End Our Cladding Scandal

Response to National Planning Policy Framework Consultation

Introduction

End Our Cladding Scandal is a national resident-led campaign representing hundreds of thousands of leaseholders and residents trapped in unsafe homes across the United Kingdom as a result of the building safety crisis that emerged following the Grenfell Tower fire. Our campaign brings together ordinary people affected by dangerous cladding, fire safety defects, and an unfair regulatory system that has too often prioritised the interests of developers and the wider construction industry over the safety and financial security of ordinary human beings.

For almost a decade, leaseholders have lived through the consequences of systemic regulatory failure. Many remain trapped in homes that are unsafe, uninsurable, or unmortgageable and the financial and psychological toll has been immense. While partial reforms have been introduced since Grenfell, the fundamental imbalance within the housing system remains - when things go wrong, it is leaseholders who continue to pay the price.

It is deeply concerning that the proposed reforms to the National Planning Policy Framework suggest Labour is repeating the same mistakes that created the building safety crisis in the first place. Time and again, government – of whichever persuasion - prioritises the demands of developers and the construction industry over the safety of residents.

Labour's manifesto[1] promised to ensure that those responsible for the building safety crisis would pay to put it right, and that decisive action would be taken to prevent another tragedy like Grenfell. Yet proposals in this consultation move in the opposite direction: reducing industry contributions, weakening local powers to improve safety standards, and increasing the risk that many more unsafe homes will continue to be built.

For leaseholders who have already endured years of financial ruin and uncertainty, these proposals represent a deeply troubling signal about whose interests the planning system is being designed to serve. This is far from the change Labour promised to deliver.

The draft National Planning Policy Framework is lengthy, and responding to the consultation in full is an onerous task. While the issues on which we campaign appear to be referenced implicitly in several policy areas – for example, those pertaining to design (Chapter 14), safe and decent homes (Chapters 6 and 17), and redevelopment of existing buildings (Chapter 12) - we have focused our response on the key issues in the draft Framework related directly to our lived experience.

[1] https://labour.org.uk/change/break-down-barriers-to-opportunity/

Key Issues in the Draft Framework

1. Reform of Site Thresholds and the Expansion of the Building Safety Levy Exemption

The proposed reform of site thresholds - extending the exemption from the Building Safety Levy from small developments to medium-sized developments - represents a serious retreat from the principle that those responsible for the building safety crisis must contribute to fixing it.

Labour's manifesto made a clear commitment to ensure those responsible for the building safety crisis would pay to put it right. Expanding exemptions from the levy betrays that promise.

The housebuilding industry has already benefited from enormous levels of public subsidy over many years. For example, the Government's Help to Buy scheme provided billions of pounds in financial support to the new-build housing market. The scheme involved substantial public financial exposure - with government equity loans totalling many billions of pounds - and has been widely criticised[2] [3] for boosting developer profits and inflating new-build prices.

Beyond Help to Buy, the new-build housing sector also benefits from a major structural tax subsidy: new residential construction in the UK is zero-rated for VAT. This exemption costs the taxpayer an average £15 billion each year[4] and represents another enormous fiscal advantage compared with other sectors of the economy. Against this backdrop of longstanding taxpayer support, the decision to expand exemptions from the Building Safety Levy is particularly difficult to justify.

The Government has attempted to justify expanding the Building Safety Levy exemption by referencing its "commitment to support SME developers". However, many small and medium-sized developers are as equally at fault as major developers in causing the building safety crisis.

When the Developer Remediation Contract[5] was first introduced in 2023, government officials told us they planned to expand the "first phase" of holding developers to account quickly in preparation for "Phase 2". This promise was advised as expecting to be completed within months but over three years later, other than one ongoing and protracted legal case against an SME developer[6] "to recover Building Safety Expenditure", that commitment has fallen away, with innocent leaseholders still on the hook.

The building safety crisis itself was created by a lack of oversight and systemic failures within the construction and development industry - if Levy exemptions are expanded, this will mean Labour breaks another manifesto commitment.

