



Real Estate UK   
Horizon Scanner

Summer 2025

**Consultations**

The following consultations are currently in progress, or have recently closed

| Consultation | Detail | Closing Date | HL articles |
| --- | --- | --- | --- |
| **Building Safety Levy** | The Building Safety Act 2022 gave the government the power to impose a building safety levy on new residential buildings requiring certain building control approvals.  The government’s technical response to a consultation on the levy was published in March 2025. Regulations imposing the levy are anticipated in Autumn 2026. |  | Please see our new Building Safety hub:  [Building Safety Act Hub](https://www.hoganlovells.com/en/publications/building-safety-act-hub) |
| **Law Commission consultation on Landlord and Tenant Act 1954** | The government has commissioned a Law Commission review of the Landlord and Tenant Act 1954, and security of tenure provisions for business leases.    The Law Commission published an interim statement on the direction of reform on 4 June 2025 indicating that:   * a contracting-out model of security of tenure will be retained; * the list of excluded tenancies will remain as it is; * tenancies of under 2 years (rather than the current 6 months) will be excluded from the Act.   The Law Commission’s second consultation paper will focus on the technical detail of how the 1954 Act might be reformed, including the contracting-out procedure. | The Law Commission’s first Consultation Paper was published on 19 November 2024 setting out possible models for security of tenure and changing the scope of the 1954 Act.  The consultation, and an accompanying survey, closed on 19 February 2025.  The Law Commission published an interim statement on direction of reform on 4 June 2025.  We are awaiting the Law Commission’s second technical consultation paper. | [UK Landlord and Tenant Act 1954: what might reform look like? - Hogan Lovells Engage](https://www.engage.hoganlovells.com/knowledgeservices/news/uk-landlord-and-tenant-act-1954-what-might-reform-look-like) |
| **Consultation on the EPC regime** | A consultation on reforms to the EPC regime was launched on 4 December 2024, which was open until 26 February 2025. This does not consider new minimum ratings by 2030 but focuses on how energy efficiency and environmental impact are assessed, how long EPCs should be valid for, proposes that an EPC must be in place throughout the term of a lease, not just at commencement, and removal of the exemption for heritage buildings. | The consultation closed on 26 February 2025. | [The EPC reformation in England and Wales – changes on the horizon](https://www.hoganlovells.com/en/publications/the-epc-reformation-in-the-uk-changes-on-the-horizon) |
| **Consultation on Product Security and Telecommunications Infrastructure Act 2022** | The Department of Science, Innovation and Technology is seeking views on the Draft Regulations required to commence provisions regulating how rent is assessed for tenancy renewals involving telecommunications infrastructure. The consultation focuses on the transitional and saving provisions designed to ensure a smooth shift between legal regimes. | 2 July 2025 |  |
| **Consultation on improving the energy performance of privately rented homes** | On 7 February 2025 the government published a consultation on requiring all privately rented homes to achieve a minimum EPC rating of C by 2030 (and, for new lettings, by 2028). The current required EPC rating is E.  The consultation considers a number of ancillary provisions, including a £15,000 cap on the cost of improvements, and a potential exemption for landlords that have reached that cap. The consultation also considers the inclusion of short term lets (such as holiday rentals) within the scope of the minimum EPC rating. | The consultation closed on 2 May 2025 | [Changes to MEES for private rented homes in England and Wales](https://www.hoganlovells.com/en/publications/changes-to-mees-for-private-rented-homes-in-england-and-wales) |
| **Consultation on reforming the process for consenting Nationally Significant Infrastructure Projects** | On 26 January 2025, the government published 'Streamlining Infrastructure Planning'. The working paper invites views on action the government could take to streamline the development of critical infrastructure, in particular NSIPs.  The paper proposes various options, including:   * Reviewing national policy statements (NPSs) on a more regular basis and making them easier to update in the interim. * Making the role of consultation in the consenting process less burdensome. * Allowing for appropriate flexibility in the process to be applied to projects where merited. | Please refer to the section below on the Planning and Infrastructure Bill | <https://www.hoganlovells.com/en/publications/uk-infrastructure-planning-summer-roundup> |
