

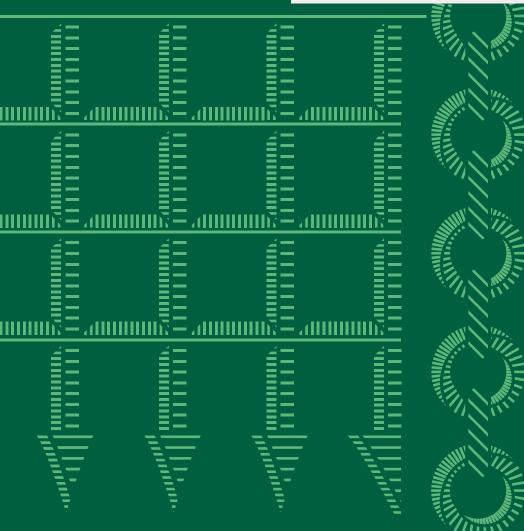


Housing, Communities and Local Government Committee

Delivering 1.5 million new homes: Land Value Capture

Third Report of Session 2024-26

HC 672



Housing, Communities and Local Government Committee

The Housing, Communities and Local Government Committee is appointed by the House of Commons to examine the expenditure, administration, and policy of the Ministry of Housing, Communities and Local Government and its associated public bodies.

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Contacts

All correspondence should be addressed to the Clerk of the Housing, Communities and Local Government Committee, House of Commons, London SW1A OAA. The telephone number for general enquiries is 020 7219 6232; the Committee's email address is hclgcom@parliament.uk. You can follow the Committee on X (formerly Twitter) using @CommonsHCLG.

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Summary

England's housing crisis is closely linked with the cost of land. Land is typically the largest single expense of any new housing development, and its value can increase dramatically if planning permission is granted. Similarly, the provision of new public infrastructure, such as transport links, has a major impact on local land values. These increases in land value occur independent of any productive activity or investment by landowners or developers, yet still yield substantial profits to them. Land value capture policies therefore seek to recover some of these increases in land value, which are usually the result of local authority or community decisions. Revenues raised may then be used to fund affordable housing and public infrastructure associated with development, such as roads, GP surgeries, and schools.

In England, the primary policy mechanisms for land value capture are planning obligations (negotiated through "Section 106 agreements") and the Community Infrastructure Levy. Our inquiry found that this current system fails to deliver the full potential of funding for communities because it is marked by protracted negotiations and an uncertain map of local approaches. Its complexity is also costly for under-resourced local planning authorities and SME developers to navigate, and enables some developers to negotiate down their affordable housing contributions on viability grounds after development has commenced. The Government must immediately pursue reforms to land value capture to ensure developers make fair contributions towards the infrastructure and affordable housing which communities rightly expect—particularly homes for Social Rent.

To this end, we recommend that the Government must:

- introduce new template clauses for Section 106 agreements to focus negotiations on site-specific factors rather than legal wordings;
- reinstate access to funded Level 7 planning apprenticeships for students over the age of 21;
- establish a statutory dispute resolution scheme to settle deadlocked negotiations between local authorities and developers fairly; and

 publish updated land value estimates data, which have not been updated since August 2020, to inform future reforms to land value capture.

The Government's forthcoming reforms to its guidance on viability assessments must ensure developers reliably deliver on their agreed affordable housing commitments, with viability assessments only used to alter these commitments retrospectively in the most exceptional circumstances. To support this, we recommend that all local authorities in England must be encouraged to set a minimum percentage target for affordable housing in their Local Plan, with a 'fast-track' planning route for developments which meet this local target.

For several years, only around half of local planning authorities have charged a Community Infrastructure Levy (CIL), a locally determined fixed-rate development charge used to fund infrastructure. Successive governments have sought to increase CIL coverage to all local authorities where it is viable, but stretched local planning teams are focussing their limited staffing and resources on affordable housing delivery as a priority, rather than establishing and administering CIL. Of those that do charge CIL, there is a complex patchwork of local charging schedules for developers to navigate. Some local planning authorities are not publishing a clear Infrastructure Funding Statement, despite this being a legal requirement, which is damaging public and sector confidence as to how CIL receipts are being spent. The Ministry must demonstrate more effective leadership to improve CIL coverage and transparency, by publishing a national interactive map of CIL charging schedules and Infrastructure Funding Statements.

We also found that there is significant potential for the Ministry to experiment with new mechanisms of land value capture to fund the proposed New Towns. However, we are deeply concerned that the Government has announced substantial detail of the 12 potential sites without a planning policy to protect land value, contrary to the recommendation of the New Towns Taskforce. We call on the Government to announce new funding to establish the development corporations at the Autumn Budget 2025, so they can commence land acquisition on the first New Towns sites without delay by spring 2026. In addition, we recommend that development corporations are mandated to prioritise homes for Social Rent within the 40% affordable homes requirement, rather than other types of affordable housing.

The final chapter of our Report takes a step back from land value capture to consider the Government's first year of progress towards its target of delivering 1.5 million new homes during this Parliament. The past year has seen the Ministry pursue a wide-ranging series of planning reforms and

housebuilding initiatives, which many in the sector believe will contribute towards increasing housing supply. However, one year into the Parliament, housing completions are not yet increasing at a rate consistent with meeting the five-year target. We conclude that the Government's delay in publishing its Long-Term Housing Strategy has left industry in the dark, without a clear sense of the trajectory of housing supply, and without an overarching plan as to how such an ambitious target will be achieved.

Leading housing sector representatives have told us they believe the 1.5 million target is unlikely to be met by July 2029. The Government must immediately bring forward its Strategy, which should set out an ambitious, comprehensive, and achievable vision to meet that target, or else risk jeopardising the Ministry's headline policy commitment. We call on the Government to include in its Strategy the Ministry's assessment of how many net additional dwellings each policy change will contribute towards annual housing supply, adding up to 1.5 million new homes over the five-year Parliament.

Overall, an iterative approach to reforming land value capture policy has the potential to increase the delivery of affordable housing and infrastructure required for new housing developments. There is no silver bullet solution to boost housing supply to the level needed to meet the Government's 1.5 million homes target, but reforms to Section 106 and the Community Infrastructure Levy, as set out in our recommendations, will make a valuable contribution.

1 Introduction

What is land value capture?

- 1. A significant factor in determining the value of land is what can be built on it. When land is granted planning permission for residential development, the value of that land may increase dramatically. According to Government land value estimates, last published in August 2020, agricultural land in England (excluding London) which is granted planning permission for residential use would, on average, increase in value from around £23,000 per hectare to around £2.67 million per hectare.¹ This means that a hectare of residential land was, on average, over 116 times more valuable than the same area of agricultural land. Similarly, the provision of major public infrastructure, such as new public transport links, often increases the value of nearby land. Research by Savills, a real estate services company, for Transport for London found that the Jubilee line extension and Docklands Light Railway extension to Woolwich both resulted in significant land value uplifts, of 52% and 23% respectively.²
- 2. Land value capture encompasses a broad range of planning policies which seek to recover some of these increases in land value which arise from public policy decisions, rather than from productive activity or investment from landowners or developers. Revenues 'captured' from these land value uplifts may then be used to fund affordable housing and public infrastructure, including those directly associated with the development, such as roads, GP surgeries, and schools.

Gov.UK, <u>Land value estimates for policy appraisal 2019</u> (accessed 1 August 2025). Whilst estimates of average increases can be helpful as a guide, it is important to note that the range of value increases is very broad. Some sites will see only very limited increases in value, while other increases will be much more substantial, distorting the mean averages cited in Government figures.

² Transport for London, <u>Land value capture</u> (February 2017), p.7; London Councils (HLV0026)

^{&#}x27;Affordable housing' refers to subsidised housing provision. The National Planning Policy Framework definition of affordable housing incorporates Social Rent, as well as a range of intermediate rent and affordable home ownership products "for those whose needs are not met by the market". See House of Commons Library, Affordable housing in England (accessed 1 August 2025); MHCLG, National Planning Policy Framework (December 2024)

What is the current system of land value capture in England?

3. The principle of using development value to fund infrastructure has been a feature of the planning system in England since at least 1947, with the introduction of a development charge. Currently, the primary mechanisms to capture land value uplifts in England are planning obligations under section 106 of the Town and Country Planning Act 1990, known as Section 106 agreements, and the Community Infrastructure Levy (CIL).

Box 1: Section 106 and CIL

Section 106 agreements are legal agreements between a person with an interest in the land (often a developer or land promoter) and local planning authorities. Section 106 agreements can act on either party but usually set out the public benefits which the developer will deliver (such as a proportion of affordable housing, and/or public infrastructure) to make the development acceptable in planning terms, as a condition of planning permission. A local planning authority enters into negotiations on a case-by-case basis as planning applications are discussed.

Community Infrastructure Levy (CIL) is a locally determined, fixed-rate development charge, payable in £ per square metre, to help finance the infrastructure (not affordable housing) needed within a local planning authority area. It does not relate to mitigation factors for the specific development proposal; instead it is set in advance by the local planning authority for areas within their jurisdiction.

Mayoral Community Infrastructure Levy (MCIL) is a specific levy in London introduced in 2012, which was designed to provide finance for the Elizabeth Line (Crossrail). It is calculated on the net additional floorspace, measured in square metres of Gross Internal Area. The Mayor of London sets the charging schedule, but local planning authorities are responsible for calculating each development's MCIL charge and collecting MCIL payments.

Source: Adapted from House of Commons Library, <u>Developer contributions</u>, Number CBP 7200, 10 July 2024; Greater London Authority, <u>Mayoral</u> <u>Community Infrastructure Levy</u> (accessed 1 August 2025)

⁴ Town and Country Planning Act 1947, Part 7

4. In 2018, an inquiry by our predecessor Committee considered the principles behind land value capture policies in detail, and made recommendations to the then Government about potential reforms. Among its findings was the conclusion that:

For decades, governments have sought to capture increases in land value, but with limited success. When considering new mechanisms for land value capture, it is vital that we learn the right lessons from the past. It is clear that any new approach should have cross-party support, with the intention of being retained for the long-term and should be simple to administer, without complicated exceptions or viability processes. It will also need to allocate land value increases fairly between central government, local authorities and landowners, without undermining incentives to sell or risk holding up the development process. [...]⁶

- 5. The current Government committed in its manifesto to deliver 1.5 million new homes during this Parliament⁷—a commitment it reaffirmed as a "hugely ambitious milestone" to "kickstart economic growth" in its Plan for Change.⁸ The Government has also stated its intention to "boost affordable housing, to deliver the biggest increase in social and affordable housebuilding in a generation" during this Parliament⁹—an ambition shared by many in the housing sector. Currently, around 44% of funding for social housing comes from Section 106 agreements, with the rest coming from a mixture of other sources, mainly direct central government grant funding.¹⁰
- 6. Our intention in launching this new inquiry was to build on our predecessor Committee's work, to revisit the potential for reforms to land value capture, and consider how it may support the new Government's housebuilding ambitions in this Parliament.

Our inquiry

7. Our inquiry sought to consider whether reforms to land value capture could support financing for an increase in affordable housing delivery, to complement increased grant funding from central government. We also

⁵ Housing, Communities and Local Government Committee, Tenth Report of Session 2017–19, Land Value Capture, HC 766

⁶ Housing, Communities and Local Government Committee, Tenth Report of Session 2017–19, Land Value Capture, HC 766, para 43

⁷ Labour Party, Change: Labour Party Manifesto 2024 (June 2024), p.36

⁸ Gov.UK, Plan for Change, CP 1210, 5 December 2024, p.24

⁹ MHCLG, Proposed reforms to the National Planning Policy Framework and other changes to the planning system (accessed 1 August 2025), Chapter 2, para 4c

MHCLG, <u>Affordable housing supply in England: 2023 to 2024</u> (accessed 1 August 2025). Also see House of Commons Library, Affordable housing in England (accessed 1 August 2025)

- considered how reforms to land value capture may contribute towards delivering public infrastructure on new developments, particularly in the large-scale new communities which the Government plans to build through its New Towns programme.¹¹
- 8. We launched our inquiry on 22 January 2025. In March 2025, we held a private roundtable with academics, during which we discussed past attempts at land value capture and potential policy options for future reform. Between April and July 2025, we held three oral evidence sessions. In the first two sessions we heard from planning, development, and land stakeholders, before we took evidence in a final session with Matthew Pennycook MP, Minister of State for Housing and Planning at the Ministry of Housing, Communities and Local Government (MHCLG, the Ministry); Joanna Key, Director General for Regeneration, Housing and Planning at MHCLG; and William Burgon, Director for Planning Reform and Housing Quality at MHCLG. Our inquiry also received 54 written evidence submissions in response to our call for evidence.
- 9. Our Report begins with our assessment of the scope for improvements to land value capture, both through new mechanisms and through reforms to the existing Section 106 and CIL regime in England (Chapter 2). We go on to consider potential reforms to streamline the Section 106 negotiation process, and reforms to the viability planning practice guidance to ensure developers' agreed contributions are always delivered in full where this is financially viable. We also examine how the Government should address the current issue of uncontracted and unsold Section 106 affordable homes (Chapter 3). Next, we evaluate the barriers to implementing CIL in some parts of England and consider how the Government may address these barriers (Chapter 4). We then explore how land value capture may be harnessed to support the delivery of New Towns, which may require bespoke land value capture mechanisms to finance significant public investment in infrastructure (Chapter 5). Finally, we broaden our focus beyond land value capture policy to evaluate the Government's first year of progress towards delivering 1.5 million new homes during this Parliament (Chapter 6).
- 10. We would like to thank all the individuals and organisations who contributed oral and written evidence to our inquiry. We are also grateful for the support and advice of our specialist adviser for this inquiry, Richard Dunning, Professor of Land Economy and Housing at the University of Liverpool.¹³

¹¹ Gov.UK, Policy statement on new towns (accessed 1 August 2025)

¹² See Annex: Private roundtable with academics

¹³ The declared interests of the specialist adviser to the Committee are set out in the Committee's formal minutes, p.50

2 Scope for land value capture

11. The question of how to fairly apportion land value uplifts between landowners, developers, and communities has been a subject of political debate in England for centuries. Many written evidence submissions to our inquiry from proponents of reforms to land value capture described windfall increases in land value as an "unearned" increment, be echoing the argument first made in the 19th century by John Stuart Mill. The Town and Country Planning Association (TCPA), a research organisation which campaigns on planning issues, made the case that such uplifts should be captured through policy reform to be spent "prudently for the public good in ways which support public interest objectives". It told us that:

This is principally an issue of equity, but the use of such an asset for infrastructure has obvious benefits for the wider economy and society. Conversely, giving away betterment values to landowners drives a highly speculative land market which can reward inactivity and contributes to the adversarial culture of the current system.¹⁷

- 12. Miles Gibson, a researcher at the University of Cambridge and former external government adviser on developer contributions, proposed that land value capture is "better termed 'land value retention' because the state already owns the development value", and seeks developer contributions "to withhold some of that value from the landowner when planning permission is granted". 18
- 13. Research into the effectiveness of the current system of land value capture in England has sought to estimate what percentage of land value uplifts it yields. However, there is little public data available and, given the significant variations in land values across England, much of this research is based on partial evidence. ¹⁹ In 2018, research by Savills estimated that

See, for example: Tony Crook, John Henneberry and Christine Whitehead, Planning gain: Providing Infrastructure and Affordable Housing, 2015

See, for example: Heather Wetzel (<u>HLV0006</u>); Dr Thomas Aubrey (<u>HLV0007</u>); Labour Land Campaign (<u>HLV0015</u>); Cllr Dr Tony Vickers (Secretary at ALTER) (<u>HLV0054</u>)

¹⁶ John Stuart Mill, Principles of Political Economy, 1885

¹⁷ Town and Country Planning Association (HLV0014)

¹⁸ M Gibson (HLV0044)

¹⁹ See Annex: Private roundtable with academics (Professor Richard Dunning)

50% of land value uplift is captured by developer contributions once "site remediation and enabling" are factored in.²⁰ Subsequently, in 2023, Savills' updated analysis found that around 50% of land value uplift is captured by "developer contributions, public sector land sales and tax receipts" combined.²¹ This research highlighted that land value capture policies must be considered as part of the wider property tax system, including, for example, Council Tax, business rates, and Capital Gains Tax, and that efficiency needs to be assessed against the purpose of the land value capture mechanisms (such as securing local infrastructure).²²

- 14. Dr Thomas Aubrey, Senior Visiting Fellow at the London School of Economics, estimated that Section 106 and CIL together capture around 27% of the uplift in land value on average, which rises to around 42% of the value when taking into account central government taxation of profits. He highlighted research led by the late Professor Tony Crook, Emeritus Professor of Town & Regional Planning at the University of Sheffield, in 2018, which found that around 49% of land value uplifts were being captured. Harby concluded that "a reasonable estimate would probably be that just slightly less than half is being captured through our current mechanisms". HHCLG's latest estimate, based on analysis of local authority data on developer contributions, suggested that the value of agreed developer contributions was £5.5 billion in 2022–23, down from £6.4 billion in 2019–20.
- 15. The effectiveness of existing mechanisms of land value capture, through Section 106 agreements and CIL, also varies widely across England. The Northern Housing Consortium, a membership body representing housing organisations in the North of England, highlighted that approximately 17% of all new housing is delivered through Section 106 agreements nationally. However, Section 106 only delivers 9% of homes in the North of England, and just 5% in the North East of England.²⁷ Tom Kennedy, Senior Policy

²⁰ Savills, How far can land value capture be pushed? (accessed 1 August 2025)

²¹ Savills, What does emerging Conservative and Labour housing policy mean for development land in England? (accessed 1 August 2025)

²² Savills UK Limited (<u>HLV0036</u>); Dr Edward Shepherd (Senior Lecturer in Planning and Development at Cardiff University) (HLV0041)

Dr Thomas Aubrey (HLV0007); Dr Thomas Aubrey in Centre for Progressive Policy,
Gathering the windfall: How changing land law can unlock England's housing supply
potential (accessed 1 August 2025)

²⁴ Q2 (Dr Aubrey)

²⁵ Q2 (Dr Aubrey)

NAO, Improving local areas through developer funding (June 2025), p.27. The NAO has highlighted that this estimate "[omits] data for authorities that did not publish an [Infrastructure Funding Statement] for that year" and "[does] not capture the value of 'in-kind' Section 106 contributions of infrastructure other than an estimate of the value of affordable housing agreed as on-site contributions. MHCLG acknowledges that there is considerable uncertainty around this estimate."