Leaseholders have already paid a devastating price for industry failures. The previous government decided to make innocent victims of the building safety crisis pay to fix safety issues they played no

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[2] https://committees.parliament.uk/committee/127/public-accounts-committee/news/98483/value-of-help-to-buy-uncertain/

[3] https://www.theguardian.com/society/2023/mar/31/10-years-on-what-did-george-osbornes-help-to-buy-scheme-really-achieve

[4] https://www.gov.uk/government/statistics/tax-reliefs/tax-relief-statistics-january-2026#constructionandsaleofnewdwellingsincludesrefundstoDIYbuilders

[5] https://www.gov.uk/government/publications/developer-remediation-contract

[6] https://www.walkermorris.co.uk/news/walker-morris-advises-in-landmark-building-safety-act-test-case-involving-urban-splash/

part in causing, including by ruling out "Non-Qualifying Leaseholders[7]" from help based on arbitrary and ill-founded assumptions.

Expanding levy exemptions will repeat the same injustice. If the Government is serious about ensuring that those responsible for the crisis pay to put it right, then levy exemptions should be reduced, not expanded.

2. Policy proposal PM13: Setting Standards and the Removal of Mayoral Powers on Fire Safety

The proposed new policy PM13, which would prevent devolved authorities from setting higher building safety standards than national regulations, is concerning.

In particular, this proposed policy would undermine initiatives such as the Mayor's Building Safety Standards introduced by the Greater London Authority. These standards have been designed specifically to address building safety risks in London and are stricter than those currently required elsewhere in England.

Removing the ability for mayors and devolved authorities to set higher safety standards would effectively level down existing protections rather than raise them nationwide. Building regulations must of course operate within a coherent national framework, and consistency is particularly relevant for the people we represent who are now being told their homes are "tolerably" safe from the risk of fire spread. This is why a longstanding Ask of our campaign[8] has been for the Government to ensure there are consistent, holistic and risk-based assessment standards for buildings of all heights and for both external and internal defects – an Ask that, sadly, remains unanswered.

But consistency across the country should be achieved by raising safety standards everywhere, not by watering down stronger protections in places where they already exist.

"I agree with my hon. Friend. It is absolutely extraordinary that we are not looking, right now, at a ban on all forms of flammable cladding. It is now 10 years later.[9]"

"The Government's behaviour is negligent in the extreme… Ministers must belatedly act on what they were told by the Lakanal House coroner in 2013 and clarify the regulations by implementing a complete ban on flammable cladding. It should not be permitted on any new buildings, and desperate residents need an action plan to replace it where it already exists. With, on average, one fire a month still linked to this kind of cladding, it's only a matter of time before one of them isn't put out and we're facing the avoidable horror of another Grenfell.[10]"

"Last December the Government finally, and belatedly, announced a partial ban on flammable cladding, but a partial ban is not enough[11]"

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[7] https://www.insidehousing.co.uk/insight/its-just-the-injustice-that-hit-me-non-qualifying-leaseholders-and-the-latest-battle-on-building-safety-83261

[8] https://endourcladdingscandal.org/campaign-aims/ask-one/

[9] https://hansard.parliament.uk/commons/2019-01-23/debates/FEE6BE5D-65B7-4E85-ABEC-53410CB14F9A/FireSafetyAndCladding#contribution-63583DAE-F4D8-4772-8F59-A27F394FC800

[10] https://www.politicshome.com/thehouse/article/governments-behaviour-is-negligent-in-the-extreme-they-must-now-implement-a-complete-ban-on-flammable-cladding

[11] https://hansard.parliament.uk/commons/2019-06-06/debates/69CABE5D-68DE-4DBB-A77E-0C33C804762B/GrenfellTowerFire#contribution-4241D1D6-25D5-45AB-AD63-C29627F07B75

The above quotes are not recent. Steve Reed, now Housing Secretary, made these strong statements when in opposition in 2019. They reflected his considered resident-focused position, which he reiterated multiple times following the entirely avoidable deaths at Grenfell Tower.

While ordinary people have become accustomed to how such warm words are forgotten once a political party takes office, the volte-face by Secretary of State Reed, and his and Minister Pennycook's decision that will lead to a watering down of fire safety standards of London's low- and mid-rise residential buildings in the proposed National Planning Policy Framework, is deeply distressing.

We understand that technical fire safety standards are primarily controlled by Building Regulations, not planning policy. Perhaps the "Continuous review of Approved Document B[12]" will ensure residents in buildings of all heights will one day be able to be safe and feel safe in their homes. More likely, industry interests and lobbying will continue to dominate regulatory and policy decisions.

Whatever the future holds, the PM13 policy proposal contradicts the Government's stated commitments. In its manifesto, the Labour Party promised to: "take decisive action to improve building safety, including through regulation, to ensure we never again see a repeat of the Grenfell fire." Ministers frequently repeat the phrase "never again" when referring to the Grenfell Tower fire. But warm words alone have never been enough - policy decisions must reflect the seriousness of that commitment.