| **English Devolution White Paper** | The government’s White Paper on devolution includes a number of provisions which could impact on planning and development, including:   * The government will create a new concept of “strategic authorities” and ensure the whole of England is covered by them; * All areas of England will have to produce "high level" strategic spatial plans by the end of this parliament; * The government will give strategic authorities environmental planning powers; and * Elected mayors across England will get new development management powers. |  |  |
| **Modernising planning committees** | On 9 December 2024, the Ministry of Housing, Communities and Local Government (MHCLG) published a working paper on modernising planning committees. This paper looks at how planning committees in England could be modernised and suggests the changes including:   * The introduction of a national scheme of delegation to provide a standardised and consistent approach to delegation of decisions. Three options and a hybrid option are set out for consideration. * Dedicated committees for strategic development. * Mandatory training for councillors before they can form part of a planning committee. | Please refer to the section below on the Planning and Infrastructure Bill |  |
| **Compulsory purchase reforms** | On 20 December 2024, the Law Commission published its latest consultation on compulsory purchase reforms. The Law Commission considers that the law of compulsory purchase in England and Wales is fragmented, hard to access and in need of modernisation. The consultation therefore seeks views on ways in which to simplify, consolidate and modernise the law. It also looks at technical changes that may be needed to make the law work better. | 31 March 2025  Please refer to the section below on the Planning and Infrastructure Bill |  |
| **Changes to Permitted Development Rights in Wales** | The consultation, which opened by the Welsh government on 8 April 2025, looks at Air Source Heat Pumps, off-street parking EV chargers, temporary camp sites, reverse vending machines, development by statutory undertakers (electricity), affordable housing and meanwhile uses specifically. | The consultation closes on 1 July 2025. |  |
| **New London Plan** | The Mayor of London has published a consultation on the London Plan, with the aim that a full draft plan be published in 2026.  The consultation document does not consider every aspect of the current London Plan but rather covers “key new ideas” such as the increased delivery of new homes, a strategic green belt review and the suggestion of a minimum height benchmark across London. | The consultation closes on 22 June 2025. |  |
| **Planning Reform Working Paper: Speeding Up Build Out** | On 25 May 2025 the government published a paper asking for views on how to speed up the house building process. The paper sets out some of the government’s proposals which include allowing local planning authorities to issue completion notices (without the Secretary of State) and the conditional confirmation of compulsory purchase orders (both introduced by the Levelling-up and Regeneration Act). The paper also suggests that there may be a further amendment to the National Planning Policy Framework later this year. |  |  |
| **Consultation on contractual controls on land** | This consultation considers the government’s plans to provide a more transparent picture of controls on land through the creation of a freely accessible dataset. Part 11 of the Levelling Up and Regeneration Act (LURA) gives the government the power to collect and publish information about “contractual control agreements” – meaning option agreements, pre-emption agreements, conditional contracts, and promotion agreements (but excluding overage and clawback agreements) – which are “*used to control land short of outright ownership*”.. The proposed regulations would require the grantee of a “contractual control agreement” which subsists for more than 12 months entered into from 6 April 2021 onwards to provide information digitally about the agreement. | Consultation closed on 20 March 2024 and its findings are awaited. |  |
| **Consultation on transparency of land ownership involving trusts** | The consultation seeks views on the government’s aim of increasing transparency of land ownership involving trusts, including widening access to trust information held on the Register of Overseas Entities. To help inform decisions on balancing the making of information available and legitimate concerns in sharing that information publicly, the consultation seeks views on what data would be most useful and why. | Consultation closed on 21 February 2024 and its findings are awaited. |  |