²⁷ Northern Housing Consortium (HLV0045)

and Research Manager at the Northern Housing Consortium, told us that "there will always be a limit on how useful" some mechanisms of land value capture will be in the North of England, "because the land values are just that much lower".²⁸

- 16. In the context of current pressures on the public finances, several submissions emphasised that developer contributions through land value capture could make a greater contribution towards affordable housing and public infrastructure. Southern Housing, a large housing association, told us that capturing a greater proportion of land value uplift "would significantly cut the cost of delivering the 1.5 million homes" during this Parliament. Dr Edward Shepherd, Senior Lecturer at Cardiff University, highlighted that most of the affordable housing secured through Section 106 agreements is not for Social Rent, even though this is the most affordable housing tenure, the tenure most in demand, and the one which the Government is seeking to prioritise.
- 17. Some stakeholders called for new mechanisms of land value capture for sites where Section 106 and CIL are unlikely to capture uplifts effectively. The Centre for Cities told us that the Government should consider developing new mechanisms for areas where it may realise the greatest returns. In particular, it suggested that "New Towns and other urban extensions offer opportunities to build this capacity across discrete projects". The County Councils Network said that "better land value capture will be essential" to deliver infrastructure for New Towns, and suggested that the Government should consider how to "forward fund infrastructure so that this can be provided upfront before any homes are occupied", including by allowing local authorities to borrow and use land value capture to repay loans. 34
- 18. Several submissions also made the case for a more fundamental overhaul of the existing regime and proposed the introduction of a new land value tax. Such a tax would be levied annually as a percentage of a site's market value, which could replace the current system of land value capture and

²⁸ Q30 (Tom Kennedy)

See, for example: London Councils (<u>HLV0026</u>); County Councils Network (<u>HLV0030</u>); WSP UK Ltd (<u>HLV0038</u>); Dr Edward Shepherd (Senior Lecturer in Planning and Development at Cardiff University) (<u>HLV0041</u>); BusinessLDN (<u>HLV0048</u>); Greater London Authority (<u>HLV0051</u>)

³⁰ Southern Housing (HLV0013)

³¹ Social Rent housing is provided by a social landlord, normally a local authority or a housing association, with a rent set at around 50% of private market rents. See: House of Commons Library, Social rented housing in England: Past trends and prospects, Number CBP08963, 4 March 2024, p.8

³² Dr Edward Shepherd (Senior Lecturer in Planning and Development at Cardiff University) (HLV0041)

³³ Centre for Cities (HLV0049)

³⁴ County Councils Network (HLV0030)

current property taxes entirely (including Council Tax, business rates, and Stamp Duty Land Tax).³⁵ The Labour Land Campaign told us that a land value tax would be "the most effective way to tax wealth" as "over 60% of UK wealth is vested in land".³⁶ Heather Wetzel, Vice Chair of the Labour Land Campaign, said that such a tax would also "stop land speculation which creates an artificial shortage of land and encourages land hoarding, unused and underused buildings and idle development sites".³⁷

- 19. There was, however, a consensus among most of the evidence we received that the Government should prioritise reforming existing mechanisms of land value capture before pursuing any fundamental reforms.³⁸ The National Housing Federation, the membership body for housing associations in England, told us that "changes to the current regime should be pursued before any new mechanism is considered", and that there is scope "to make the process easier to operate for both developers and planning authorities".³⁹ The Chartered Institute of Housing, the membership body for the housing sector, agreed that the "current system for land value capture should remain, with the necessary reforms", and suggested that replacing it with a new system "would be disruptive, costly and cause further delays to development".⁴⁰
- 20. In June 2025, a National Audit Office (NAO) investigation into developer contributions towards affordable housing and infrastructure concluded that the current system is "important for delivering public benefits from new developments", but that it has "significant limitations". Overall, the NAO concluded that "current policy is not reliably delivering the infrastructure funding required for new developments, even where it may be financially viable to do so".⁴¹
- 21. In the Ministry's written evidence submission at the beginning of our inquiry, it told us that "The government intends to focus on improving the existing system of developer contributions, not introducing a new mechanism [of

See, for example: Mike Lake (Retired Managing Director at Wordcraft International Limited) (<u>HLV0001</u>); Mr Henry Law (Retired Senior Planning Officer at London Borough of Lewisham) (<u>HLV0004</u>); Heather Wetzel (<u>HLV0006</u>); Labour Land Campaign (<u>HLV0015</u>); Mr Peter Reilly (Retired teacher of Economics and business Studies at Sefton Education Authority) (<u>HLV0043</u>)

³⁶ Labour Land Campaign (HLV0015)

³⁷ Heather Wetzel (HLV0006)

See, for example: The Housing Forum (<u>HLV0008</u>); National Housing Federation (<u>HLV0010</u>); Southern Housing (<u>HLV0013</u>); Town and Country Planning Association (<u>HLV0014</u>); Gladman Developments (<u>HLV0018</u>); Chartered Institute of Housing (<u>HLV0019</u>); G15, L&Q (<u>HLV0023</u>); The Royal Town Planning Institute (<u>HLV0028</u>); Land, Planning and Development Federation (<u>HLV0034</u>); Home Builders Federation (<u>HLV0042</u>)

³⁹ National Housing Federation (HLV0010)

⁴⁰ Chartered Institute of Housing (HLV0019)

⁴¹ NAO, Improving local areas through developer funding (June 2025), p.11

- land value capture]". Regarding New Towns, it told us that "one of the key areas of work for the government's new towns programme will be to explore different mechanisms for capturing land value".⁴²
- Most industry stakeholders suggested that substantial reforms to land 22. value capture policies risk unintended consequences. 43 In particular, many submissions warned that landowners may not bring forward land for development, and developers may be slower to progress through planning, in the hope of a future change in policy, if they thought new taxes or charges on land value uplifts would affect them. 44 Melanie Leech CBE, Chief Executive of the British Property Federation, highlighted that substantial reform risks "undermining confidence in the land supply market. [...] Land will not come forward for development if you destroy the market for it".45 Similarly, Emily Williams, Director of Residential Research at Savills UK, said that "there has to be some return to landowners to incentivise them to engage with the planning system" because by doing so they are "losing an asset that will have been income providing". 46 Therefore, several stakeholders emphasised that if the Government were to pursue new mechanisms of land value capture, it would need to secure a cross-party consensus on long-term reform proposals which would not be reversed by a future administration.⁴⁷
- 23. Other submissions expressed concern that reforms may pose a distraction to the Government's housing ambitions.⁴⁸ Tom Kennedy, Senior Policy and Research Manager at the Northern Housing Consortium, told us that:

in the context of 1.5 million homes, I am averse to radical reforms. [...] We are going to have to overshoot our annual allocation by the end of this Parliament if we have any chance. Anything radical on the land market could result in that freezing up.⁴⁹

Anna Hart, Corporate Finance Senior Manager at Transport for London, agreed that "radical reform" of land value capture is "not a good idea at this point in time" but proposed "incremental changes along the way".⁵⁰

⁴² Ministry of Housing, Communities and Local Government (HLV0050)

See, for example: RICS (HLV0047); National Housing Federation (HLV0010); Royal Town Planning Institute (HLV0028); Country Land and Business Association (HLV0032)

See, for example: The Housing Forum (<u>HLV0008</u>); Vistry Group (<u>HLV0012</u>); Southern Housing (<u>HLV0013</u>); Country Land and Business Association (<u>HLV0032</u>); Aurora Properties Limited (<u>HLV0031</u>); Northern Housing Consortium (<u>HLV0045</u>)

⁴⁵ Q71 (Melanie Leech)

⁴⁶ Q84 (Emily Williams)

The Housing Forum (<u>HLV0008</u>); Southern Housing (<u>HLV0013</u>); Town and Country Planning Association (<u>HLV0014</u>); Dr Edward Shepherd (Senior Lecturer in Planning and Development at Cardiff University) (<u>HLV0041</u>); Home Builders Federation (<u>HLV0042</u>)

See, for example: The Housing Forum (<u>HLV0008</u>); Southern Housing (<u>HLV0013</u>); G15, L&Q (<u>HLV0023</u>); Land, Planning and Development Federation (<u>HLV0034</u>)

⁴⁹ Q48 (Tom Kennedy)

⁵⁰ Q48 (Anna Hart)

24. The Country Land and Business Association (CLA), a membership organisation for landowners in rural England, told us that land owners and promoters already assume financial and reputational risk when promoting land for development, so deserve a fair profit margin. In particular, it highlighted that "a landowner's reputation locally could be damaged in the process of trying to achieve planning permission which is often a forgotten or ignored risk [...] often making the operation of the rest of their business difficult and stifling economic growth". Therefore, it contended that "the size of the pot available for land value capture is over-stated, and genuine costs are unfairly included in what some regard as unearned income".

25. CONCLUSION

There is scope to reform the current system of developer contributions in England to capture a greater proportion of land value uplifts from development to deliver affordable housing and public infrastructure. There is a compelling case for such reforms—especially in the context of a deepening housing crisis and with public finances currently under strain. However, a radical departure from the Section 106/Community Infrastructure Levy (CIL) regime, which currently constitute the existing mechanisms of land value capture in England, would risk a detrimental impact on the supply of land in the short-term. We recognise that this would be disruptive to the Government's housebuilding agenda.

26. RECOMMENDATION

Reforms to land value capture should be iterative, starting with improvements to existing mechanisms. Therefore, the Government must immediately pursue the reforms to Section 106 and CIL outlined in the chapters below. These reforms must optimise the system's capacity to capture land value uplifts and deliver infrastructure and affordable housing—particularly homes for Social Rent—in line with the Government's wider policy ambitions. The Government must also trial additional mechanisms of land value capture in areas where there are significant uplifts in land value which current mechanisms may not capture effectively. Specifically, the New Towns programme discussed in Chapter 5 presents a vital opportunity to test new ways of financing infrastructure delivery on large developments and learn lessons for future reforms.

⁵¹ Country Land and Business Association (CLA) (HLV0032)

⁵² Country Land and Business Association (CLA) (HLV0032)

⁵³ Country Land and Business Association (CLA) (HLV0032)

27. RECOMMENDATION

Any reforms to land value capture should also be considerate of the wider tax system, to balance public needs and equitable charges on development. To support this work, the Government should publish updated land value estimates, which were last published in August 2020. If the Government does not intend to do so, it must explain why it no longer publishes this data.

3 Reforms to Section 106 agreements

28. One of the principal existing mechanisms for land value capture in England is Section 106 agreements. Under Section 106 of the Town and Country Planning Act 1990,⁵⁴ local authorities can negotiate legally enforceable agreements with developers to require certain 'planning obligations' if planning permission is granted. This allows local authorities to secure contributions to make a development acceptable in planning terms,⁵⁵ for example a contribution of affordable housing, or new infrastructure to mitigate the impact of the proposed development on local infrastructure. Planning obligations can take the form of financial payments (for example, funding for more school places or a new GP surgery); or an on-site contribution (such as an agreement to build a new road or affordable homes on-site).⁵⁶

Streamlining the negotiation process

29. Several written evidence submissions highlighted that protracted Section 106 negotiations can result in avoidable delays to development, which slow housing delivery and are costly for both developers and local authorities.⁵⁷ Research published by the Ministry in 2020 found that over 80% of local authorities agreed that protracted Section 106 negotiations can be a cause of delays, despite a planning application being acceptable in principle.⁵⁸ Whilst a period of negotiation is to be expected for the bespoke agreements required for each planning application on a given site, during our inquiry stakeholders suggested modest reforms which could streamline

⁵⁴ Town and Country Planning Act 1990 (as amended), s 106

⁵⁵ Gov.UK, Planning obligations (Guidance) (accessed 1 August 2025)

Adapted from House of Commons Library, <u>Developer contributions</u>, Number CBP 7200, 10 July 2024, pp.6-7

⁵⁷ See, for example: The Housing Forum (HLV0008); Vistry Group (HLV0012); Southern Housing (HLV0013); G15, L&Q (HLV0023); The Royal Town Planning Institute (HLV0028); Dr Edward Shepherd (Senior Lecturer in Planning and Development at Cardiff University) (HLV0041); Home Builders Federation (HLV0042); RICS (HLV0047); Northern Housing Consortium (HLV0045)

⁵⁸ Gov.UK, <u>Planning for the future (Consultation outcome)</u> (accessed 1 August 2025); Gov.UK, Section 106 planning obligations and the Community Infrastructure Levy in England, 2018 to 2019: report of study (August 2020). Also see: Southern Housing (HLV0013)

these negotiations. These included proposals to implement standardised agreement templates to enable negotiations to focus on only the complex, site-specific clauses; to encourage more effective sharing of local planning authority resources and expertise, so that public interests are well-represented in negotiations; and to introduce a dispute resolution scheme for Section 106 negotiations.

Standardised Section 106 templates

- 30. We heard from stakeholders who proposed that the Ministry could speed up the negotiation process by publishing standardised Section 106 template clauses. ⁵⁹ These templates could be used by local authorities across England, to focus negotiations on site-specific factors rather than legal wordings. Such templates are already used in some regions and local authorities. The Greater London Authority told us that it has developed template Section 106 clauses for affordable housing and viability review mechanisms, which are widely used across London. ⁶⁰
- 31. Jeremy Aston, representing the Royal Institution of Chartered Surveyors (RICS), said that the absence of a national Section 106 template is "the main issue" behind a lack of transparency and clarity in the process. Will Jeffwitz, Head of Policy at the National Housing Federation (NHF), proposed that, rather than a template for a whole agreement, "addressing particular clauses that cause specific issues would really help", for example to address mortgagee in possession clauses, nominations clauses, and clauses to allow CIL relief for affordable housing. 62
- 32. In May 2025, the Ministry published a Planning Reform Working Paper on reforming site thresholds, which is seeking views on "removing and streamlining disproportionate requirements on small and medium sites" in national planning policy.⁶³ The Working Paper states that the Government is considering "what role national government should play in improving the process–including the merits of a standardised s.106 template for medium

See, for example: The Housing Forum (<u>HLV0008</u>); National Housing Federation (<u>HLV0010</u>); Places for People (<u>HLV011</u>); Vistry Group (<u>HLV0012</u>); Southern Housing (<u>HLV0013</u>); British Property Federation (<u>HLV0024</u>); London Councils (<u>HLV0026</u>); Land, Planning and Development Federation (<u>HLV0034</u>); Home Builders Federation (<u>HLV0042</u>); RICS (<u>HLV0047</u>); Greater London Authority (<u>HLV0051</u>)

⁶⁰ Greater London Authority (HLV0051)

⁶¹ Q32 (Jeremy Aston)

⁶² Q52 (Will Jeffwitz)

⁶³ MHCLG, Planning Reform Working Paper: Reforming Site Thresholds (accessed 1 August 2025)

- sites".⁶⁴ The Working Paper is not a formal consultation, but the Government says it "will consider comments received on this working paper, which will inform a consultation later in the year [2025]".⁶⁵
- 33. In June 2025, the NAO's report on developer contributions identified that some local authorities have created their own Section 106 templates locally to address staffing shortages. It also highlighted that the national Planning Advisory Service (PAS)⁶⁶ previously published a template for Infrastructure Funding Statements.⁶⁷ The NAO report recommended that "MHCLG should introduce standardised templates for Section 106 documentation, and consider introducing templates for agreements, to reduce the amount of work for [local planning authorities] and improve consistency across areas".⁶⁸
- 34. When we asked him about the NAO's recommendations, Matthew Pennycook MP, the Minister for Housing and Planning, said "I personally do not disagree with any of its key findings".⁶⁹ On Section 106 templates specifically, he pointed to the Government's ongoing call for views regarding medium sites in its Working Paper, and said that the Ministry is "looking at these issues".⁷⁰ He told us that the Government will set out its proposals for reform "in due course", but that "the NAO's report is a really useful prompt to our thinking in that regard".⁷¹

35. CONCLUSION

There is a strong case for the introduction of template clauses for aspects of Section 106 agreements across England, as was recommended by the National Audit Office and others. Templates would allow local authorities to focus negotiations on site-specific factors rather than legal wordings. Template clauses would also allow for greater standardisation and clarity of requirements across all local authorities, and in turn reduce the workload of local authorities and Small and Medium-sized Enterprise developers.

⁶⁴ MHCLG, Planning Reform Working Paper: Reforming Site Thresholds (accessed 1 August 2025)

⁶⁵ MHCLG, Planning Reform Working Paper: Reforming Site Thresholds (accessed 1 August 2025)

PAS is part of the Local Government Association and provides consultancy and peer support to local authorities on planning-related issues. MHCLG provides grant funding to PAS for these activities.

NAO, Improving local areas through developer funding (June 2025), p.25. Local authorities in England are required to publish an Infrastructure Funding Statement (IFS) to identify what infrastructure the local authority intends to fund and detail the different sources of funding. See Chapter 4.

NAO, Improving local areas through developer funding (June 2025), p.11

⁶⁹ Q115 (Matthew Pennycook MP)

⁷⁰ Q116 (Matthew Pennycook MP)

⁷¹ Q115 (Matthew Pennycook MP)

36. RECOMMENDATION

As part of the site thresholds consultation that will take place later this year, the Ministry must seek views on how standardised Section 106 templates could most effectively streamline the negotiation process across sites of all sizes. Based on the consultation responses, the Ministry must work with the Planning Advisory Service to develop a suite of Section 106 template clauses and publish these within six months of the consultation closing. Alongside their publication, the Ministry must also update its guidance to local authorities on Planning Obligations to encourage local authorities to adopt these template clauses.