Removing the ability for Mayors to introduce stronger safety standards sends the opposite message. Instead of empowering higher standards, it risks creating a regulatory ceiling that prevents improvements. If the Government truly intends to ensure that a disaster like Grenfell can never happen again, then the logical response is to raise the national baseline to match the highest safety standards currently in place, rather than restricting them.

[12] https://www.gov.uk/government/collections/continuous-review-of-approved-document-b

Conclusion

Those who cannot remember the past are condemned to repeat it.

Sadly, Labour seems to have chosen to forget what they knew and highlighted multiple times when in opposition. The proposed reforms to the National Planning Policy Framework look set to repeat the pattern of mistakes that caused the cladding and building safety crisis.

By expanding exemptions from the Building Safety Levy and limiting the ability of devolved authorities to set higher safety standards, the draft framework weakens both the accountability of the construction industry and regulatory safeguards designed to protect residents.

These changes also increase the risk that new developments will replicate the problems that have already trapped hundreds of thousands of leaseholders in unsafe homes. As highlighted recently[13], there is a real danger that families could once again find themselves living in homes that are uninsurable, unmortgageable, and impossible to sell.

Even the insurance industry - one that evidently has its own interests and profits at heart - has expressed "serious concerns[14]" over Labour's proposals to relax planning rules on building in areas prone to flooding saying, "high flood risk homes have the potential to become uninsurable and struggle to access mortgages". For the innocent leaseholders who have already lived through the consequences of the building safety crisis and are still waiting for evidence that Labour is able and willing to deliver the change it has promised, the probability of history being set to repeat itself is profoundly worrying.

Unfortunately, as tends to be the way with these consultations, we expect the current proposals to be waved through largely unchanged in the interests of "innovation" and "growth". This will continue the pattern of *government* – ignoring warnings and choosing to focus on short-term headlines without fully understanding the consequences of their decisions or the impact on ordinary people.

Government culture remains unchanged. Several hundred thousand leaseholders have witnessed this directly with cladding and building safety since Labour came to power, with the political focus on new builds reigning supreme over the seemingly never-ending building safety crisis.

Developers that have wilfully broken the law by failing to ensure residential buildings – people's homes – are safe from the risk of fire spread are now being allowed to effectively mark their own homework at the 4,500+ buildings being monitored in the Developer Remediation Contract. Rather than strategically leveraging its priority of building new homes to ensure the developers on which Labour is now relying upon, the longstanding siloed policy thinking and regulatory capture persists. The Government's ties may have changed but the suits remain the same.

The fire at Grenfell Tower exposed systemic failures in the way housing in this country is built, regulated, and financed. The years since have demonstrated just how devastating the consequences of those failures can be and the ruinous impact on the lives of ordinary people.

"What is needed is for those with responsibility for building safety to reflect and to treat Grenfell as a touchstone in all that they do in the future. Mr Speaker, I consider myself responsible for building safety. And that is exactly what I will do and what I will demand of this government."

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[13] https://labourlist.org/2026/03/labour-housing-chris-hinchliff/

[14] https://www.thetimes.com/uk/environment/article/homes-flood-prone-areas-insurance-risk-whrjl0lqq

It is unclear how Sir Keir's promise[15] – to treat Grenfell as a touchstone in all this government does in future – is reflected in the proposed reforms. We are not politicians and we are not civil servants but, as we understand it, the purpose of reform should be to ensure that horrific mistakes are never repeated. Unfortunately, the current proposals look set to do exactly that.

Unless they are revised to ensure that lessons are actually learned, the reforms to the National Planning Policy Framework will only serve to entrench the same structural problems that caused the crisis - prioritising speed and developer profitability over safety, accountability, and the rights of leaseholders and residents.

Labour must learn the lessons of the cladding scandal and building safety crisis and the way in which successive governments enabled egregious industry practices and systematic dishonesty.

This Government must now move away from warm words towards real and meaningful action that delivers the generational shift in the safety and quality of housing for everyone in the country and the rebalancing of power promised by the Prime Minister.

This is the change ordinary people need and deserve – it is the change we are still waiting to see.

[15] https://www.gov.uk/government/speeches/prime-ministers-statement-on-grenfell-tower-inquiry-final-report-4-september-2024