**New and pending legislation and crucial cases**

This covers future legislation where: a Bill has been drafted and is passing through parliament; a forthcoming change in law; and recent changes that have come into effect as well as key cases.

| Legislation | Detail | Date | HL articles |
| --- | --- | --- | --- |
| Renters’ Rights Bill | The Renters’ Rights Bill has passed through the House of Commons and is currently at report stage in the House of Lords. The government aims for the provisions in the Bill to come into force in Summer 2025.  The Renters’ Rights Bill as currently drafted:   * removes assured shorthold tenancies, replacing them with periodic tenancies; * abolishes section 21 “no fault” evictions and introduces new grounds for termination; * limits rent increases to once a year, and in line with market rent subject to tribunal challenge; * introduces anti-discrimination provisions and a decent homes standard; * introduces an ombudsman and private rented sector database; and * introduces anti-bidding war provisions. | N/A | [UK private rented sector: white paper published – Hogan Lovells Engage](https://www.engage.hoganlovells.com/knowledgeservices/news/uk-private-rented-sector-white-paper-published)  [UK Renters Reform Bill – big changes afoot in the private rented sector - Hogan Lovells Engage](https://www.engage.hoganlovells.com/knowledgeservices/news/uk-renters-reform-bill-big-changes-afoot-in-the-private-rented-sector)  [UK-renters-reform-bill-update](https://www.engage.hoganlovells.com/knowledgeservices/news/uk-renters-reform-bill-update)  [UK Renters Reform Bill: delayed subject to court reforms - Hogan Lovells Engage](https://www.engage.hoganlovells.com/knowledgeservices/news/uk-renters-reform-bill-delayed-subject-to-court-reforms/)  [The Renters' Rights Bill – What’s new?](https://www.hoganlovells.com/en/publications/the-renters-rights-bill-whats-new#:~:text=The%20bill%20does%20not%20introduce%20rent%20controls%2C%20but,and%20tenancies%20will%20not%20contain%20rent%20review%20clauses.) |
| Leasehold and Freehold Reform Act | The Leasehold and Freehold Reform Act (LAFRA) was passed on 24 May 2024, and makes changes including banning the sale of new leasehold houses (but not flats), increasing the standard lease extension terms, and removing the two year requirement to extend a lease/purchase the freehold.  Various changes to the Building Safety Act were also introduced through LAFRA, which came into force in July and October 2024.  Regulations removing the 2 year rule came into force on 31 January 2025 under the Leasehold and Freehold Reform Act 2024 (Commencement No. 2 and Transitional Provision) Regulations 2025. Previously leaseholders must have owned their property for at least 2 years before they could extend their lease or purchase their freehold.  The government had indicated changes to right to manage provisions would be implemented in early 2025 plus changes to service charge provisions.  The government intends to consult on the valuation rates used to calculate the cost of enfranchisement premiums in Summer 2025, and on implementing consumer protections against unfair charges in 2025. | Passed on 24 May 2024.  Removal of the two year rule came into force on 31 January 2025.  Further secondary legislation and consultations awaited to bring it into force, and to set out further detail. | [The Leasehold and Freehold Reform Bill – the “effective destruction of the leasehold system”? - Hogan Lovells Engage](https://www.engage.hoganlovells.com/knowledgeservices/news/uk-the-leasehold-and-freehold-reform-bill-the-effective-destruction-of-the-leasehold-system/)  [UK landlord and tenant: what does the upcoming election mean for leasehold reform? - Hogan Lovells Engage](https://www.engage.hoganlovells.com/knowledgeservices/news/uk-landlord-and-tenant-what-does-the-upcoming-election-mean-for-leasehold-reform/)  [The politics of housing: Changes to UK residential property law - beware the law of unintended consequences](https://www.hoganlovells.com/en/publications/the-politics-of-housing-changes-to-uk-residential-property-law-beware-the-law-of-unintended) |
| Leasehold and Commonhold Reform Bill | The government published a white paper on Commonhold on 4 March 2025, and indicated a new Leasehold and Commonhold Reform Bill will be published in the second half of 2025, including provisions banning new leasehold flats, changes to ground rents, removing forfeiture, and converting all existing leases to commonhold as the default tenure. | Leasehold and Commonhold Reform Bill expected in second half of 2025. | [UK Leasehold Reform: Commonhold is coming](https://www.hoganlovells.com/en/publications/uk-leasehold-reform-commonhold-is-coming) |