Local planning authority skills and resourcing

- 37. Throughout our inquiry, we heard of the ongoing staffing and resource pressures facing many local planning authorities (LPAs) across England. These pressures are a theme which stakeholders have raised with us frequently across several of our past evidence sessions and in separate inquiries. Research by the Royal Town Planning Institute (RTPI), the professional body for public and private sector planners in England, estimated that a quarter of planners left the public sector between 2013 and 2020, which it said was likely due to lower levels of local authority funding during that period.
- 38. The Chartered Institute for Housing's written evidence highlighted a research report published by MHCLG in January 2025, which found that 97% of LPAs reported planning skills gaps, with around half reporting skills gaps specifically in CIL, Section 106 and viability assessments.⁷⁵ The report found that "Planning departments' short-term strategies to address capacity and skills-gap issues relied heavily on outsourcing".⁷⁶ G15 and L&Q, representing

See, for example: The Housing Forum (HLV0008); Vistry Group (HLV0012); G15, L&Q (HLV0023); British Property Federation (HLV0024); London Councils (HLV0026); The Royal Town Planning Institute (HLV0028); Country Land and Business Association (CLA) (HLV0032)Land, Planning and Development Federation (HLV0034); RICS (HLV0047); Greater London Authority (HLV0051)

See, for example: Housing, Communities and Local Government Committee, Second Report of Session 2024–25, The Funding and Sustainability of Local Government Finance, HC 514; Oral evidence taken on 29 April 2025, Q8 (Dr Victoria Hills), Q9 (Adam Hug); Q9 (Andrew Taylor); Q21 (Chris Young); Oral evidence taken on 14 January 2025, Q38 (Neil Jefferson), Q38 (Chris Buckle); Oral evidence taken on 20 November 2024, Q12 (Matthew Pennycook MP)

⁷⁴ RTPI, State of the Profession 2023 (accessed 1 August 2025)

⁷⁵ Chartered Institute of Housing (HLV0019); MHCLG, Local Authority Planning Capacity and Skills Survey 2023 Survey Report: Findings from Local Authorities and National Park Authorities in England (January 2025), pp.6-7

⁷⁶ MHCLG, Local Authority Planning Capacity and Skills Survey 2023 Survey Report: Findings from Local Authorities and National Park Authorities in England (January 2025), p.7

London's largest housing associations, told us that the shortfall in planning staff and expertise is resulting in "significant disadvantages when LPAs negotiate with well-resourced housebuilders". They added that in the case of Section 106 negotiations and viability assessments, this "can lead to a delay or decrease in affordable housing provision".⁷⁷

39. The Government is seeking to address these pressures by giving local authorities greater control over the setting and collection of planning fees, 78 and by providing funding to recruit and train 300 additional local authority planning officers by the end of 2026. 79 However, this is equivalent to less than one planning officer on average for each of the 317 local authorities across England. In addition, RTPI has recently expressed concern at the Government's plan to restrict funding for Level 7 Chartered Town Planner apprenticeships to 16- to 21-year-olds, where it had previously been available to applicants of all ages. 80 Robbie Calvert, Head of Policy at the RTPI told us that:

Most of our apprentices who come through that route are older than [16- to 21-years-old]. We are worried that we could potentially lose 200 planners a year in our pipeline, which is significant and dwarfs the Government's welcomed addition of 300 planners.⁸¹

- **40.** In September 2025, 33 organisations from across the built environment sector wrote to the Minister for Housing and Planning, joining the RTPI's call to reinstate access to Level 7 planning apprenticeships for students over the age of 21, by providing £6.8 million in urgent funding.⁸² Soon afterwards, the Prime Minister announced a new Government target that two thirds of young people will go to university, further education, or a study a "gold standard apprenticeship" by the age of 25.⁸³
- **41.** We heard some evidence which pointed to the potential to share expertise and resources more effectively between local authorities. Will Jeffwitz, Head of Policy at the NHF, explained that:

⁷⁷ G15, L&Q (HLV0023)

⁷⁸ Planning and Infrastructure Bill [as amended in Committee], HL Bill 134, Clauses 48 to 49

⁷⁹ Gov.UK, Planning overhaul to speed up and simplify local plans (accessed 1 August 2025)

⁸⁰ RTPI, Key route into planning profession hit by Government restrictions (accessed 1 August 2025)

⁸¹ Q58 (Robbie Calvert)

⁸² RTPI, <u>Urgent funding needed to address planning recruitment crisis, warns built</u> environment leaders (accessed 25 September 2025)

BBC News, PM sets new target for under-25s in university, college or apprenticeships (accessed 30 September 2025)

Practice varies very widely across the country, and some local authorities are much more able to hold those robust viability negotiations than others. Some kind of service that supports that happening across the country could be really helpful.⁸⁴

The Greater London Authority told us that the new regional Strategic Authorities, which the Government is legislating for in the English Devolution and Community Empowerment Bill, 85 "offers the potential for shared resourcing and collaboration to enhance local authority expertise and speed up the negotiation process". 86 Robbie Calvert made the case that Strategic Authorities "could be quite a good level to hold that expertise around planning obligations. To have your viability officers as a shared service at a strategic level would be quite useful". 87

- 42. In May 2025, a report by the Strategic Planning Group (a national group comprised of planners, local authority representatives, and technical experts, and attended by MHCLG officials)⁸⁸ recommended that the new Strategic Authorities "will require investment in a new generation of strategic planners". The report recommended that this is needed both "to support the essential role of partnerships" to develop Spatial Development Strategies, and "to embed innovative practices and thinking".⁸⁹ The Group noted that prior to the abolition of Regional Spatial Strategies across most of England under the Localism Act 2011, "strategic planning teams provided core skills, expertise and capacity and were considered to be an essential part of local planning resources".⁹⁰
- 43. The Planning and Infrastructure Bill includes provisions to allow local authorities to set their own local planning fees (which are currently set nationally). Currently, the Bill requires local planning authorities to spend these fees on relevant planning functions listed in the Bill, including evaluating planning applications, providing pre-application advice, and negotiating planning agreements.⁹¹ However, some stakeholders have told

⁸⁴ Q61 (Will Jeffwitz)

⁸⁵ English Devolution and Community Empowerment Bill [as introduced], Bill 283, Part 1

⁸⁶ Greater London Authority (HLV0051)

⁸⁷ Q75 (Robbie Calvert)

The Strategic Planning Group was founded in November 2024 by Prior + Partners, a planning consultancy, and was chaired by Catriona Riddell, a leading independent strategic planning consultant. See: Prior + Partners, Landmark report launched to shape a new era of strategic planning in England (accessed 1 August 2025)

⁸⁹ Strategic Planning Group, Planning Positively for the Future (May 2025), p.62

⁹⁰ Strategic Planning Group, Planning Positively for the Future (May 2025), p.13

⁹¹ Planning and Infrastructure Bill [as amended in Committee], HL Bill 134, Clause 48

us that this approach may be too prescriptive, as local authorities will not be able to spend planning fees revenues on resourcing and staffing for the wider planning system, such as local plan-making.⁹²

44. We asked the Minister for Housing and Planning whether the new Strategic Authorities could take on an advisory role, to support local authorities in their region to share expertise and guidance on Section 106 negotiations. He told us that:

There will, I think, be opportunities to achieve efficiencies in the planmaking process across those areas, for example sharing evidence bases and pooling resources. We would not expect, in terms of viability and Section 106, strategic planning boards to be directly supporting local authorities with viability assessments.⁹³

[...]

Local authorities talk to each other all the time. If there is a need in a particular sub-region for them to be pooling resources and skills, and having those conversations, we would expect them to do it. I am not sure that they need encouragement directly from central Government $[\dots]$.

45. However, when we asked what evidence the Government has to demonstrate that local authorities are currently co-operating effectively on planning matters, William Burgon, Director of Planning Reform and Housing Quality at MHCLG, told us that "We do not hold a definitive assessment as such. We believe that the policy flexibility is there to enable it to happen". ⁹⁵

⁹² See, for example: Oral evidence taken on 29 April 2025, Q9 (Dr Victoria Hills); Q9 (Andrew Taylor); Q21 (Chris Young KC)

⁹³ Q116 (Matthew Pennycook MP)

⁹⁴ Q117 (Matthew Pennycook MP)

⁹⁵ Q118 (William Burgon)

46. CONCLUSION

Local planning authorities across England are frequently underresourced and stretched to deliver on local priorities. The Government's
funding for 300 new planning officers demonstrates that it recognises
this problem, but this announcement equates to less than one planning
officer on average for each local authority in England. At the same time,
the Government is restricting access to apprenticeships to train the
next generation of public sector planners, despite the Government's
ambition for more young people to pursue degree-level apprenticeships.
The establishment of Strategic Authorities and the reintroduction
of strategic planning in England is an opportunity to address these
resourcing challenges. The Government must ensure that all levels
of local government are collaborating effectively on shared planning
matters. The private sector stands to benefit from a better resourced
and more streamlined planning system, so developers should also make
an additional contribution towards the staffing of Strategic Authorities.

47. RECOMMENDATION

The Government must take a more strategic approach to boost the skills and capacity of local planning authorities, starting with reinstating access to funded Level 7 planning apprenticeships for students over the age of 21. The Government must invest in dedicated planning officers for Strategic Authorities and set out its plans for doing so in response to this Report. Each Strategic Authority planning team should include specialist planning skills units to support local authorities, to allow for more effective resource sharing between authorities. This must include a Section 106 support service in each Strategic Authority, with a remit to share expertise and advise local planning authorities on Section 106 negotiations.

48. RECOMMENDATION

Once the Planning and Infrastructure Bill receives Royal Assent, the Secretary of State must make regulations to allow local planning authorities to take into account the cost of local and regional planmaking when calculating local planning fees. Local planning authorities and Strategic Authorities should be allowed to spend these contributions from planning fees on staffing and resources to deliver their core functions and improve local plan coverage.

Dispute resolution scheme

- 49. The Royal Institution of Chartered Surveyors (RICS) told us that "over the past few years, there has been considerable support for the introduction of a dispute resolution mechanism to provide a clear and final decision where [Section 106] negotiations breach set timescales". Therefore, it made the case that a national scheme should be established to accelerate the process by "facilitating negotiations and, where required, providing independent and binding decisions on all the parties involved". ⁹⁶
- 50. The Housing and Planning Act 2016 makes provision for a dispute resolution scheme regarding the terms of Section 106 agreements. ⁹⁷ Specifically, section 158 of the Act gives the Secretary of State power to appoint somebody to investigate disputes, and to set out further regulations and guidance on the procedure for the investigator to follow. ⁹⁸ Secondary legislation is required to implement the statutory dispute resolution scheme. In September 2019, officials at MHCLG told the House of Commons Library that measures to introduce a Section 106 dispute resolution process were not being taken forward at that time. ⁹⁹
- 51. In June 2025, Simon Ricketts, a leading planning solicitor and blogger, made the case that the Ministry should seek to bring Section 158 into force. He said that "Whether the third party were to make a binding determination or, more practically, gave non-binding guidance that would still carry some weight if an appeal were subsequently required, in my view [Section 158] needs to be dusted off".100
- **52.** When we asked the Minister for Housing and Planning whether the Ministry would consider introducing a statutory dispute resolution scheme for Section 106 negotiations, he told us that:

Successive Governments have not implemented that [Section 158] provision and there is a live debate, to the extent that we keep all these things under review, as to whether a scheme of that nature would speed up the process, as opposed to just introducing more complexity and bureaucracy.¹⁰¹

⁹⁶ RICS (HLV0047)

⁹⁷ Housing and Planning Act 2016, s 158

⁹⁸ House of Commons Library, Implementation of the Housing and Planning Act 2016, Number 8229, 17 December 2019, p.24; Housing and Planning Act 2016, Schedule 13

⁹⁹ House of Commons Library, <u>Implementation of the Housing and Planning Act 2016</u>, Number 8229, 17 December 2019, p.25

¹⁰⁰ Simonicity, Why Does Negotiating Section 106 Agreements Have To Be Such A Drag? (accessed 1 August 2025)

¹⁰¹ Q119 (Matthew Pennycook MP)

53. CONCLUSION

Local planning authorities across England have expressed concern that protracted Section 106 negotiations are causing delays to housing delivery. Drawn out negotiations do not benefit public outcomes and cause undue delays to development, which may impede the Government's housebuilding ambitions. Whilst we recognise the Minister for Housing and Planning's concerns that introducing a dispute resolution scheme may add complexity to the system, we believe the potential benefits to affordable housing delivery and unlocking stalled development outweigh this risk.

54. RECOMMENDATION

The Government should introduce a statutory Section 106 dispute resolution scheme, under the provisions of the Housing and Planning Act 2016. If the Government does not intend to pursue this, it should set out a detailed explanation as to why the Ministry has chosen not to implement the provision legislated for by Parliament in the 2016 Act. This should include setting out any specific technical or legal barriers to implementation which the Ministry has identified.

Viability assessments

- 55. Viability assessments seek to determine whether a development proposal is financially viable, by assessing "whether the value generated by a development is more than the cost of developing it". Local planning authorities usually prepare hypothetical viability assessments as part of the plan-making process, and a developer may also submit a separate viability assessment alongside a planning application. Developers may use viability assessments to demonstrate that affordable housing contributions required by local policy are not financially viable on their planned development and seek to negotiate the contributions that they have to deliver on these grounds. Viability assessments are therefore closely linked to the effectiveness of land value capture, as they can be used by developers to renegotiate contributions of affordable housing and infrastructure which were previously agreed with a local authority in a Section 106 agreement.
- 56. The Government's current guidance on viability assessments states that it is up to the applicant to show that "particular circumstances justify the need for a viability assessment at the application stage"; and that it is for

¹⁰² MHCLG, Viability (Guidance) (accessed 1 August 2025)

¹⁰³ House of Commons Library, Developer contributions, Number CBP 7200, 10 July 2025, p.8

the decision-maker (usually the local authority) to decide "the weight to be given to a viability assessment [...] having regard to all the circumstances in the case", including site circumstances.¹⁰⁴

Use of viability assessments

57. During our inquiry, stakeholders expressed concern that the current system sees some developers using viability assessments to negotiate down their affordable housing commitments unreasonably. Several submissions highlighted that local authorities often lack access to the resources, skills, and legal expertise which developers rely upon to reach their desired outcome in viability negotiations. The National Housing Federation (NHF) told us that:

The NHF recognises that there are genuine cases where viability negotiation is needed for development to come forward, particularly in lower-value land markets; however, the use of viability to negotiate down affordable housing contributions is against the spirit of the rules and is frequently used purely to compensate overpaying for land or to maximise profit.¹⁰⁷

We asked Will Jeffwitz, Head of Policy at the NHF, whether the NHF had conducted any research to demonstrate that developers "frequently" use viability assessments in this way. He told us that whilst the NHF could not quantify how frequently this practice occurs, there are "frequent examples from our members of that being their experience of developments [...] I would not say that it is the standard practice, but it is certainly there and probably varies a lot by area". ¹⁰⁸

58. Cllr Richard Clewer, then Housing and Planning Spokesperson for the County Councils Network, told us that developers "seem to come forward too consistently late in the day, which is extremely challenging" for local authorities. 109 He highlighted cases of developers initially making "significant" affordable housing commitments, only to state later "that actually there is no viability for affordable housing at all, even with grant from Homes England". 110 Therefore, Cllr Clewer argued that local authorities

¹⁰⁴ MHCLG, <u>Viability (Guidance)</u> (accessed 1 August 2025); House of Commons Library, Developer contributions, Number CBP 7200, 10 July 2025, p.8

See, for example: National Housing Federation (HLV0010); Southern Housing (HLV0013); Town and Country Planning Association (HLV0014); G15, L&Q (HLV0023), Dr Edward Shepherd (Senior Lecturer in Planning and Development at Cardiff University) (HLV0041)

See, for example: Southern Housing (<u>HLV0013</u>); G15, L&Q (<u>HLV0023</u>); London Councils (<u>HLV0026</u>); The Royal Town Planning Institute (<u>HLV0028</u>)

¹⁰⁷ National Housing Federation (HLV0010)

¹⁰⁸ Qq62-63 (Will Jeffwitz)

¹⁰⁹ Q59 (Cllr Richard Clewer)

¹¹⁰ Q59 (Cllr Richard Clewer)

should provide "greater clarity" on local affordable housing requirements upfront, perhaps expressed as a percentage in Local Plans, which would remove the "wriggle room" for viability negotiations and speed up development of all kinds.¹¹¹

59. Currently, national policy does not require local authorities to include a minimum percentage target for affordable housing on most types of development in their Local Plan. However, the Government's latest version of the National Planning Policy Framework updated national policy to state that:

Where major development involving the provision of housing is proposed, planning policies and decisions should expect that the mix of affordable housing required meets identified local needs, across Social Rent, other affordable housing for rent and affordable home ownership tenures.¹¹²

on local requirements for developer contributions, to avoid the need for viability assessments later in the process. 113 Vistry Group, a large developer and provider of affordable homes, said there should be "increased transparency on likely S106 requirements from the outset" and that "the need for infrastructure must be evidenced and properly demonstrated" through Infrastructure Delivery Plans or Local Plans. 114 Several housing associations highlighted the use of "fast-track routes" in London, whereby developments with at least 35% affordable housing (or 50% on public land) can qualify for exemption from detailed viability assessment, offering developers greater certainty and speeding up the planning process. 115 The Greater London Authority explains that its fast-track route "enables developments to progress without the need to submit detailed viability information and without late viability review mechanisms which re-assess viability at an advanced stage of the development process". 116

¹¹¹ Q59 (Cllr Richard Clewer)

MHCLG, National Planning Policy Framework (December 2024), para 66. 'Major development' for housing includes development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more. See: MHCLG, National Planning Policy Framework (December 2024), p.75

See, for example: The Housing Forum (<u>HLV0008</u>); Vistry Group (<u>HLV0012</u>); Southern Housing (HLV0013)

¹¹⁴ Vistry Group (HLV0012)

¹¹⁵ Southern Housing (HLV0013); G15, L&Q (HLV0023)

¹¹⁶ Greater London Authority, <u>Affordable Housing and Viability Supplementary Planning</u>
Guidance (SPG); Greater London Authority (HLV0051)

Viability planning practice guidance

- 61. The Government issues planning practice guidance to local authorities, alongside the National Planning Policy Framework (NPPF), to set out how national policy should be applied locally.¹¹⁷ This includes comprehensive guidance on development viability, first published in 2014.¹¹⁸ In recent years, the guidance has only had minor revisions to reflect changes in the NPPF. In December 2024, the Government announced that it intended to conduct a full review of the viability planning practice guidance in 2025.¹¹⁹ The Government told us that this review "will include consideration of benchmark land values on Green Belt land and circumstances in which sitespecific viability assessment may be undertaken, with reference to large sites and Previously Developed Land (PDL)".¹²⁰
- 62. The NAO has expressed concern that the current approach to viability assessments may be outdated, and recommended that the Government's review should consider "how they are used, including evaluating whether removing them would make the system work better, or whether there are other ways of improving outcomes". The NAO said that until the Government addresses its concerns about the viability assessment process, it "cannot conclude that the current approach represents value for money". 122

