do you think a higher threshold should be set for development progress reports and the power to decline to determine applications? If so what should this threshold be?

The threshold should be consistent with the definition of Medium Sites established following the ‘Reforming Site Thresholds’ Working Paper (see the LPDF’s response to this Working Paper for the details).

Q.5. Do you agree that this information should be covered in the build out statements?

No – The LPDF reiterates that we do not consider that Build Out Statements should apply to anything other than detailed planning permissions and should only be submitted to LPAs for information at the stage when all issues that are not in control of the developer have been resolved (see response to **Question 1**).

This point is reinforced when looking at the level of detail which is proposed for inclusion in such statements within the consultation paper. At an application stage, a developer will not know when development is expected to be started as they will not know how long it will take to complete any S106 Agreement, to discharge all planning conditions, to gain all technical approvals and to establish utilities connections. It is also unlikely that a developer will know all potential site-specific constraints at the application stage, nor all the potential risks to delivery.

For Build Out Statements to be a useful tool for monitoring purposes, they should be completed at a stage in the process when more information is known and a greater degree of accuracy can be applied to the assessment of delivery rates.



Q.6. Do you have any further comments on the build out statement?

As stated on several occasions, it is the LPDF's opinion that a compliance condition to submit a Build Out Statement, should only be applied to the grant of a detailed planning permission. This should require submission of a Build Out Statement for information only, prior to the commencement of the development.

This would avoid many of the issues listed throughout this submission which could occur, if a Build Out Statement is required at any other time. It would avoid abortive work based on incomplete information and would significantly increase the accuracy of the data contained in the Statement.

Q.7. Do you agree that this information should be covered in commencement notices?

Yes – The LPDF have no issue with the proposed introduction of commencement notices. The Government should publish a model notice for LPAs and developers to use to ensure a consistency of approach across the country.

Q.8. Do you agree with setting a 2-month period after the reporting period ends to submit the development progress reports?

Yes – This seems an appropriate timeframe.

Given that this information, alongside Build Out Statements, will improve data collection and monitoring and will reduce the workload of LPAs when compiling 5-Year Housing Land Supply Statement, the Government should introduce a requirement for all LPAs to publish their 5-Year Housing Land Supply position annually by a specific date.

Q.9. Which option for the reporting period for development progress reports do you agree with?

The reporting period should be based on the financial year 1st April to 31st March.

Q.10. We recognise the information in development progress reports may be useful for LPAs to calculate 5-year land supply (5YLS), are there any impacts with the reporting periods proposed and the interaction with 5YLS?

It would be helpful if the dates for submission of development progress reports were set with the completion of LPAs 5YLS Statements in mind (see response to **Question 8**). It would be useful for Government to provide guidance on how the relationship between these two types of documents should work.



Q.11. Do you agree with the proposals for how the completion date is specified for the purposes of development progress reports?

Yes.

Q.12. Do you agree with the proposals about who submits the development progress report?

Yes, as long as there is a means by which changes can be made where necessary as sites progress.

Q.13. Do you agree with the information it is proposed development progress reports will cover?

Yes – As stated in response to a number of questions, it would be extremely helpful if the Government could publish a template development progress report for use, so as to ensure a consistency of approach across the country. This would allow for easy data collection and analysis.

Q.14. Is there any other information you think development progress reports should cover?

No.

Q.15. Do you have any views on how a joint approach to submitting a commencement notice could be facilitated on sites where multiple developers are involved?

The submission of commencement notices for sites where multiple developers are involved will be much more complex and needs to be carefully considered so that it is practicable if introduced.

It is considered that the best solution would be for each developer to have the ability to submit individual commencement notices for each parcel of land they deliver on a large site, as and when development on those parcels is started. If the Government insist on the joint submission of any of the build out measures proposed, then this will make implementation by developers much more complex and may reduce the accuracy of the information provided.

Q.16. Do you agree with making provisions in the regulations that would enable a joint submission of the development progress report where multiple developers are involved?

No. See our response to **Question 15**.



Q.17. Do you agree that this information should be covered in development progress reports where a joint approach is taken?

No. See our response to **Question 15**. Keeping the submissions separate so that each developer reports on their own progress, will make monitoring far simpler for all parties involved, including LPAs.

Q.18. Do you have any views on what information other than in build out statements and development progress reports LPAs should have regard to when considering whether the carrying out of the earlier development has been unreasonably slow?

The LPDF strongly object to the introduction of the power to decline to determine applications.

As proposed at present, LPAs would be able to negotiate delivery rates locally, determine if progress had been slow when compared to those rates, and then fine developers as a result. This would be a case of LPAs being judge, jury and executioner which is considered to open the process up to inappropriate implementation. There also appears to be no independent appeal process for any decision made by an LPA to invoke the power to decline to determine applications. This could leave a developer unable to submit applications in an LPA based on an unjustified decision made by that LPA. This is highly likely to have a negative impact on the Government's ability to increase housing delivery to meet the 1.5 million new homes target.

It is noted that the Government do not currently propose to produce any guidance setting out what LPAs should consider a slow build out rate to be. This leaves any decision to the subjective judgment of an LPA and therefore potentially opens the process up to misinterpretation of the information and misuse of the system.

As we have set out, both in response to this consultation, and the WP, we consider that Build Out Statements should only be submitted for information to an LPA at the point at which development on site is capable of being implemented i.e. after all issues outside of the developers' control have been resolved. This information should then be used to better inform LPAs about the delivery of housing in their area, with the information being updated annually when development progress reports are submitted. This information should not be used to unfairly punish developers for build out rates which the LPA consider to be slow, but which have been impacted by the multi-faceted issues which can be encountered throughout the delivery process (including regional differences in delivery rates and differences between SME and volume housebuilder average rates), especially if there is no process to appeal such decisions.

If this process is implemented as set out in this consultation and the associated WP, it is likely to have a negative impact on investor, landowner and developer confidence and



consequently will impact on the ability of the Government to increase housing delivery to meet its 1.5 million new homes target.

Q.19. Do you have any comments on the scope of the guidance?

As set out in our response to this consultation and the WP, we firmly believe that the Government must publish and consult upon detailed and prescriptive guidance on the factors which may impact on the delivery of housing sites. If this is not published, it is likely to impact significantly on investor, landowner and developer confidence in the system, which will negatively affect the bringing forward of land forward for development.