| Levelling-Up and Regeneration Act | Please see attached links for concise detail on key aspects of the Levelling-Up and Regeneration Act. This Act introduces wide-ranging reforms in a number of areas, including planning, environmental protection, local democracy and regeneration. | Received Royal Assent on 26 October 2023, but many provisions are not yet in force and are subject to further regulations.  The content of those regulations is subject to a government consultation, see links for details of the current government proposals.  The latest regulations were made on 18 March 2024 to bring a number of provisions in LURA 2023 into force on specified dates. | [Levelling-up and Regeneration Act 2023: UK government planning and environment reforms become law - Hogan Lovells Engage](https://www.engage.hoganlovells.com/knowledgeservices/news/levelling-up-and-regeneration-act-2023-uk-government-planning-and-environment-reforms-become-law)  [UK Levelling-up and Regeneration Bill – compulsory purchase power and the best of the rest – Hogan Lovells Engage](https://www.engage.hoganlovells.com/knowledgeservices/news/uk-levelling-up-and-regeneration-bill-compulsory-purchase-powers-and-the-best-of-the-rest)  [UK Levelling-up and Regeneration Bill – environmental outcome reports and heritage reforms – Hogan Lovells Engage](https://www.engage.hoganlovells.com/knowledgeservices/news/uk-levelling-up-and-regeneration-bill-environmental-outcome-reports-and-heritage-reforms)  [UK Levelling-up and Regeneration Bill – when things don't quite go to plan – Hogan Lovells Engage](https://www.engage.hoganlovells.com/knowledgeservices/news/uk-levelling-up-and-regeneration-bill-when-things-dont-quite-go-to-plan)  [UK Levelling-up and Regeneration Bill: IL, CIL and our old friend Section 106 – Hogan Lovells Engage](https://www.engage.hoganlovells.com/knowledgeservices/news/uk-levelling-up-and-regeneration-bill-il-cil-and-our-old-friend-section-106)  [Levelling-up and regenerating the English planning system – planning policy and "material" considerations – Hogan Lovells Engage](https://www.engage.hoganlovells.com/knowledgeservices/news/levelling-up-and-regenerating-the-english-planning-system-planning-policy-and-material-considerations)  [UK Environmental outcomes reports: evolution or revolution? - Hogan Lovells Engage](https://www.engage.hoganlovells.com/knowledgeservices/news/uk-environmental-outcomes-reports-evolution-or-revolution)  [Going, going, gone! UK High Street Rental Auctions introduced - Hogan Lovells Engage](https://www.engage.hoganlovells.com/knowledgeservices/news/going-going-gone-uk-high-street-rental-auctions-introduced/)  [UK: Compulsory purchase: a compensation masterclass - Hogan Lovells Engage](https://www.engage.hoganlovells.com/knowledgeservices/insights-and-analysis/uk-compulsory-purchase-a-compensation-masterclass) |
| ESG: Environmental Act 2021 | Introduces a new mandatory 10% Biodiversity Net Gain (BNG) requirement for new developments.  New pre-commencement planning condition. The regime came into effect in February 2024. The government is currently consulting on whether any changes should be made to the BNG regime for small and medium developments, and for Nationally Significant Infrastructure Projects. | All Biodiversity Net Gain requirements are now in force. | [Biodiversity net gain in the UK – a year on](https://www.hoganlovells.com/en/publications/biodiversity-net-gain-in-the-uk-a-year-on)  [UK Real Estate Horizons: how does the new Biodiversity Net Gain regime affect you? - Hogan Lovells Engage](https://www.engage.hoganlovells.com/knowledgeservices/news/uk-real-estate-horizons-how-does-the-new-biodiversity-net-gain-regime-affect-you)  [What does ESG mean for UK Real Estate? - Hogan Lovells Engage](https://www.engage.hoganlovells.com/knowledgeservices/news/what-does-esg-mean-for-uk-real-estate)  [Biodiversity net gain: future of sales and investment trends – Hogan Lovells Engage](https://www.engage.hoganlovells.com/knowledgeservices/news/biodiversity-net-gain-future-of-sales-and-investment-trends)  [UK: What does nutrient neutrality mean for developers? – Hogan Lovells Engage](https://www.engage.hoganlovells.com/knowledgeservices/news/uk-what-does-nutrient-neutrality-mean-for-developers)  [UK: Earth Day: Investing in our Planet – real estate and planning](https://www.engage.hoganlovells.com/knowledgeservices/news/uk-earth-day-investing-in-our-planet-real-estate-and-planning)  [UK-esg-conservation-covenants-what-are-they-and-how-will-they-be-used](https://www.engage.hoganlovells.com/knowledgeservices/news/uk-esg-conservation-covenants-what-are-they-and-how-will-they-be-used)  [Nutrient neutrality in a nutshell - Hogan Lovells Engage](https://www.engage.hoganlovells.com/knowledgeservices/insights-and-analysis/uk-nutrient-neutrality-in-a-nutshell) |
| Amendments to the National Planning Policy Framework (“NPPF”) | The government has published a new version of the NPPF, making significant changes, with a view to unlocking growth, including:   * making housing targets mandatory again and revising the methodology for calculating them; * introducing strict deadline for adopting up to date local plans; * requiring councils to take a brown field-first approach, review their green-belt boundaries to meet the mandatory housing targets, and identify and prioritise low quality ‘grey-belt’ land; and * introducing ‘golden rules’ for any development on green-belt land, requiring developers to provide necessary infrastructure as well as a premium level of social and affordable housing. | 12 December 2024 |  |