Benchmark Land Values (BLVs)

63. The viability planning practice guidance sets out how local authorities should define land value in viability assessments. Currently, the guidance states that this should be based on a "benchmark land value", which should include the "existing use value (EUV) of the land, plus a premium for the landowner". The guidance adds that:

The premium should provide a reasonable incentive, in comparison with other options available, for the landowner to sell land for development while allowing a sufficient contribution to fully comply with policy requirements. [...] In order to establish benchmark land value, plan makers, landowners, developers, infrastructure and affordable housing providers should engage and provide evidence to inform this iterative and collaborative process. 124

¹¹⁷ MHCLG, Planning practice guidance (accessed 1 August 2025)

¹¹⁸ MHCLG, Viability (Guidance) (accessed 1 August 2025)

¹¹⁹ MHCLG, Government response to the proposed reforms to the National Planning Policy
Framework and other changes to the planning system consultation (accessed 1 August 2025)

¹²⁰ Ministry of Housing, Communities and Local Government (HLV050)

¹²¹ NAO, Improving local areas through developer funding (June 2025), p.12

¹²² NAO, Improving local areas through developer funding (June 2025), p.11

¹²³ MHCLG, Viability (Guidance) (accessed 1 August 2025)

¹²⁴ MHCLG, Viability (Guidance) (accessed 1 August 2025)

- 64. Some stakeholders told us that the Government should update its guidance on setting benchmark land values to clarify the methodology to be used to value land for viability assessments. The County Councils Network said that, among its member councils, concerns with the methodology used to calculate benchmark land values is one of the most frequent disagreements they have with developers. The Country Land and Business Association told us that while the CLA do not agree with the need to benchmark land values, the high risk to landowners of promoting land for development would require a benchmark value to be at least 20 times the EUV. 127
- 65. Last year, the Government consulted on proposals to introduce national, indicative benchmark land values for development on Green Belt land. The consultation sought views on whether the Government should set indicative values to be used in these viability assessments, which local authorities could adjust to reflect "local material considerations". Under the policy proposal:
 - Developers would not usually be granted planning permission for Green Belt development where the land was transacted above the benchmark land value, and the developer could not make affordable housing and infrastructure commitments required by national and local policy; and
 - Development on Green Belt land would not usually be subject to viability assessments where the developer makes affordable housing and infrastructure commitments in line with national and local policy, irrespective of the price at which the land was transacted.¹²⁹
- 66. In December 2024, the Government announced that it would not be taking forward the above proposal immediately, as it required more time to "review and then implement the approach". Therefore, the Government said it would be "considering the treatment of [benchmark land values]" as part of its viability guidance review. 131

¹²⁵ See, for example: The Housing Forum (<u>HLV008</u>), National Housing Federation (<u>HLV0010</u>); County Councils Network (<u>HLV0030</u>); RICS (<u>HLV0047</u>)

¹²⁶ County Councils Network (HLV0030)

¹²⁷ Country, Land and Business Association (HLV0032)

¹²⁸ MHCLG, National Planning Policy Framework: draft text for consultation (accessed 1 August 2025), p.84; MHCLG, Proposed reforms to the National Planning Policy

Framework and other changes to the planning system (accessed 1 August 2025), Chapter 5, paras 29-32

¹²⁹ MHCLG, National Planning Policy Framework: draft text for consultation (accessed 1 August 2025), p.84; MHCLG, Proposed reforms to the National Planning Policy

Framework and other changes to the planning system (accessed 1 August 2025), Chapter 5, paras 29-32

¹³⁰ MHCLG, Government response to the proposed reforms to the National Planning Policy Framework and other changes to the planning system consultation (accessed 1 August 2025)

¹³¹ MHCLG, Government response to the proposed reforms to the National Planning Policy Framework and other changes to the planning system consultation (accessed 1 August 2025)

- 67. The NHF told us that it welcomed the intention behind the Government's proposed approach but expressed concern as to whether it would be workable in practice, "given the range of values across the country and even within individual [local planning authorities]". The Northern Housing Consortium highlighted the significant regional variation in land values across England. It told us that the median residential land value in the North of England is £1.13 million per hectare, which is less than half the £2.31 million per hectare median value of residential land across England. 133
- **68.** When we asked the Minister for Housing and Planning for an update on the Government's policy development regarding benchmark land values, he said that:

We are open to considering the best approach to BLV beyond Green Belt land as part of wider reforms. [...] We generally recognise that there is some benefit in helping streamline planning applications and suppress excessive profiteering. There are also concerns from others that significant national variation in land values potentially risks disincentivising landowners from bringing sites forward at all. In short, further work is required, but we have not scrapped the policy approach in total.¹³⁴

69. CONCLUSION

Too often, site-specific viability assessments are used by developers to negotiate down affordable housing requirements in circumstances where this is completely unjustifiable. Affordable housing contributions are frequently the first provision to be cut following a viability assessment, even where a developer may be making other significant contributions through Section 106 agreements and CIL. In areas with high land values, viability assessments should only be used in this way in very exceptional circumstances. Currently, not all local authorities have their affordable housing requirements clearly set out in local policy. Greater clarity from local authorities would provide developers with the right incentives to avoid lengthy viability negotiations, and ensure more applications are meeting local affordable housing requirements from the outset.

¹³² National Housing Federation (HLV0010)

¹³³ Northern Housing Consortium (HLV0045)

¹³⁴ Q134 (Matthew Pennycook MP)

70. RECOMMENDATION

As part of its ongoing review of the viability planning practice guidance, the Government must consider how different types of developer contribution could be re-negotiated following a viability assessment, to protect affordable housing contributions. The Government must also update national policy to encourage all local authorities to set a minimum percentage target for affordable housing in their Local Plan for all major developments that include housing. This figure should be based on a local need assessment for affordable housing in each local authority, with particular regard for the local need for Social Rent homes. Local authorities should be encouraged to offer a 'fast-track route' for developments which meet the local affordable housing target, by making those developments exempt from detailed viability assessments and re-assessments later in the development process. This would encourage developments with a high percentage of affordable housing and speed up the delivery of housing of all tenures.

71. RECOMMENDATION

The Government must continue to develop its proposal to publish indicative benchmark land values to inform viability assessments on Green Belt land across England. The Government must publish different benchmark land values for each region of England, to reflect variation in land values. The Government must also ensure that the viability planning practice guidance contains clear advice on the "local material considerations" that would warrant local adjustments. The Government should continually review the effectiveness of the policy and consider how it may be extended to development on land that is not in the Green Belt.

4 Reforms to the Community Infrastructure Levy

72. Alongside Section 106 agreements, the other main tool of land value capture in England is the Community Infrastructure Levy (CIL). The Community Infrastructure Levy Regulations 2010 give local authorities in England powers to charge CIL on development, in addition to planning obligations agreed in a Section 106 agreement. Local planning authorities (LPAs) can decide whether to charge CIL, and what rates to adopt (payable in £ per square metre). LPAs can set different rates for different types of development (for example, brownfield and greenfield development) and for different geographical zones in their area, as set out in a 'charging schedule'. CIL receipts can only be spent on infrastructure—they cannot be spent on affordable housing. CIL allows local authorities to seek financial contributions from developers, to supplement public sector investment in new infrastructure.

CIL coverage

73. The Government does not regularly publish data on how many LPAs charge CIL. The NAO recently reported that, as of November 2024, 52% of LPAs were operating a CIL. 137 By comparison, an independent research report commissioned by MHCLG found that at the end of 2019, 48% of LPAs were operating a CIL. 138 Many stakeholders told us that the relatively low coverage of CIL indicates that existing mechanisms of land value capture could be further improved, or that there are barriers to adopting CIL in some LPAs where it may otherwise be viable. 139

¹³⁵ The Community Infrastructure Levy Regulations 2010, SI 2010/948 (as amended)

Adapted from House of Commons Library, <u>Developer contributions</u>, Number CBP 7200, 10 July 2024, p.10

¹³⁷ NAO, Improving local areas through developer funding, p.4

¹³⁸ MHCLG, The Incidence, Value and Delivery of Planning Obligations and Community Infrastructure Levy in England in 2018–19

See, for example: National Housing Federation (<u>HLV0010</u>); Places for People (<u>HLV0011</u>); Vistry Group (<u>HLV0012</u>); Southern Housing (<u>HLV0013</u>); Town and Country Planning Association (<u>HLV0014</u>); County Councils Network (<u>HLV0030</u>); Land, Planning and Development Federation (<u>HLV0034</u>)

- 74. The National Housing Federation contended that the Government should "[work] towards full coverage of CIL, tested through Local Plans, before introducing any new method of land value capture". Tom Kennedy, Senior Policy and Research Manager at the Northern Housing Consortium, highlighted the regional disparity in CIL coverage, as only 32% of local authorities in the North of England charge CIL. He told us that local authorities in the north "have decided that there is little or no additional value to capture through [CIL] without jeopardising private development in their area and ruining scheme viability". Robbie Calvert, Head of Policy at the Royal Town Planning Institute, told us that CIL has yielded "between 5% and 20%" of funding of new infrastructure, which has left local authorities in a "catch-22 where they are unable to accumulate sufficient CIL revenues" to fund the infrastructure needed to unlock more housing delivery.
- 75. In recent years, successive governments have commissioned independent research reports to better understand the shortcomings of CIL as a mechanism for funding infrastructure, and to make recommendations on increasing CIL coverage. In 2016, the CIL Review Group, commissioned by the then Government, found that the partial take-up of CIL has resulted in a complex "patchwork of CIL and non-CIL authorities" across England. It concluded that the most common reasons for LPAs choosing not to adopt CIL were "actual or perceived lack of viability and the prioritisation of affordable housing delivery (which cannot currently be funded through CIL) over and above infrastructure provision". In 2018, a subsequent research report commissioned by MHCLG found that "where CIL is charged, it is complex for local authorities to establish and revise rates", partly because CIL is not responsive to changes in market conditions.

¹⁴⁰ National Housing Federation (HLV0010)

¹⁴¹ Qq32-33 (Tom Kennedy)

¹⁴² Q68 (Robbie Calvert)

See, for example: Gov.UK, A new approach to developer contributions: Report by the CIL
Review Team (October 2016); MHCLG, Supporting housing delivery through developer
contributions (March 2018); Gov.UK, Section 106 planning obligations and the Community
Infrastructure Levy in England, 2018 to 2019: report of study (August 2020)

Gov.UK, A new approach to developer contributions: Report by the CIL Review Team (October 2016), p.10. The CIL Review Group was commissioned in November 2015 by the then Government. The Group was comprised of planning and local authority representatives, and was chaired by Liz Peace CBE, former Chief Executive of the British Property Federation.

¹⁴⁵ Gov.UK, A new approach to developer contributions: Report by the CIL Review Team (October 2016), p.10. Also see: MHCLG, The value, impact and delivery of the Community Infrastructure Levy (February 2017), p.5

¹⁴⁶ MHCLG, Supporting housing delivery through developer contributions (March 2018), p.11

- 76. In its June 2025 report, the NAO concluded that "CIL can be expensive, resource-intensive and time-consuming to set up, creating a barrier to introducing it". As part of its investigation, it produced a map of CIL coverage in England, showing areas with full and partial CIL charging. 148
- 77. We asked Matthew Pennycook MP, the Minister for Housing and Planning, whether the Ministry had considered publishing a similar map on its website, to collate information on CIL charging across England in one place. He told us that "The Department is continuing to work through best options for any national-level data and publications on developer contributions, including CIL [...] I would welcome the Committee's views, if there are strong views, as to why a centralised map of CIL coverage should be a priority [...]". 149

78. CONCLUSION

Around half of local planning authorities have adopted CIL, and its uptake has remained broadly unchanged for several years. There has been little progress towards addressing the complex patchwork of CIL coverage and charging schedules across England in the years since the 2016 CIL Review Group report. This complexity is further exacerbated by a lack of transparency of coverage, as the Government does not publish regular data on which local authorities are charging CIL and at what rates. It is likely that the Ministry already holds this data centrally.

79. RECOMMENDATION

The Ministry must publish an interactive map of CIL coverage on its website, updated quarterly to include the rates charged in each local authority in England. Publishing a national map would support the housing sector to navigate different charging schedules across local authorities; would enable greater public scrutiny of the variations between local planning authorities; and would allow the Government to demonstrate how any future reforms to CIL are improving coverage and infrastructure outcomes.

¹⁴⁷ NAO, Improving local areas through developer funding (June 2025), p.6

¹⁴⁸ NAO, Improving local areas through developer funding (June 2025), p.16

¹⁴⁹ Q138 (Matthew Pennycook MP)

Pooling CIL receipts

- 80. Some development stakeholders expressed concern at a lack of transparency as to how local authorities spend developer contributions. The Home Builders Federation shared with us its 2024 research which estimated that "local authorities in England and Wales are sitting on over £8 billion of infrastructure payments by developers, including over £6bn from section 106 agreements and almost £2bn raised through the Community Infrastructure Levy". Paul Brocklehurst, Chairman of the Land, Planning and Development Federation, told us that this can be frustrating for developers which are often "the focus of the criticism", despite having paid a contribution towards community infrastructure.
- 81. Cllr Richard Clewer, then Housing and Planning Spokesperson for the County Councils Network, explained that some local authorities have to delay spending developer contributions on larger infrastructure projects in order to accumulate funding from other sources, such as government grants. However, he told us that "councils need to get smarter in the way we are using CIL to actually assist communities being impacted by development, rather than storing it up" for future programmes that lack clarity on funding sources. He Royal Town Planning Institute (RTPI) emphasised the importance of pooling CIL receipts to support the delivery of larger scale, cross boundary infrastructure projects. Similarly, the Greater London Authority suggested that the Government should encourage local authorities to pursue joint partnerships, "including through new regional or sub-regional strategic planning authorities".
- 82. The Minister for Housing and Planning told us that the Ministry's local government reorganisation agenda presents opportunities for local authorities to pool CIL receipts and improve coverage. For example, he suggested that "partial CIL charging authorities that have undergone unitarisation may look to establish a charging schedule for the whole area". 157 He added that the Ministry also "expect[s] some efficiencies to

See, for example: Southern Housing (<u>HLV0013</u>); Gladman Developments (<u>HLV0018</u>); British Property Federation (<u>HLV0024</u>); Land, Planning and Development Federation (<u>HLV0034</u>); Home Builders Federation (<u>HLV0042</u>)

Home Builders Federation (<u>HLV0042</u>); Home Builders Federation, <u>Unspent developer</u> contributions (accessed 1 August 2025)

¹⁵² Q89 (Paul Brocklehurst)

¹⁵³ Q64 (Cllr Richard Clewer)

¹⁵⁴ Q64 (Cllr Richard Clewer)

¹⁵⁵ The Royal Town Planning Institute (HLV0028)

¹⁵⁶ Greater London Authority (HLV0051)

¹⁵⁷ Q138 (Matthew Pennycook MP)

emerge from consolidating CIL across larger authorities and the flexibility, in particular, of being able to use CIL receipts across larger areas to encourage implementation". 158

Infrastructure Funding Statements

- 83. Since 2020, local planning authorities have been required to publish an annual Infrastructure Funding Statement (IFS), to improve transparency and accountability about how they spend developer contributions through Section 106 and CIL. The IFS must identify what infrastructure the authority intends to fund, and detail the different sources of funding, for the previous year and for the following year.¹⁵⁹
- 84. The Ministry had initially intended to create a national IFS database, but this work was paused to prioritise other policy reforms, including the proposed introduction of a new levy to replace CIL.¹⁶⁰ Robbie Calvert, Head of Policy at the RTPI, told us that the previous Government had also intended to review its guidance to local authorities on preparing IFSs.¹⁶¹ He said the RTPI would "strongly encourage that that be looked at again as a priority, to ensure that local authorities are setting out in a clear and consistent manner" how they are spending developer contributions.¹⁶²
- 85. The Minister for Housing and Planning told us that "there is detailed guidance already out there", including an IFS template, but that the Government is "very cognisant of the fact that not all local authorities have [an IFS] in place". He told us that the Ministry's most senior planning official "recently wrote to all local planning authorities to remind them of their statutory duty to prepare and publish an [IFS]". 163

¹⁵⁸ Q138 (Matthew Pennycook MP)

The Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019, SI 2019/1103; Gov.UK, Community Infrastructure Levy (Guidance) (accessed 1 August 2025)

NAO, Improving local areas through developer funding (June 2025), p.8

¹⁶¹ Q68 (Robbie Calvert)

¹⁶² Q68 (Robbie Calvert)

¹⁶³ Q138 (Matthew Pennycook MP)

86. CONCLUSION

Currently, stretched local planning authorities are likely to focus their limited staffing and resources on affordable housing delivery as a priority, rather than establishing and administering CIL, even where CIL may be financially viable. The reintroduction of strategic planning in England presents an opportunity for greater co-operation between local authorities, including by pooling CIL receipts to deliver larger infrastructure projects. This collaboration may also encourage more local authorities to establish CIL charging schedules across a wider area, and thus improve CIL coverage. This adds to the case that the Government must invest in dedicated planning officers for the new Strategic Authorities.

87. CONCLUSION

It is important that existing local communities and new residents see the benefits of development, with new local and regional infrastructure being delivered alongside housing. This is especially the case when local authorities choose to pool CIL receipts to deliver large infrastructure projects. Whilst the Government should encourage local authorities to deliver strategic infrastructure using CIL receipts where appropriate, it must provide support for all local authorities to publish Infrastructure Funding Statements (IFSs) annually, to ensure residents can see how CIL receipts are spent. Local planning authorities must also ensure their IFS considers plans for public sector investment in infrastructure, including from borough and county councils, alongside new major developments.

88. RECOMMENDATION

The Ministry must review its guidance to local authorities on IFSs, to ensure all local authorities have a clear, up-to-date IFS which sets out how CIL receipts will be used locally, and when they will be pooled to deliver larger infrastructure projects. The Ministry should also publish local authorities' IFSs on the national map of CIL coverage, to collate this information and ensure all local authorities have an up-to-date IFS, as required by legislation.

5 New Towns

89. In July 2024, the Government announced its New Towns programme. The programme is seeking to deliver "a new generation" of "largescale communities of at least 10,000 new homes each, with many significantly larger". A New Towns Code will require these developments to be "well-connected, well-designed, sustainable and attractive places where people want to live", with a target of 40% affordable housing. As we found in Chapter 2, the New Towns programme may require bespoke, new mechanisms of land value capture to harness the substantial uplifts in land value effectively, and to finance public investment in the required infrastructure.

New Towns delivery

90. In July 2024, the Rt Hon Angela Rayner MP, then Secretary of State at MHCLG, commissioned a New Towns Taskforce chaired by Sir Michael Lyons, 166 "to make recommendations to ministers on the location and delivery of new towns" within 12 months (no later than July 2025). 167 An Interim Report from the Taskforce, published in February 2025, confirmed that its work is considering "the impact of different delivery and funding models, as well as the approach to land acquisition and placemaking, to inform our final recommendations for government". 168 The Taskforce also said it was seeking to "[learn] from both the successes and pitfalls" of similar development projects during the 20th century, "including the post-1945 new towns and more recent Eco-towns and Garden Communities". 169

¹⁶⁴ MHCLG, Expert taskforce to spearhead a new generation of new towns (accessed 1 August 2025)

¹⁶⁵ MHCLG, Policy statement on new towns (accessed 1 August 2025)

The New Towns Taskforce is comprised of housing, planning and local authority representatives, and is chaired by Sir Michael Lyons, the non-executive Chairman of the English Cities Fund, and former Chief Executive of three major UK local authorities including Birmingham City Council. See: MHCLG, The New Towns Taskforce (accessed 1 August 2025)

¹⁶⁷ MHCLG, New Towns Taskforce: Terms of Reference (accessed 1 August 2025), para 3

Gov.UK, <u>Building new towns for the future: New Towns Taskforce Interim Update</u> (February 2025), p.11

Gov.UK, <u>Building new towns for the future: New Towns Taskforce Interim Update</u> (February 2025), p.6

- 91. The New Towns Act 1946 enabled the development of 32 new towns across the UK, which provide homes for 2.8 million people.¹⁷⁰ These 20th century new towns, including Milton Keynes, Welwyn Garden City, and Peterborough, were planned through development corporations—public bodies with planning powers to carry out large-scale development and regeneration projects. Development corporations were granted compulsory purchase powers, allowing them to purchase parcels of land at Existing Use Value, and assemble strategic sites for development. Compulsory purchase is a legal process by which land can be purchased without the consent of the owner.¹⁷¹
- 92. This model of development ended after the Land Compensation Act 1961 introduced the requirement for compensation payments to landowners for some developments to reflect any justifiable prospect of planning permission being granted, known as 'hope value'. In 2023, the previous Government gave certain public authorities new powers to disregard hope value when assessing compensation for compulsory purchase, subject to approval from the Secretary of State. The current Government plans to extend these powers to town, parish, and community councils through its Planning and Infrastructure Bill. The Bill also includes provisions to clarify the role of and grant additional powers to development corporations.

Fiscal devolution

93. New Towns may require bespoke financing models to fund the upfront installation of public infrastructure. Some written evidence submissions highlighted cases where fiscal devolution to Mayoral Combined Authorities has allowed local leaders to use uplifts in land value to enable infrastructure delivery for major development projects. Tondon Councils, the representative body for local government in the capital, emphasised the importance of fiscal devolution being part of the Government's English devolution agenda, to enable innovative forms of infrastructure funding to unlock growth in London and across the UK.

¹⁷⁰ TCPA, Explore the UK's New Towns (accessed 1 August 2025)

¹⁷¹ House of Commons Library, <u>Compensation for the compulsory purchase of land</u> (accessed 1 August 2025)

¹⁷² House of Commons Library, <u>Compensation for the compulsory purchase of land</u> (accessed 1 August 2025)

¹⁷³ Levelling-up and Regeneration Act 2023, ss 188 to 190

Planning and Infrastructure Bill [as amended in Committee], HL Bill 134, Part 5

¹⁷⁵ Planning and Infrastructure Bill [as amended in Committee], HL Bill 134, Part 4

See, for example: London Councils (<u>HLV0026</u>); WSP UK Ltd (<u>HLV0038</u>); Northern Housing Consortium (<u>HLV0045</u>); BusinessLDN (<u>HLV0048</u>); Greater London Authority (<u>HLV0051</u>); Transport for London (<u>HLV0052</u>)

¹⁷⁷ London Councils (HLV0026)

94. The Greater London Authority and Transport for London explained how two land value capture mechanisms in London, Mayoral CIL (MCIL) and the Crossrail Business Rates Supplement, are used to support the financing and debt costs associated with the Elizabeth Line/Crossrail in London.¹⁷⁸

Box 2: Mayoral CIL and Crossrail Business Rates Supplement

Mayoral Community Infrastructure Levy (MCIL) is a levy calculated on the net additional floorspace, measured in square metres of Gross Internal Area. Local planning authorities in London are responsible for calculating the MCIL charge and collecting MCIL payments, according to a charging schedule published by the Greater London Authority.¹⁷⁹

Crossrail Business Rates Supplement (Crossrail BRS) applies to business and non-domestic premises with a rateable value of above £75,000. Fewer than 16% of London's business and other non-domestic premises are generally liable to pay the Crossrail BRS in a typical year. For 2025/26, the business rate multiplier across England is 55.5 pence in the pound. The Crossrail BRS multiplier for 2025–26 is 2p per pound of rateable value.

- 95. Anna Hart, Corporate Finance Senior Manager at Transport for London, told us that MCIL had "done an incredible job" in London, as it has raised around £1.3 billion in funding for the Crossrail project to date, far exceeding the original target of £300 million. She explained that MCIL's simple charging structure and broad geographical coverage are two features that have led to its success.
- 96. Currently, only the Mayor of London has powers to charge MCIL within Greater London. The Government plans to extend the powers to raise an MCIL to all mayors of strategic authorities once they have a Spatial Development Strategy in place, through the English Devolution and Community Empowerment Bill. 184

¹⁷⁸ Greater London Authority (HLV0051); Transport for London (HLV0052)

¹⁷⁹ GLA, Mayoral Community Infrastructure Levy (accessed 1 August 2025); GLA, MCIL Charging Schedule (accessed 1 August 2025)

¹⁸⁰ GLA, Paying for Crossrail: business rate supplement (accessed 1 August 2025)

¹⁸¹ MHCLG, <u>The Local Government Finance Report (England) 2025–26</u>, HC 623, 3 February 2025, p.13

¹⁸² GLA, Crossrail Business Rate Supplement 2025–26 ratepayer leaflet (accessed 1 August 2025)

¹⁸³ Planning Act 2008, Part 11

^{184 &}lt;u>English Devolution and Community Empowerment Bill</u> [as introduced], Bill 283, Clause 33; Q138 (Matthew Pennycook MP)

- 97. We also heard how Tax Increment Financing (TIF), another model of fiscal devolution, could be used more widely across England. TIF permits local authorities to borrow money for infrastructure projects against the anticipated increase in tax receipts resulting from the future infrastructure. Following the 2010 General Election, the then Government announced new borrowing powers to allow some local authorities in England to pursue TIF schemes. These TIF schemes have so far been based on business rate revenues, as this is the only local authority tax of which the revenues are directly affected by infrastructure projects. 186
- 98. A TIF structure was used to finance the extension of the London Underground's Northern Line to Battersea and Nine Elms. London Councils told us that this project "demonstrated the ability" of local government in London to deliver a large infrastructure project under budget using TIF. The British Property Federation suggested that New Towns could provide an opportunity for "experimentation" with greater use of TIF to deliver infrastructure requirements, particularly because land used for New Towns may not ordinarily be allocated for development through the local planmaking process. 188
- 99. BusinessLDN, an advocacy group for London business, and WSP, a built environment consultancy, proposed that the Government should grant new powers to levy a residential TIF, or "resi-TIF". This would allow Mayoral Combined Authorities to borrow against a proportion of future Stamp Duty Land Tax and Council Tax on new residential developments. Chris Whitehouse, Technical Director at WSP, highlighted that the resi-TIF proposal is "directly tied to the specific land value uplift that is achieved because it is based on sale prices". BusinessLDN proposed that the model should be introduced in London, but also "has the potential to be applied to other parts of the country, particularly to cities".
- 100. When we asked John Kavanagh, Programme Director at Business LDN, whether HM Treasury was receptive to the proposal, he emphasised that it would not redirect existing Stamp Duty, but would instead "grow the funding pot". Transport for London, which contributed to the development of the report, told us that the recommendations "may need further development

¹⁸⁵ See, for example: British Property Federation (HLV0024); London Councils (HLV0026); WSP UK Ltd (HLV0038); BusinessLDN (HLV0048); Greater London Authority (HLV0051); Transport for London (HLV0052)

House of Commons Library, <u>Local government in England: capital finance</u>, Number 05707,
 4 January 2023, p.14

¹⁸⁷ London Councils (HLV0026)

¹⁸⁸ British Property Federation (HLV0024)

¹⁸⁹ BusinessLDN (HLV0048); WSP UK Ltd (HLV0038)

¹⁹⁰ Q10 (Chris Whitehouse)

¹⁹¹ BusinessLDN (HLV0048)

¹⁹² Q16 (John Kavanagh)

and discussion with various government bodies", but nonetheless demonstrate how transport schemes "could be funded more easily and support the wider UK economy and housing delivery".¹⁹³

101. CONCLUSION

The Government's New Towns programme is likely to require billions of pounds of public and private investment over several decades, including millions from HM Treasury to establish development corporations during this Parliament. The Government has not yet set out where this funding will come from. It is likely that many of the locations where new settlements are planned will require significant upfront infrastructure investment to support new communities.

102. RECOMMENDATION

Whilst the Government's plan to allow all mayors of strategic authorities to charge Mayoral CIL is a welcome step towards greater fiscal devolution, the Government must go further to support local leaders with revenue raising powers to deliver infrastructure and housing. In particular, the Government should enable greater use of Tax Increment Financing—a model which has delivered successfully in London—to fund infrastructure in cities and in New Towns.

Financing New Towns

103. During our inquiry, planning stakeholders highlighted the opportunity— which some described as a necessity—to use uplifts in land value on the sites of proposed New Towns to fund the required infrastructure and affordable housing. The Town and Country Planning Association (TCPA), a planning organisation which researches and campaigns for healthy and sustainable communities, said that the "Development Corporation model will be essential to the economic viability of the government's ambitions" for New Towns. The Hugh Ellis, Director of Policy at the TCPA, argued that the New Towns programme "present[s] the most effective and efficient way of land value capture that exists", as public development corporations can buy

¹⁹³ Transport for London (HLV0052)

¹⁹⁴ See, for example: Dr Thomas Aubrey (<u>HLV0007</u>); The Housing Forum (<u>HLV0008</u>); National Housing Federation (<u>HLV0010</u>); Places for People (<u>HLV0011</u>); Vistry Group (<u>HLV0012</u>); Town and Country Planning Association (<u>HLV0014</u>); British Property Federation (<u>HLV0024</u>); County Councils Network (<u>HLV0030</u>); Centre for Cities (<u>HLV0049</u>)

¹⁹⁵ Town and Country Planning Association (HLV0014)

- land at current use value, "through compulsory purchase if it has to", and use the uplift from development value "to recycle, to pay down debt and pay for future infrastructure". 196
- 104. The Centre for Cities, an urban policy think tank, agreed that there is a strong rationale for pursuing public-led land assembly in New Towns as the developments are "more complex and have longer time horizons". 197 Maurice Langue, Analyst at the Centre for Cities, told us that "across the greater south-east and in some other locations new towns could be selffunding entities". 198 His recent research identified land around 15 major cities which might be best suited to accommodate New Towns or major urban extensions. It found that the total potential land value capture on these sites is £193 billion, or £6.4 billion per year over a 30-year development period, but that several of these sites are on Green Belt land, which is afforded greater protection from development in national policy. 199
- 105. By contrast, the Country Land and Business Association (CLA) said that disincentivising landowners from bringing forward land for development would lead local authorities to "resort to compulsory purchase to meeting housing need" which would "put a huge administrative burden and additional costs on already overstretched Councils". Avril Roberts, Senior Property and Business Policy Adviser at the CLA, told us that it is a "common misconception" that hope value is unfairly overpaying landowners for their land, and made the case that landowners should expect compensation "for the fact that [a public authority] are forcing them to sell it at an earlier stage" than the time of their choosing.
- 106. Regarding the potential cost of delivering New Towns, Dr Thomas Aubrey, Senior Visiting Fellow at the London School of Economics, told us that to build a large urban extension with a new mass transit system would likely cost "about £15 billion to £20 billion" of investment over a 40-year period. In addition, he suggested that HM Treasury would need to invest "tens of millions" upfront to establish new development corporations for each New Town. Dr Aubrey emphasised the importance of MHCLG securing HM Treasury's support for changes to "a series of debt definitions that

¹⁹⁶ Q47 (Dr Hugh Ellis)

¹⁹⁷ Centre for Cities (HLV0049)

¹⁹⁸ Q22 (Maurice Langue)

¹⁹⁹ Centre for Cities, <u>Restarting housebuilding III: New towns and land value capture</u> (December 2024), p.20

²⁰⁰ Country Land and Business Association (CLA) (HLV0032)

²⁰¹ Q95 (Avril Roberts)

²⁰² Q23 (Dr Thomas Aubrey)

²⁰³ Q24 (Dr Thomas Aubrey)

- are severely constraining investment",²⁰⁴ and potential changes to the accounting framework to allow the New Towns programme to be funded through market sources.²⁰⁵
- 107. In November 2024, the Minister for Housing and Planning told us that New Towns funding "will be determined through conversations with the Treasury at the appropriate point when we have a defined list of sites we are looking at". 206 The Minister updated us in July 2025, as part of our inquiry, that the Ministry is "constantly engaging in conversations [...] on what [funding] we can bring forward to deliver more homes, whether it is through the new towns programme or externally". He added that the Government has asked the New Towns Taskforce "very specifically to look at land value capture" as part of its work, and that the Government will consider its recommendations on financing options. 207

New Towns Taskforce's final report

- **108.** In September 2025, the Government published the New Towns Taskforce's final report and the Government's initial response.²⁰⁸ The Taskforce made 44 recommendations to the Government, including that:
 - New Towns should deliver a minimum target of 40% affordable housing, of which at least half should be available for Social Rent.²⁰⁹
 - where there is a clear rationale for a New Towns delivery body to acquire land, this should happen at the earliest possible stage, to ensure the community can capture the uplift in land value.²¹⁰ The Government should immediately commit to an interim planning policy to protect new town locations. There is a risk that while New Towns are being established, other developments could come forward, jeopardising the New Town plans.²¹¹
 - the starting point for the delivery of all New Towns is through the development corporation model. The precise model of development corporation and approach to land acquisition will depend on the specific circumstances of a place.²¹²

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204 Dr Thomas Aubrey (HLV0007)
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²⁰⁵ Q19 (Dr Thomas Aubrey); Dr Thomas Aubrey (HLV0007)

²⁰⁶ Oral evidence taken on 20 November 2024, Q50 (Matthew Pennycook MP)

²⁰⁷ Q150 (Matthew Pennycook MP)

²⁰⁸ MHCLG, New Towns Taskforce: Report to government (September 2025); MHCLG, Initial government response - September 2025 (accessed 29 September 2025)

²⁰⁹ MHCLG, New Towns Taskforce: Report to government (September 2025), p.72

²¹⁰ MHCLG, New Towns Taskforce: Report to government (September 2025), p.83

²¹¹ MHCLG, New Towns Taskforce: Report to government (September 2025), pp.90-91

²¹² MHCLG, New Towns Taskforce: Report to government (September 2025), p.83

- the Government will need to provide significant upfront funding for New Towns. The public can 'capture' the increase in land value by buying land, before granting planning permission and building infrastructure, and selling this in 'serviced parcels' to residential and commercial developers. Alternatively, the Government can enter into development agreements or joint ventures with private partners, ensuring that they share risks and returns, as well as make appropriate contributions to public infrastructure.²¹³
- The Taskforce also made recommendations on the locations with the greatest potential to deliver New Towns, as set out in Box 3 below.

Box 3: Recommended locations for New Towns

The New Towns Taskforce recommend that the Government selects its next generation of New Towns from the following 12 locations:

- A standalone settlement in Adlington, Cheshire East; to serve the growing industries in Greater Manchester and Cheshire, as identified in the government's Industrial Strategy.
- A corridor of connected development in South Gloucestershire, across Brabazon and the West Innovation Arc; building in one of the highest productivity areas in the country with a high value research, advanced engineering and technology economy.
- An expanded development bringing together Chase Park and Crews Hill, Enfield; delivering green development and helping address London's acute housing need.
- Redevelopment of the former airbase at Heyford Park, Cherwell; connecting to Oxford and building on the existing progress and commitment to high-quality placemaking; referencing the area's past and supporting its future in innovative clean technology industries.
- Urban development in Leeds; catalysing on the city's existing
 economic prospects and capturing the benefits of the governments
 £2.1 billion local transport funding allocation for the Combined
 Authority by delivering well-connected, high-quality homes in the
 South Bank to support the city centre.
- Inner-city development and densification in Manchester, Victoria
 North; supporting continued growth and attracting high-skilled
 workers to service the city's diverse industries.

²¹³ MHCLG, New Towns Taskforce: Report to government (September 2025), p.108

- A standalone settlement in the **Marlcombe, East Devon**; strengthening the region's labour supply and supporting the Exeter and East Devon Enterprise Zone.
- A 'Renewed Town' in **Milton Keynes**; reinvigorating the city centre and expanding to the city periphery whilst reshaping the way people travel, by delivering a Mass Rapid Transit system.
- Densified development in **Plymouth**; evolving Britain's Ocean City and capitalising on the governments £4.4 billion investment in HMNB Devonport, Western Europe's largest naval base.
- A new settlement in Tempsford, Central Bedfordshire; to maximise the benefits of East West Rail, by building a well-connected new town in the heart of the Oxford-Cambridge Growth Corridor.
- The creation of a riverside settlement in **Thamesmead, Greenwich**; unlocking inaccessible land in the city and improving connectivity if the proposed extension of the Docklands Light Railway can be delivered to enable the development.
- Expanded development at Worcestershire Parkway, Wychavon; accelerating delivery around the existing train station to help meet regional housing need and act as a model for sustainable, carbon neutral development.