| High street rental auctions | Part 10 of the Levelling Up and Regeneration Act 2023 – which gives local authorities the power to carry out high street rental auctions - came into force on 31 March 2024.  Regulations setting out the details of the scheme came into force on 2 December 2024 (The Local Authorities (Rental Auctions etc.) (England) and Town and Country Planning (General Permitted Development) (Amendment) Regulations 2024).  Non statutory guidance was published on 2 December 2024. | 31 March 2024  Came into force on 2 December 2024. | [UK government’s rental auction plans will bulldoze normal letting processes – Hogan Lovells Engage](https://www.engage.hoganlovells.com/knowledgeservices/news/uk-governments-rental-auction-plans-will-bulldoze-normal-letting-processes)  [Going, going, gone! UK High Street Rental Auctions introduced – Hogan Lovells Engage](https://www.engage.hoganlovells.com/knowledgeservices/news/going-going-gone-uk-high-street-rental-auctions-introduced/)  [UK High Street Rental Auctions: what can we expect from the new regulations? - Hogan Lovells Engage](https://www.engage.hoganlovells.com/knowledgeservices/insights-and-analysis/uk-high-street-rental-auctions-what-can-we-expect-from-the-new-regulations) |
| Terrorism (Protection of Premises) Bill | The Terrorism (Protection of Premises) Act was given Royal Assent on 3 April 2025.  The Act requires those with control over certain premises or events to take steps to reduce the vulnerability of the premises or event, and the risk of harm to individuals from acts of terrorism.  Further regulations will need to be passed before it can take effect, and the government has indicated there will be a transitional period of 2 years to allow those responsible for premises caught by the Act to put the appropriate plans in place. |  | [Protect-duty-what-does-this-new-duty-mean-for-owners-and-operators](https://www.hoganlovells.com/en/publications/uk-terrorism-protection-of-premises-bill-what-to-expect)  [The UK Terrorism (Protection of Premises) Act 2025 is here – are you ready?](https://www.hoganlovells.com/en/publications/the-uk-terrorism-protection-of-premises-act-2025-is-here-are-you-ready) |
| **Changes at permission stage for Nationally Significant Infrastructure Project judicial reviews** | On 23 January 2025, the government announced that it intends to review the process at the permission stage for judicial review of NSIPs. The government intends to remove the paper permission stage for such challenges, meaning permission applications will go straight to an oral hearing. Where the judge at an oral hearing deems the case to be "totally without merit", there will be no right of appeal.  The government also intends to introduce non-mandatory case management conferences to NSIP judicial reviews, formally designate NSIP judicial reviews as "significant planning court claims" and work with the judiciary to introduce target timescales for NSIP judicial reviews in the Court of Appeal and the Supreme Court. | Please refer to the section below on the Planning and Infrastructure Bill |  |
| **Planning and Infrastructure Bill** | The Planning and Infrastructure Bill is currently at the committee stage in the House of Commons.  The Bill brings together a number of the planning announcements and themes we have seen in recent months including reforms relating to Nationally Significant Infrastructure Projects, compulsory purchase orders and planning committees (as noted above), as well as a new approach to spatial planning, development corporations and planning fees. |  | [Politics of Housing in the UK: Can the Planning and Infrastructure Bill help deliver the homes the government has pledged?](https://www.hoganlovells.com/en/publications/politics-of-housing-in-the-uk)  [Infrastructure in the UK: Can the Planning and Infrastructure Bill help clear the way for speedy infrastructure delivery?](https://www.hoganlovells.com/en/publications/infrastructure-in-the-uk-can-the-planning-and-infrastructure-bill-help-clear-the-way)  [The Planning and Infrastructure Bill in the UK: the best of the rest and what to expect next](https://www.hoganlovells.com/en/publications/the-planning-and-infrastructure-bill-in-the-uk-the-best-of-the-rest-and-what-to-expect-next) |

Key Cases

| Case | Detail | Dates | HL articles |
| --- | --- | --- | --- |
| **Building Safety Act Cases** | The Hippersley Point appeal relating to operation of Schedule 8 of the BSA (qualifying leaseholder protections against service charge costs) was heard by the Court of Appeal on 17-18 March 2025    The Triathlon homes appeal relating to remediation contribution orders was heard by the same court/panel on 19-21 March 2025. | March 2025 | [UK First Tier Tribunal: Pre-Building Safety Act costs recoverable under Remediation Contribution Orders](https://www.hoganlovells.com/en/publications/uk-first-tier-tribunal-pre-building-safety-act-costs-recoverable-under-remediation-contribution-orders) |
| **Cooper v Ludgate House Limited and Powell v Ludgate House Limited** | Flat owners seeking injunctions to demolish/alter a building which has already been built and let. | Hearing took place in March 2025. Judgment awaited. |  |

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