Source: MHCLG, <u>New Towns Taskforce: Report to government</u> (September 2025), p.xiv

109. The Government's initial response welcomed the Taskforce's recommended locations, adding that "Tempsford, Crews Hill and Leeds South Bank [are] particularly promising as sites that might make significant contributions to unlocking economic growth and accelerating housing delivery". ²¹⁴ It confirmed the Government's preference that "new town delivery should be through the development corporation model, while recognising the need for flexibility depending on the circumstances of each site". ²¹⁵ Regarding funding for New Towns, the Government said that:

The delivery of new towns will be backed by funding across the government's landmark housing programmes, such as the £39 billion Social and Affordable Housing Programme. [...] Beyond land value capture and institutional investors, the Taskforce also suggested that government should explore the role of tax within the financing

²¹⁴ MHCLG, Initial government response - September 2025 (accessed 29 September 2025)

²¹⁵ MHCLG, Initial government response - September 2025 (accessed 29 September 2025)

model, to support the delivery of new towns. A working group bringing local leaders together with the Treasury is exploring how to unlock potential levers.²¹⁶

110. The Government has said it will publish a full response with Ministers' decision on final locations in spring 2026, following a Strategic Environmental Assessment, and that it plans to "get spades in the ground on at least three new towns in this Parliament". In a speech on the day that the Taskforce's final report was published, the Rt Hon Steve Reed OBE MP, the new Secretary of State at MHCLG, announced that "[...] we will start building homes in at least three New Town locations before the next general election. That is how we will build 1.5 million new homes in the lifetime of this Parliament". However, the Government has not said how many homes will be built in New Towns during this Parliament.

111. CONCLUSION

There is significant potential to use land value capture as part of funding the proposed New Towns, especially on green field sites. However, we are concerned that the Government has announced substantial detail of the 12 potential sites without a planning policy to protect land value, contrary to the recommendation of the New Towns Taskforce. It appears that the Government has not yet established any delivery body to purchase land or enter agreements with landowners, which risks allowing developers considerable time to acquire sites for speculative development and immediately push up land values. The Taskforce said that, in the worst-case scenario, this could "jeopardise New Town plans".

112. RECOMMENDATION

The Government must immediately conduct an analysis of Existing Use Values (EUV) on each of the 12 sites to maximise the capture of future land value uplifts, and develop plans for using appropriate mechanisms for land value capture on each site. This must include the option of development corporations using Compulsory Purchase Orders to assemble land where ownership is fragmented or negotiations stall. The Government must ensure arrangements for the purchase of land on New Towns sites are in place before it announces its final decision on locations by spring 2026.

²¹⁶ MHCLG, Initial government response - September 2025 (accessed 29 September 2025)

²¹⁷ MHCLG, Initial government response - September 2025 (accessed 29 September 2025)

²¹⁸ The Rt Hon Steve Reed OBE MP speech at Labour Party Conference, 28 September 2025

113. CONCLUSION

We welcome that the Government has stated its preference for New Towns to be delivered through development corporations with powers of land assembly, under a similar model to the 20th century new towns. However, the Government has not yet announced any new direct funding for the New Towns programme, and has so far indicated that it will rely primarily on private financing from institutional investors. If the Government is to realise the full potential of the development corporation model, it must ensure they have access to their own capital funding to build infrastructure to unlock housing development. Whilst we welcome the Taskforce's recommendation for a minimum target of 40% affordable housing of which at least half should be for Social Rent, this must not restrict development corporations from using land value capture mechanisms to negotiate a greater contribution of Social Rent homes on sites where this is financially viable.

114. RECOMMENDATION

At the Autumn Budget 2025, the Government must announce new funding to establish the development corporations, so they can commence land acquisition on the first sites without delay, and complete this work by spring 2026. The development corporations must be mandated to prioritise the delivery of homes for Social Rent within the 40% affordable homes requirement, rather than other types of affordable housing. Development corporations must be granted comprehensive planning powers and access to capital funding to fulfil this objective.

115. CONCLUSION

The Ministry is right to prioritise New Towns which have the greatest potential to boost housing supply in the short-term, but its plan to "get spades in the ground on at least three new towns in this Parliament" does not match the scale of the Government's housebuilding ambition. The New Towns programme can and must make a contribution towards increasing housing supply during this Parliament.

116. RECOMMENDATION

The Government must immediately clarify how housing delivery in New Towns will interact with local authority housing need targets. In its final response in spring 2026, the Government must include a roadmap for the New Towns programme, to show when each development corporation will be established, when development will commence on each site, and the estimated development timeline for each New Town.

Green Book reform

- 117. HM Treasury is responsible for allocating public funding for New Towns, which could affect where the towns are ultimately located. The Green Book, published by HM Treasury, sets out the Government's guidance on assessing the costs, benefits and risks of different policy options to achieve Government objectives. It provides a framework for assessing the value for money of alternative proposals for meeting those objectives, and it supports officials to provide impartial and objective advice to ministers. In January 2025, the Chancellor of the Exchequer announced a review of the Green Book to consider "how it is being used to provide objective, transparent advice on public investment across the country, including outside London and the Southeast". 221
- 118. The findings of the Green Book review were published in June 2025, alongside the Spending Review. The review did "not [find] conclusive evidence that the methodology set out in the Green Book is itself biased towards certain regions". However, the review concluded that the current framework places "insufficient emphasis on place-based objectives" where complimentary projects may see benefits "greater than the sum of their parts", as the Green Book generally supports the appraisal of individual projects. Therefore, HM Treasury plans to work with MHCLG, the Department for Transport, and local and regional Government to introduce "place-based business cases" as part of a "radically" simplified and shortened Green Book, to be published "at the start of 2026". 224
- 119. In July 2025, the Rt Hon Angela Rayner MP, then Secretary of State at MHCLG, told us that "In the past, we have not been able to get the best out of the Green Book because of the restrictions in it. The Treasury has recognised that, and this place-based approach will look much more in the round at how we can deliver this, instead of looking at it on a case-by-case basis in silos". She confirmed that the Government plans to launch pilot projects under the new model "as soon as possible". The Secretary of State added that:

²¹⁹ HM Treasury, The Green Book and accompanying guidance (accessed 1 August 2025)

²²⁰ Gov.UK, Green Book Review 2025: Findings and actions (June 2025), p.6

²²¹ Gov.UK, Chancellor vows to go further and faster to kickstart economic growth (Speech) (accessed 1 August 2025)

²²² Gov.UK, Green Book Review 2025: Findings and actions (June 2025), p.7

²²³ Gov.UK, Green Book Review 2025: Findings and actions (June 2025), pp.14-15

²²⁴ Gov.UK, Green Book Review 2025: Findings and actions (June 2025), p.18, p.23

²²⁵ Oral evidence taken on 8 July 2025, Q36 (Angela Rayner MP)

²²⁶ Oral evidence taken on 8 July 2025, Q37 (Angela Rayner MP)

It is really important that, from this work on the changes to the Green Book, at the end of this Parliament people in Burnley, Brighton, London or anywhere else can really see the change for them and their communities. I think this is one way of unlocking that.²²⁷

120. CONCLUSION

For decades, there has been a perception that HM Treasury's investment decisions have benefitted some parts of England at the expense of others. We therefore welcome HM Treasury's Green Book reforms to introduce place-based business cases, which will change how costs and benefits are assessed for major housing and infrastructure investments. However, it is concerning that the Government has not yet launched its pilot projects under the new model, which is due to be implemented nationally in spring 2026.

121. RECOMMENDATION

In response to this Report, the Government must provide a timeline for when it will launch its pilot projects using place-based business cases, and when the new model will be rolled out nationally. It must also set out how it will ensure the Green Book reforms will see the benefits of the New Towns programme realised across England, including in regions with lower potential land value uplifts.

6 Delivering 1.5 million new homes

- 122. The Government committed in its manifesto to deliver 1.5 million new homes during this Parliament ("the 1.5 million target"). ²²⁸ In December 2024, the Government reaffirmed the 1.5 million target as a "hugely ambitious milestone" to "kickstart economic growth" in its Plan for Change. ²²⁹ The focus of our inquiry has been to explore how reforms to land value capture policies may make a contribution towards increasing housing supply. In this final Chapter, we assess the Government's first year of progress towards delivering 1.5 million new homes.
- 123. Matthew Pennycook MP, the Minister for Housing and Planning, has been clear in our regular evidence sessions that the Government does not intend to set interim annual targets, but has instead set this to be a "whole-Parliament target". Nonetheless, to deliver 1.5 million new homes would require an average delivery of 300,000 net new homes per year of a five-year Parliament. In this regard, the 1.5 million target is a similar ambition to the previous Government's target to deliver "300,000 homes per year by the mid-2020s", reflecting the policy of successive administrations since 2017. 232
- **124.** According to MHCLG's 'net additional dwellings' statistics, housing supply declined by 6% to 221,070 new homes in 2023–24, as the chart below shows:²³³

²²⁸ Labour Party, Change: Labour Party Manifesto 2024 (June 2024), p.36

²²⁹ Gov.UK, Plan for Change, CP 1210, 5 December 2024, p.24

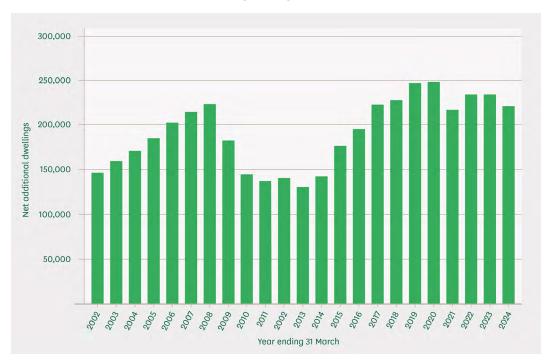
²³⁰ Q99 (Matthew Pennycook MP); Oral evidence taken on 20 November 2024, Q3 (Matthew Pennycook MP)

²³¹ See, for example, Gov.UK, <u>Levelling-up and Regeneration Bill: reforms to national planning policy</u> (accessed 1 August 2025), Chapter 1, para 6

²³² Gov.UK, Autumn Budget 2017 (accessed 1 August 2025)

²³³ Gov.UK, Housing supply: net additional dwellings, England: 2023 to 2024 (accessed 1 August 2025), Figure 1. Net additional dwelling statistics are collected to provide a complete picture of annual housing supply in every local authority area in England. The statistics measure the net change in dwelling stock between 1 April and 31 March of the following year. A home or 'dwelling' in these statistics is defined as a self-contained unit of accommodation. See: MHCLG, Housing supply: net additional dwellings, England: 2023 to 2024 technical notes (accessed 1 August 2025)





Source: Gov.UK, Housing supply: net additional dwellings, England: 2023 to 2024 (accessed 1 August 2025), Figure 1

125. Stakeholders from across the housing and planning sectors have welcomed the scale of the Government's ambition in its 1.5 million target but have expressed doubt as to whether it is achievable within this Parliament. In March 2025, Muyiwa Oki, then President of the Royal Institute of British Architects, emphasised to us the "real and growing need for these houses", highlighting that at that time 1.3 million households were on local authority waiting lists for social housing. Dr Victoria Hills, then Chief Executive of the Royal Town Planning Institute, told us that the 1.5 million target may require a 10-year term to strengthen sector capacity to deliver new homes. Anna Clarke, Director of Policy and Public Affairs at the Housing Forum, a membership body representing organisations from across the housing sector, said that "anyone in the sector would acknowledge that [the 1.5 million target] is a challenging and probably unlikely target to be met in those five years". 236

²³⁴ Oral evidence taken on 4 March 2025, Q30 (Muyiwa Oki)

²³⁵ Oral evidence taken on 4 March 2025, Q31 (Dr Victoria Hills)

²³⁶ Oral evidence taken on 4 March 2025, Q3 (Anna Clarke)

Progress so far

- 126. In July 2024, the Rt Hon Angela Rayner MP, then Secretary of State at MHCLG, announced a consultation on reforms to the National Planning Policy Framework (NPPF)—the Government's guidance to local authorities on national planning policy and how it should be implemented in Local Plans. The proposed reforms sought to increase housing supply, in support of the 1.5 million target, and included changes to:
 - reinstate the Standard Method (a national formula for calculating local housing need) as the mandatory formula to calculate local housing targets, with a new annual national target to deliver 370,000 homes per year;
 - require local authorities to continually demonstrate five years of specific, deliverable sites for housing;
 - reinstate local Green Belt boundary reviews where a local authority cannot meet local housing need on allocated sites; and
 - introduce a new designation of 'grey belt' land. 237
- 127. The Government introduced these changes in a new version of the NPPF, published in December 2024.²³⁸ However, it will take some time for local planning authorities to adopt these changes through the plan-making system, as currently a Local Plan takes on average seven years to produce and adopt, with only around one third of local planning authorities having adopted a local plan in the last five years.²³⁹ The Government has stated its ambition that Local Plans will be "routinely prepared and adopted in 30 months" through reforms to the plan-making system,²⁴⁰ but has not yet implemented plan-making provisions in the Levelling-up and Regeneration Act 2023 which would speed up the plan-making timeline.²⁴¹
- **128.** In March 2025, the Government introduced the Planning and Infrastructure Bill. It includes provisions intended to increase housing supply, such as:

²³⁷ MHCLG, <u>Proposed reforms to the National Planning Policy Framework and other changes</u>
<u>to the planning system</u> (accessed 1 August 2025); <u>Building the homes we need HCWS308</u>,
12 December 2024

²³⁸ MHCLG, Government response to the proposed reforms to the National Planning Policy
Framework and other changes to the planning system consultation (accessed 1 August
2025); MHCLG, National Planning Policy Framework (December 2024)

²³⁹ MHCLG, Government response to the proposed plan-making reforms: consultation on implementation (accessed 1 August 2025), para 33

²⁴⁰ MHCLG, Government response to the proposed plan-making reforms: consultation on implementation (accessed 1 August 2025), para 35

²⁴¹ See, for example: Levelling-up and Regeneration Act 2023, Schedule 7

- introducing a national scheme of delegation, meaning more decisions on planning applications will be made by local authority officers, rather than planning committees;
- enabling local authorities to set planning fees and charges locally, and to ringfence those revenues to invest in local planning departments; and
- providing a framework for Strategic Authorities to develop Spatial Development Strategies, to plan for development across local authority boundaries.²⁴²
- **129.** The Minister for Housing and Planning highlighted to us that, aside from planning reform, MHCLG has announced several initiatives intended to support housing delivery.²⁴³ These include:
 - £39 billion for a new 10-year Social and Affordable Homes Programme, announced in the Spending Review;²⁴⁴
 - a National Housing Bank, operating as a subsidiary of Homes England, with an initial allocation of £16 billion of financial capacity to invest in new housing development;²⁴⁵ and
 - the New Towns programme (see Chapter 5).
- as the Government proceeds to implement "every element of our plan", that he was "absolutely confident" that the Government will meet the 1.5 million target by the end of the five years of this Parliament. He added that the Government plans to "[turn] around the system in the early years" before increasing housing supply "on a steep trajectory in the later years of the Parliament". He assured us that the Government "will set out more details when we publish our long-term housing strategy next year [2025]". 248
- 131. In June 2025, MHCLG's 'indicators of new supply' statistics estimated that 186,600 net additional homes were completed in England between the start of the Parliament, on 9 July 2024, and 15 June 2025. MHCLG also announced that in the year to 31 March 2025, housebuilding starts decreased from the previous year in all regions except the South East of England, where they

²⁴² Planning and Infrastructure Bill [as amended in Committee], HL Bill 134, Clauses 48 to 52

²⁴³ Q98 (Matthew Pennycook MP)

²⁴⁴ Gov.UK, Spending Review 2025 (accessed 1 August 2025)

²⁴⁵ National Housing Bank and new capital grant funding HCWS712, 18 June 2025

²⁴⁶ Oral evidence taken on 20 November 2024, Q5 (Matthew Pennycook MP)

²⁴⁷ Oral evidence taken on 20 November 2024, Q7 (Matthew Pennycook MP)

²⁴⁸ Oral evidence taken on 20 November 2024, Q11 (Matthew Pennycook MP)

- remained similar to the previous year. The largest percentage decreases from the previous year were in London (-73%) and in the North West of England (-25%).²⁴⁹
- 132. When we asked the Minister for Housing and Planning whether he was concerned about these statistics, he told us that the Government had "inherited a housing market downturn" and that there would be a "lag" between increases in planning permissions and subsequent changes in housing completions.²⁵⁰ Nonetheless, he highlighted that planning applications in the first quarter of this year rose by 6% on the same quarter in 2024, and confirmed that "the 1.5 million new homes target remains a stretching whole-of-Parliament target".²⁵¹
- 133. In September 2025, the latest edition of MHCLG's 'indicators of new supply' statistics estimated that 231,300 net additional homes were completed in England between the start of the Parliament, on 9 July 2024, and 14 September 2025. The number of homes completed in Q2 of 2025 was 34,990—a 2% decrease when compared to the previous quarter and a 19% decrease when compared to the same quarter of 2024. 252

Long-Term Housing Strategy

134. The Secretary of State first announced in July 2024 that the Government was developing a Long-Term Housing Strategy. The Secretary of State said it would be published "in the coming months [...] alongside the Spending Review", 253 which at that time was scheduled for spring 2025. 254 As of October 2025 the Government has still not published the Long-Term Housing Strategy, and the Government has not confirmed when in 2025 it now expects the Strategy to be published.

²⁴⁹ MHCLG, Housing supply: indicators of new supply, England: January to March 2025 (accessed 1 August 2025). MHCLG describes its 'indicators of new supply' statistics as a "leading indicator" of house building, but notes that it is not as accurate and comprehensive as other datasets, such as the annual net additional dwellings statistics. See: MHCLG, Housing supply: net additional dwellings, England: 2023 to 2024 technical notes (accessed 1 August 2025)

²⁵⁰ Q100 (Matthew Pennycook MP)

²⁵¹ Q101 (Matthew Pennycook MP); Q98 (Matthew Pennycook MP)

²⁵² MHCLG, <u>Housing supply: indicators of new supply, England: April to June 2025</u> (accessed 19 September 2025)

²⁵³ Building the homes we need HCWS48, 30 July 2024

²⁵⁴ HM Treasury, <u>Fixing the foundations: Public spending audit 2024–25</u> (July 2024), CP 1133, para 11

- 135. The housing sector has been calling for a long-term strategy to address the housing crisis in England for several years, ²⁵⁵ so sector representatives have welcomed the Government's announcement that it is developing one. Kate Henderson, Chief Executive of the National Housing Federation, told us that the Strategy needs to enable the social housing sector to plan ahead "10, 20 or 30 years" in order to deliver "system change and solve the housing crisis", with a focus on the housing outcomes the Government wants to deliver. ²⁵⁶ Ian Fletcher, then Head of Policy at the British Property Federation, emphasised the need for a "coherent strategy around the supply of capital" to set out how Government funding will support the delivery of 1.5 million homes across all tenures. ²⁵⁷
- **136.** However, we have heard concerns from some stakeholders that the Strategy risks being too broad in scope to tackle specific issues in housing policy effectively. Ministers have made commitments to address a wide range of housing policies in the Strategy, including, but not limited to:
 - how the Government will deliver 1.5 million new homes during this Parliament (including "more details" on the trajectory of annual housing supply);²⁵⁸
 - over-reliance on speculative development in the housing market;²⁵⁹
 - policies to support the community-led housing sector;²⁶⁰
 - Modern Methods of Construction (MMC);²⁶¹
 - housing for all age groups, including older people;²⁶²
 - rural homelessness;²⁶³ and
 - policies to support SME [Small and Medium-sized Enterprise] housebuilders and self-build developments.²⁶⁴

²⁵⁵ See, for example, National Housing Federation, A long-term plan for housing (accessed 1 August 2025); Chartered Institute for Housing, Homes at the Heart: a strategy for housing (September 2023)

²⁵⁶ Oral evidence taken on 14 January 2025, Q20 (Kate Henderson)

²⁵⁷ Oral evidence taken on 4 March 2025, Q31 (Ian Fletcher)

²⁵⁸ Oral evidence taken on 20 November 2024, Q10 (Matthew Pennycook MP)

^{259 &}lt;u>Q185</u> (Matthew Pennycook MP); Oral evidence taken on 20 November 2024, <u>Q12</u> (Matthew Pennycook MP)

²⁶⁰ Community Housing Fund UIN 12955, 6 November 2024

²⁶¹ Housing: Construction UIN 20794, 17 December 2024

²⁶² Sheltered Housing and Social Rented Housing: Older People UIN 25479, 21 January 2025

²⁶³ Homelessness: Rural Areas UIN 32064, 21 February 2025

²⁶⁴ Housing: Construction UIN 33612, 25 February 2025

- 137. Professor Julienne Meyer CBE, Chair of the Older People's Housing Taskforce—which was established by the previous Government to recommend policies to improve the choice, quality, and security of housing for older people—voiced her concern at the Government's plan to respond to the Taskforce's recommendations as part of the Long-Term Housing Strategy. She told us that she "fear[s] the focus [of the Long-Term Housing Strategy] will centre solely on the ambition to deliver 1.5 million new homes, rather than addressing the specific and growing needs of an older and more diverse population". 265
- **138.** When we put these concerns to the Minister for Housing and Planning, ²⁶⁶ he replied only that:

For obvious reasons, I am not in a position to detail how that strategy will deal with any specific issues, including older people's housing. Similarly, I am not in a position to provide the committee with a publication date for the strategy but we have been clear it will be released later this year.²⁶⁷

139. CONCLUSION

The housing sector is eagerly awaiting the Government's Long-Term Housing Strategy, which it first announced in July 2024. Originally, this was to be published alongside the Spending Review in spring 2025. The continuing lack of a cohesive plan to deliver 1.5 million new homes has left the sector in the dark. We are also deeply disappointed that the Government has been unwilling to engage with us on the development of the Strategy, or provide any updates on its delayed publication, other than to tell us that it will be published "later this year".

140. CONCLUSION

Sector representatives have expressed doubt as to whether the target will be achievable by July 2029, and Ministers have themselves described the 1.5 million target as "stretching" and "hugely ambitious". The Government was right to set an ambitious target, but this must be supported with a clear Strategy to meet that target. Further delays to the Strategy risk jeopardising the Ministry's headline policy objective.

²⁶⁵ Written evidence received for the Committee's one-off session on Housing for Older People, Professor Julienne Meyer (HOPO002)

²⁶⁶ Letter from the Chair to the Minister of State for Housing and Planning regarding housing for older people, 21 July 2025

²⁶⁷ Letter from the Minister of State for Housing and Planning to the Chair regarding housing for older people, 29 August 2025

141. CONCLUSION

The Government can only begin to make significant progress towards its 1.5 million target once the sum of local housing need targets in Local Plans add up to that figure. Whilst the Government's reforms to the National Planning Policy Framework seek to plan for approximately 370,000 new homes per year, local authorities will take several years to transition to this national annual target, as the currently Local Plans take seven years to produce and adopt on average. The Government has stated its ambition to introduce a 30-month plan-making timeline, but the relevant provisions in the Levelling-up and Regeneration Act 2023 to speed up plan-making have still not been implemented.

142. RECOMMENDATION

The Government must immediately bring forward its Long-Term Housing Strategy without further delay. It must set out an ambitious, comprehensive, and achievable set of policies that will deliver 1.5 million new homes by July 2029. The Strategy must prioritise implementing reforms to the plan-making system to move towards a 30-month timeline. The Strategy document must include an annex to provide the Ministry's assessment of how many net additional dwellings each policy change will contribute towards annual housing supply, adding up to 1.5 million new homes over the five-year Parliament. If the Ministry is unable to supply this, the Government must make an oral statement to the House to confirm how many new homes it will deliver by the end this Parliament.

7 Epilogue

143. On 15 October 2025, as we were finalising our Report for this inquiry, Vicky Spratt, housing correspondent for the i paper, reported that:

Housing Secretary Steve Reed and London Mayor Sadiq Khan have held talks over an "emergency reduction" to the Greater London Authority (GLA) target for developers to allocate 35 per cent of new homes as affordable housing [...] A memo from Government housing officials shows the target could be slashed to 20 per cent—of which developers will have to pay for 10 per cent, while the other 10 per cent will come from councils. An announcement is expected as early as next week [week commencing 20 October 2025].²⁶⁸

The article also reported that ministers in MHCLG have also "explored whether to axe Community Infrastructure Levy (CIL) payments to local authorities" to address concerns about development viability.²⁶⁹

144. A spokesperson for MHCLG responded to the unconfirmed report that ministers are "urgently working on a building acceleration package to move to the next phase of reforms to get Britain building, and will work with the Mayor of London to unlock housebuilding in the capital". ²⁷⁰

The i paper, Leaked memo reveals Labour plan to slash affordable homes target (accessed 17 October 2025). Also see, for example: Financial Times, London set to loosen planning rules in drive to boost housebuilding (accessed 17 October 2025); Financial Times, London considers lowering affordable homes target to spur house building (accessed 17 October 2025); London Standard, London developers told: Affordable homes target cut won't last forever (accessed 17 October 2025); The Guardian, London developers to be allowed to reduce percentage of affordable homes (accessed 17 October 2025)

The i paper, Leaked memo reveals Labour plan to slash affordable homes target (accessed 17 October 2025)

²⁷⁰ The i paper, <u>Leaked memo reveals Labour plan to slash affordable homes target</u> (accessed 17 October 2025)

145. In its written evidence to our inquiry, the Greater London Authority told us that:

- the Mayor does not advocate for a wholesale redesign of approaches to LVC [land value capture];
- the [35% threshold approach] has been demonstrably effective in delivering higher levels of affordable housing and speeding up the planning process. Residential approvals and completions also increased in London following the introduction of the threshold approach; and
- reductions in affordable housing requirements can result in inflated land values and/or developer returns ('value leakage') and slow down delivery.²⁷¹

146. CONCLUSION

We are seriously concerned by media reports that London's affordable housing target could be cut. Whilst the 1.5 million national target cannot be met without a significant increase in housing supply in London, a significant proportion of those new homes must be affordable to local people. During our inquiry we heard that London's model of affordable housing targets, and a 'fast-track' viability route, is one which should be replicated across England, to provide certainty to developers and deliver more affordable housing. The Greater London Authority itself told us that reductions in affordable housing requirements can result in inflated land values and/or developer returns and slow down delivery.

147. CONCLUSION

We are also concerned to hear that the Secretary of State may be considering suspending local authorities' powers to charge the Community Infrastructure Levy to address concerns about development viability. None of the evidence to our inquiry—including from representatives of developers—advocated abolishing CIL entirely as a means of addressing viability concerns. On the contrary, we heard that the Government should reform CIL to extend its coverage where it is viable. CIL is an effective tool to support infrastructure funding and unlock housing development in the local authorities where it is charged.

²⁷¹ Greater London Authority (HLV0051)

148. RECOMMENDATION

The Ministry must continue its work with the Greater London Authority to deliver an acceleration package, so that London boroughs are delivering housing in line with their local housing need targets. In response to this Report, the Ministry must provide its assessment of how changes to London's affordable housing target may deliver more affordable housing units, by increasing the number of new homes built overall. Any reduction to London's affordable housing target must be accompanied by a clawback mechanism to ensure developers return a portion of their profits to the local authority, ringfenced for affordable housing delivery, if a development surpasses an agreed benchmark profit. If London's affordable housing target is reduced and the number of affordable housing units delivered declines, the Ministry and the Greater London Authority must commit to reinstating the 35% target.

Conclusions and recommendations

Scope for land value capture

- 1. There is scope to reform the current system of developer contributions in England to capture a greater proportion of land value uplifts from development to deliver affordable housing and public infrastructure. There is a compelling case for such reforms—especially in the context of a deepening housing crisis and with public finances currently under strain. However, a radical departure from the Section 106/Community Infrastructure Levy (CIL) regime, which currently constitute the existing mechanisms of land value capture in England, would risk a detrimental impact on the supply of land in the short-term. We recognise that this would be disruptive to the Government's housebuilding agenda. (Conclusion, Paragraph 26)
- 2. Reforms to land value capture should be iterative, starting with improvements to existing mechanisms. Therefore, the Government must immediately pursue the reforms to Section 106 and CIL outlined in the chapters below. These reforms must optimise the system's capacity to capture land value uplifts and deliver infrastructure and affordable housing—particularly homes for Social Rent—in line with the Government's wider policy ambitions. The Government must also trial additional mechanisms of land value capture in areas where there are significant uplifts in land value which current mechanisms may not capture effectively. Specifically, the New Towns programme discussed in Chapter 5 presents a vital opportunity to test new ways of financing infrastructure delivery on large developments and learn lessons for future reforms. (Recommendation, Paragraph 27)
- 3. Any reforms to land value capture should also be considerate of the wider tax system, to balance public needs and equitable charges on development. To support this work, the Government should publish updated land value estimates, which were last published in August 2020. If the Government does not intend to do so, it must explain why it no longer publishes this data. (Recommendation, Paragraph 28)

Reforms to Section 106 agreements

- 4. There is a strong case for the introduction of template clauses for aspects of Section 106 agreements across England, as was recommended by the National Audit Office and others. Templates would allow local authorities to focus negotiations on site-specific factors rather than legal wordings. Template clauses would also allow for greater standardisation and clarity of requirements across all local authorities, and in turn reduce the workload of local authorities and Small and Medium-sized Enterprise developers. (Conclusion, Paragraph 36)
- 5. As part of the site thresholds consultation that will take place later this year, the Ministry must seek views on how standardised Section 106 templates could most effectively streamline the negotiation process across sites of all sizes. Based on the consultation responses, the Ministry must work with the Planning Advisory Service to develop a suite of Section 106 template clauses and publish these within six months of the consultation closing. Alongside their publication, the Ministry must also update its guidance to local authorities on Planning Obligations to encourage local authorities to adopt these template clauses. (Recommendation, Paragraph 37)
- Local planning authorities across England are frequently under-resourced 6. and stretched to deliver on local priorities. The Government's funding for 300 new planning officers demonstrates that it recognises this problem, but this announcement equates to less than one planning officer on average for each local authority in England. At the same time, the Government is restricting access to apprenticeships to train the next generation of public sector planners, despite the Government's ambition for more young people to pursue degree-level apprenticeships. The establishment of Strategic Authorities and the reintroduction of strategic planning in England is an opportunity to address these resourcing challenges. The Government must ensure that all levels of local government are collaborating effectively on shared planning matters. The private sector stands to benefit from a better resourced and more streamlined planning system, so developers should also make an additional contribution towards the staffing of Strategic Authorities. (Conclusion, Paragraph 47)
- 7. The Government must take a more strategic approach to boost the skills and capacity of local planning authorities, starting with reinstating access to funded Level 7 planning apprenticeships for students over the age of 21. The Government must invest in dedicated planning officers for Strategic Authorities and set out its plans for doing so in response to this Report. Each Strategic Authority planning team should include specialist planning skills units to support local authorities, to allow for more effective resource sharing between authorities. This must include a Section 106

- support service in each Strategic Authority, with a remit to share expertise and advise local planning authorities on Section 106 negotiations. (Recommendation, Paragraph 48)
- 8. Once the Planning and Infrastructure Bill receives Royal Assent, the Secretary of State must make regulations to allow local planning authorities to take into account the cost of local and regional plan-making when calculating local planning fees. Local planning authorities and Strategic Authorities should be allowed to spend these contributions from planning fees on staffing and resources to deliver their core functions and improve local plan coverage. (Recommendation, Paragraph 49)
- 9. Local planning authorities across England have expressed concern that protracted Section 106 negotiations are causing delays to housing delivery. Drawn out negotiations do not benefit public outcomes and cause undue delays to development, which may impede the Government's housebuilding ambitions. Whilst we recognise the Minister for Housing and Planning's concerns that introducing a dispute resolution scheme may add complexity to the system, we believe the potential benefits to affordable housing delivery and unlocking stalled development outweigh this risk. (Conclusion, Paragraph 54)
- 10. The Government should introduce a statutory Section 106 dispute resolution scheme, under the provisions of the Housing and Planning Act 2016. If the Government does not intend to pursue this, it should set out a detailed explanation as to why the Ministry has chosen not to implement the provision legislated for by Parliament in the 2016 Act. This should include setting out any specific technical or legal barriers to implementation which the Ministry has identified. (Recommendation, Paragraph 55)

Viability assessments

11. Too often, site-specific viability assessments are used by developers to negotiate down affordable housing requirements in circumstances where this is completely unjustifiable. Affordable housing contributions are frequently the first provision to be cut following a viability assessment, even where a developer may be making other significant contributions through Section 106 agreements and CIL. In areas with high land values, viability assessments should only be used in this way in very exceptional circumstances. Currently, not all local authorities have their affordable housing requirements clearly set out in local policy. Greater clarity from local authorities would provide developers with the right incentives to avoid lengthy viability negotiations, and ensure more applications are meeting local affordable housing requirements from the outset. (Conclusion, Paragraph 70)

- As part of its ongoing review of the viability planning practice guidance, the 12. Government must consider how different types of developer contribution could be re-negotiated following a viability assessment, to protect affordable housing contributions. The Government must also update national policy to encourage all local authorities to set a minimum percentage target for affordable housing in their Local Plan for all major developments that include housing. This figure should be based on a local need assessment for affordable housing in each local authority, with particular regard for the local need for Social Rent homes. Local authorities should be encouraged to offer a 'fast-track route' for developments which meet the local affordable housing target, by making those developments exempt from detailed viability assessments and re-assessments later in the development process. This would encourage developments with a high percentage of affordable housing and speed up the delivery of housing of all tenures. (Recommendation, Paragraph 71)
- 13. The Government must continue to develop its proposal to publish indicative benchmark land values to inform viability assessments on Green Belt land across England. The Government must publish different benchmark land values for each region of England, to reflect variation in land values. The Government must also ensure that the viability planning practice guidance contains clear advice on the "local material considerations" that would warrant local adjustments. The Government should continually review the effectiveness of the policy and consider how it may be extended to development on land that is not in the Green Belt. (Recommendation, Paragraph 72)

Reforms to the Community Infrastructure Levy

- 14. Around half of local planning authorities have adopted CIL, and its uptake has remained broadly unchanged for several years. There has been little progress towards addressing the complex patchwork of CIL coverage and charging schedules across England in the years since the 2016 CIL Review Group report. This complexity is further exacerbated by a lack of transparency of coverage, as the Government does not publish regular data on which local authorities are charging CIL and at what rates. It is likely that the Ministry already holds this data centrally. (Conclusion, Paragraph 79)
- 15. The Ministry must publish an interactive map of CIL coverage on its website, updated quarterly to include the rates charged in each local authority in England. Publishing a national map would support the housing sector to navigate different charging schedules across local authorities; would enable greater public scrutiny of the variations between local planning

- authorities; and would allow the Government to demonstrate how any future reforms to CIL are improving coverage and infrastructure outcomes. (Recommendation, Paragraph 80)
- 16. Currently, stretched local planning authorities are likely to focus their limited staffing and resources on affordable housing delivery as a priority, rather than establishing and administering CIL, even where CIL may be financially viable. The reintroduction of strategic planning in England presents an opportunity for greater co-operation between local authorities, including by pooling CIL receipts to deliver larger infrastructure projects. This collaboration may also encourage more local authorities to establish CIL charging schedules across a wider area, and thus improve CIL coverage. This adds to the case that the Government must invest in dedicated planning officers for the new Strategic Authorities. (Conclusion, Paragraph 87)
- 17. It is important that existing local communities and new residents see the benefits of development, with new local and regional infrastructure being delivered alongside housing. This is especially the case when local authorities choose to pool CIL receipts to deliver large infrastructure projects. Whilst the Government should encourage local authorities to deliver strategic infrastructure using CIL receipts where appropriate, it must provide support for all local authorities to publish Infrastructure Funding Statements (IFSs) annually, to ensure residents can see how CIL receipts are spent. Local planning authorities must also ensure their IFS considers plans for public sector investment in infrastructure, including from borough and county councils, alongside new major developments. (Conclusion, Paragraph 88)
- 18. The Ministry must review its guidance to local authorities on IFSs, to ensure all local authorities have a clear, up-to-date IFS which sets out how CIL receipts will be used locally, and when they will be pooled to deliver larger infrastructure projects. The Ministry should also publish local authorities' IFSs on the national map of CIL coverage, to collate this information and ensure all local authorities have an up-to-date IFS, as required by legislation. (Recommendation, Paragraph 89)

New Towns

19. The Government's New Towns programme is likely to require billions of pounds of public and private investment over several decades, including millions from HM Treasury to establish development corporations during this Parliament. The Government has not yet set out where this funding will

- come from. It is likely that many of the locations where new settlements are planned will require significant upfront infrastructure investment to support new communities. (Conclusion, Paragraph 102)
- 20. Whilst the Government's plan to allow all mayors of strategic authorities to charge Mayoral CIL is a welcome step towards greater fiscal devolution, the Government must go further to support local leaders with revenue raising powers to deliver infrastructure and housing. In particular, the Government should enable greater use of Tax Increment Financing—a model which has delivered successfully in London—to fund infrastructure in cities and in New Towns. (Recommendation, Paragraph 103)
- 21. There is significant potential to use land value capture as part of funding the proposed New Towns, especially on green field sites. However, we are concerned that the Government has announced substantial detail of the 12 potential sites without a planning policy to protect land value, contrary to the recommendation of the New Towns Taskforce. It appears that the Government has not yet established any delivery body to purchase land or enter agreements with landowners, which risks allowing developers considerable time to acquire sites for speculative development and immediately push up land values. The Taskforce said that, in the worst-case scenario, this could "jeopardise New Town plans". (Conclusion, Paragraph 112)
- 22. The Government must immediately conduct an analysis of Existing Use Values (EUV) on each of the 12 sites to maximise the capture of future land value uplifts, and develop plans for using appropriate mechanisms for land value capture on each site. This must include the option of development corporations using Compulsory Purchase Orders to assemble land where ownership is fragmented or negotiations stall. The Government must ensure arrangements for the purchase of land on New Towns sites are in place before it announces its final decision on locations by spring 2026. (Recommendation, Paragraph 113)
- 23. We welcome that the Government has stated its preference for New Towns to be delivered through development corporations with powers of land assembly, under a similar model to the 20th century new towns. However, the Government has not yet announced any new direct funding for the New Towns programme, and has so far indicated that it will rely primarily on private financing from institutional investors. If the Government is to realise the full potential of the development corporation model, it must ensure they have access to their own capital funding to build infrastructure to unlock housing development. Whilst we welcome the Taskforce's recommendation for a minimum target of 40% affordable housing of which at least half should be for Social Rent, this must not restrict development corporations

- from using land value capture mechanisms to negotiate a greater contribution of Social Rent homes on sites where this is financially viable. (Conclusion, Paragraph 114)
- 24. At the Autumn Budget 2025, the Government must announce new funding to establish the development corporations, so they can commence land acquisition on the first sites without delay, and complete this work by spring 2026. The development corporations must be mandated to prioritise the delivery of homes for Social Rent within the 40% affordable homes requirement, rather than other types of affordable housing. Development corporations must be granted comprehensive planning powers and access to capital funding to fulfil this objective. (Recommendation, Paragraph 115)
- 25. The Ministry is right to prioritise New Towns which have the greatest potential to boost housing supply in the short-term, but its plan to "get spades in the ground on at least three new towns in this Parliament" does not match the scale of the Government's housebuilding ambition. The New Towns programme can and must make a contribution towards increasing housing supply during this Parliament. (Conclusion, Paragraph 116)
- 26. The Government must immediately clarify how housing delivery in New Towns will interact with local authority housing need targets. In its final response in spring 2026, the Government must include a roadmap for the New Towns programme, to show when each development corporation will be established, when development will commence on each site, and the estimated development timeline for each New Town. (Recommendation, Paragraph 117)
- 27. For decades, there has been a perception that HM Treasury's investment decisions have benefitted some parts of England at the expense of others. We therefore welcome HM Treasury's Green Book reforms to introduce place-based business cases, which will change how costs and benefits are assessed for major housing and infrastructure investments. However, it is concerning that the Government has not yet launched its pilot projects under the new model, which is due to be implemented nationally in spring 2026. (Conclusion, Paragraph 121)
- 28. In response to this Report, the Government must provide a timeline for when it will launch its pilot projects using place-based business cases, and when the new model will be rolled out nationally. It must also set out how it will ensure the Green Book reforms will see the benefits of the New Towns programme realised across England, including in regions with lower potential land value uplifts. (Recommendation, Paragraph 122)

Delivering 1.5 million new homes

- 29. The housing sector is eagerly awaiting the Government's Long-Term Housing Strategy, which it first announced in July 2024. Originally, this was to be published alongside the Spending Review in spring 2025. The continuing lack of a cohesive plan to deliver 1.5 million new homes has left the sector in the dark. We are also deeply disappointed that the Government has been unwilling to engage with us on the development of the Strategy, or provide any updates on its delayed publication, other than to tell us that it will be published "later this year". (Conclusion, Paragraph 140)
- 30. Sector representatives have expressed doubt as to whether the target will be achievable by July 2029, and Ministers have themselves described the 1.5 million target as "stretching" and "hugely ambitious". The Government was right to set an ambitious target, but this must be supported with a clear Strategy to meet that target. Further delays to the Strategy risk jeopardising the Ministry's headline policy objective. (Conclusion, Paragraph 141)
- 31. The Government can only begin to make significant progress towards its 1.5 million target once the sum of local housing need targets in Local Plans add up to that figure. Whilst the Government's reforms to the National Planning Policy Framework seek to plan for approximately 370,000 new homes per year, local authorities will take several years to transition to this national annual target, as the currently Local Plans take seven years to produce and adopt on average. The Government has stated its ambition to introduce a 30-month plan-making timeline, but the relevant provisions in the Levelling-up and Regeneration Act 2023 to speed up plan-making have still not been implemented. (Conclusion, Paragraph 142)
- 32. The Government must immediately bring forward its Long-Term Housing Strategy without further delay. It must set out an ambitious, comprehensive, and achievable set of policies that will deliver 1.5 million new homes by July 2029. The Strategy must prioritise implementing reforms to the plan-making system to move towards a 30-month timeline. The Strategy document must include an annex to provide the Ministry's assessment of how many net additional dwellings each policy change will contribute towards annual housing supply, adding up to 1.5 million new homes over the five-year Parliament. If the Ministry is unable to supply this, the Government must make an oral statement to the House to confirm how many new homes it will deliver by the end this Parliament. (Recommendation, Paragraph 143)

Epilogue

- 33. We are seriously concerned by media reports that London's affordable housing target could be cut. Whilst the 1.5 million national target cannot be met without a significant increase in housing supply in London, a significant proportion of those new homes must be affordable to local people. During our inquiry we heard that London's model of affordable housing targets, and a 'fast-track' viability route, is one which should be replicated across England, to provide certainty to developers and deliver more affordable housing. The Greater London Authority itself told us that reductions in affordable housing requirements can result in inflated land values and/or developer returns and slow down delivery. (Conclusion, Paragraph 147)
- 34. We are also concerned to hear that the Secretary of State may be considering suspending local authorities' powers to charge the Community Infrastructure Levy to address concerns about development viability. None of the evidence to our inquiry—including from representatives of developers—advocated abolishing CIL entirely as a means of addressing viability concerns. On the contrary, we heard that the Government should reform CIL to extend its coverage where it is viable. CIL is an effective tool to support infrastructure funding and unlock housing development in the local authorities where it is charged. (Conclusion, Paragraph 148)
- 35. The Ministry must continue its work with the Greater London Authority to deliver an acceleration package, so that London boroughs are delivering housing in line with their local housing need targets. In response to this Report, the Ministry must provide its assessment of how changes to London's affordable housing target may deliver more affordable housing units, by increasing the number of new homes built overall. Any reduction to London's affordable housing target must be accompanied by a clawback mechanism to ensure developers return a portion of their profits to the local authority, ringfenced for affordable housing delivery, if a development surpasses an agreed benchmark profit. If London's affordable housing target is reduced and the number of affordable housing units delivered declines, the Ministry and the Greater London Authority must commit to reinstating the 35% target. (Recommendation, Paragraph 149)

Annex: Private roundtable with academics

On 19 March 2025, we held a private roundtable session with academics in Westminster. The purpose of this roundtable was to hear from subject experts from universities across the UK at the start of our inquiry. Participants delivered presentations of their research on past attempts at land value capture and potential policy options for future reform, and took questions from Committee members. We are grateful to the following academics for sharing their expertise with us:

- Professor Richard Dunning, Committee Specialist Adviser on land value capture and Professor of Land Economy and Housing, University of Liverpool;
- Dr Edward Shepherd, Senior Lecturer in Planning and Development at the School of Geography and Planning, Cardiff University;
- Professor Pat McAllister, Professor of Real Estate, University of Reading;
- Dr Sarah Payne, Lecturer in Real Estate, University of Sheffield; and
- Professor Nick Gallent, Professor of Housing and Planning, University College London.
- **a.** Below is a summary of our discussions during the roundtable session.

Introduction to land value capture and key issues (Professor Richard Dunning)

Professor Richard Dunning outlined the objectives of land value capture policies, and provided a brief history of reforms during the 20th century to the present day. He explained how land value increases are captured through the current system of developer contributions (Section 106 and CIL), and how these policies operate as part of the property tax system and wider taxation. He also shared research on how much value is captured through these mechanisms. In 2019, this value was around £7 billion in agreed contributions, though a lower value may have been delivered. He described the main debates on alternative approaches to land value capture,

distinguishing between predictive approaches (designating where/how land values change) and responsive approaches (allowing the market to determine geography/occurrence).

Politics of reforming land value capture (Dr Edward Shepherd)

Dr Edward Shepherd's presentation emphasised the importance of power structures in shaping the dynamics of housing delivery and land value capture. He set out how the competing interests of actors in the housing market—including landowners, volume housebuilders, trade bodies, and local authorities—have shaped and limited the current system of land value capture through political compromises. He argued that the current Section 106 and CIL regime attempts to serve "multiple poorly defined objectives" and is therefore currently falling short of public expectations. Dr Shepherd argued for more ambitious land value capture policy reform shaped by clearly articulated political objectives oriented towards the redistribution of land wealth. However, he noted that the scope for such reform is constrained by actors in the housing market.

Benchmark Land Values and viability (Professor Pat McAllister)

Professor Pat McAllister explained how Benchmark Land Values (BLVs) are set and used for the purpose of viability assessments. He told us that existing guidance on BLVs has proved to be "ambiguous and difficult to operationalise", particularly as it does not recommend a percentage of gross development value which may be considered a suitable return for landowners—only that they should see "a reasonable incentive [...] to bring land forward for development". He also highlighted the need for better publicly accessible information on land transaction prices across England, as the financial appraisals used to set and apply BLVs "tend to be prone to uncertainty, bias and dispute".

Developers' motivations (Dr Sarah Payne)

Dr Sarah Payne's presentation focussed on the attitudes and behaviours of land promoters, landowners, and developers towards land value capture policies in England. She emphasised that most developers are concerned with Return on Capital Employed (ROCE), rather than gross profit alone, as this enables a clearer comparison of sites and alternative lower risk investments. She set out that speculative housebuilders strategies are primarily concerned with derisking land acquisition and cost minimisation through construction efficiency, which would shape their response to any changes to land value capture policies. She contended that developers would likely consider such reforms to be an "abnormal cost" and pass costs on to landowners, as housebuilders expect homogeneity in their margin.

Rural perspectives (Professor Nick Gallent)

Professor Nick Gallent explained how uplifts in land values in rural areas often impede affordable housing delivery, and outlined how Rural Exception Sites (RES)—small sites used for affordable housing in perpetuity—could be used more effectively to deliver affordable schemes. He set out how local authorities might attach expected 'land price ceilings' to RES policies (above which schemes might not qualify as exceptions) or be granted streamlined powers of compulsory purchase, enabling the acquisition of sites at close to Existing Use Value where a negotiated price below the ceiling could not be agreed. He shared some case study examples where viable exception schemes on RESs had been delivered with a land value of £10,000-£15,000 per plot. He also described the resourcing and skills shortages challenges in some local authorities and housing associations, which has resulted in uneven use of RESs across England.

Formal Minutes

Tuesday 21 October 2025

Members present:

Florence Eshalomi, in the Chair

Mr Will Forster

Andrew Lewin

Mr Gagan Mohindra

Sarah Smith

Delivering 1.5 million new homes: Land Value Capture

Draft Report (*Delivering 1.5 million new homes: Land Value Capture*), proposed by the Chair, brought up and read.

Ordered, That the draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 148 read and agreed to.

Annex and Summary agreed to.

Resolved, That the Report be the third Report of the Committee to the House.

Ordered, That the Chair make the Report to the House.

Ordered, That embargoed copies of the Report be made available, in accordance with the provisions of Standing Order No. 134.

Adjournment

Adjourned till Tuesday 28 October at 9.30am.

Witnesses

The following witnesses gave evidence. Transcripts can be viewed on the inquiry publications page of the Committee's website.

Wednesday 23 April 2025

Maurice Lange, Analyst, Centre for Cities; John Kavanagh, Programme
Director, Infrastructure, BusinessLDN; Chris Whitehouse, Technical
Director, WSP; Dr Thomas Aubrey, Senior Visiting Fellow, London School
of Economics

Q1-28

Dr Hugh Ellis, Director of Policy, Town and Country Planning Association; **Jeremy Aston**, Member of expert P&D group, Royal Institution of Chartered Surveyors (RICS); **Anna Hart**, Corporate Finance Senior Manager, Transport for London; **Tom Kennedy**, Senior Policy and Research Manager, Northern Housing Consortium

Tuesday 10 June 2025

Robbie Calvert, Head of Policy, Royal Town Planning Institute; Councillor Richard Clewer, Housing and Planning Spokesperson, County Councils Network; Will Jeffwitz, Head of Policy, National Housing Federation;

Melanie Leech CBE, Chief Executive, British Property Federation

Q49-82

Avril Roberts, Senior Property and Business Policy Adviser, Country Land and Business Association; **Paul Brocklehurst**, Chairman, Land, Planning and Development Federation; **Emily Williams**, Director – Residential Research, Savills UK Limited Q83-96

Tuesday 15 July 2025

Matthew Pennycook MP, Minister of State for Housing and Planning,
Ministry of Housing, Communities and Local Government; Joanna Key,
Director General; Regeneration, Housing and Planning, Ministry of Housing,
Communities and Local Government; William Burgon, Director; Planning
Reform and Housing Quality, Ministry of Housing, Communities and
Local Government

Q97-185

Published written evidence

The following written evidence was received and can be viewed on the inquiry publications page of the Committee's website.

HLV numbers are generated by the evidence processing system and so may not be complete. HLV0020 1 Aubrey, Dr Thomas HLV0007 2 **Aurora Properties Limited** HLV0031 3 **British Property Federation** HLV0024 4 **BusinessLDN** HLV0048 Centre for Cities 5 HLV0049 6 **Chartered Institute of Housing** HLV0019 7 Cobden, Mr Andrew (Director, Stone Hall Real Estate Limited) HLV0029 8 Compulsory Purchase Association HLV0039 **Construction Industry Training Board** 9 HLV0009 Country Land and Business Association (CLA) 10 HLV0032 **County Councils Network** 11 HLV0030 12 **Epilepsy Society** HLV0022 Fiddaman, Paul (Group Chief Executive, Karbon Homes) 13 HLV0025 G15; and L&Q 14 HLV0023 Gibson, Miles 15 HLV0044 16 Gladman Developments HLV0018 17 **Greater London Authority** HLV0051 Harworth Group PLC 18 **HLV0037** Home Builders Federation 19 HLV0042 20 **Keepmoat Homes** HLV0035 **Labour Land Campaign** 21 HLV0015 22 Lake, Mike HLV0001 Land, Planning and Development Federation 23 HLV0034 24 Law, Mr Henry HLV0004 **London Councils** 25 HLV0026

26	Ministry of Housing, Communities and Local Government	HLV0050
27	Muellbauer, Professor John	HLV0046
28	National Housing Federation	HLV0010
29	Northern Housing Consortium	HLV0045
30	Penny, Rupe	HLV0005
31	Places for People	HLV0011
32	Plan Research	HLV0021
33	RICS	HLV0047
34	Randall, Ed	HLV0055
35	Reilly, Mr Peter	HLV0043
36	Robert Hitchins Limited	HLV0016
37	Royal Institute of British Architects (RIBA)	HLV0053
38	Royal Town Planning Institute	HLV0028
39	Savills UK Limited	HLV0036
40	Scharf, Mr Daniel (Planning Consultant, PfT Planning)	HLV0002
41	Shepherd, Dr Edward (Senior Lecturer in Planning and Development, Cardiff University)	HLV0041
42	Southern Housing	HLV0013
43	Stafford Borough Council	HLV0027
44	Sullivan, Philip	HLV0057
45	The Housing Forum	HLV0008
46	Thanos, Dr Sotirios (Associate Professor in Real Estate and Urban Economics, The University of Manchester); Dr Eero Valtonen (Lecturer in Real Estate, The University of Manchester); and Professor Anupam Nanda (Professor of Urban Economics and Real Estate, The University of Manchester)	
47	Town and Country Planning Association	HLV0014
48	Transport for London	HLV0052
49	Vickers, Cllr Dr Tony	HLV0054
50	Vistry Group	HLV0012
51	WSP UK Ltd	HLV0038
52	Welbeck Land	HLV0056
53	Wetzel, Heather	HLV0006
54	Woodward-Fisher, Mr William (Director, WRWF Ltd)	HLV0003

List of Reports from the Committee during the current Parliament

All publications from the Committee are available on the <u>publications page</u> of the Committee's website.

Session 2024-26

Number	Title	Reference
2nd	The Funding and Sustainability of Local	HC 514
	Government Finance	
1st	England's Homeless Children: The crisis in	HC 338
	temporary accommodation	
5th	The Funding and Sustainability of Local	HC 1355
Special	Government Finance: Government Response	
4th	England's Homeless Children: The Crisis in	HC 979
Special	Temporary Accommodation: Government	
	Response	
3rd	The Finances and Sustainability of the Social	HC 762
Special	Housing Sector: Government Response	
2nd	Disabled People in the Housing Sector:	HC 761
Special	Government Response	
1st	The finances and sustainability of the social	HC 457
Special	housing sector: Regulator of Social Housing	
	response	