

Dear Members of the House of Lords,

As a group of leading planning academics, we are writing to you to express our concerns in relation to your forthcoming consideration of the Planning and Infrastructure Bill and the proposals to limit public consultation. This is a false economy. It will produce more haste, but less speed. For example, by passing on unresolved problems to the more costly delivery phase of infrastructure projects¹. It also risks a collapse in the public support needed to deliver on the Government's ambitious plans for the UK's infrastructure. Removing the statutory requirement for Nationally Significant Infrastructure Project (NSIP) applicants to consult pre-application reflects the Bill's broader limitation on public participation in the infrastructure decisions vital for a sustainable, just low-carbon transition. Decisions over policy and process taken now will shape the built environment for generations to come and it is important they are based on high quality information. As a result, this Bill is an excellent opportunity to address the democratic deficit at the heart of the 2008 Planning Act. This can be achieved through the creation of a new requirement, within the existing system, for a body to produce world class engagement of citizens in these crucial decisions and we ask you to consider amending the Bill to this effect.

We agree that the status quo is imperfect, but that the principle of early and meaningful consultation should not be lost.

As Matthew Pennycook (Minister for Housing and Planning) pointed out in the Commons, in some circumstances, 'statutory pre-application procedures have become a tick box exercise'. Research shows this is true of many parts of the Development Consent Order (DCO) process². The best promoters understand the importance of building a social licence to operate and will go beyond statutory requirements. Yet statutory rights to participate are often insufficient to allow local voices to be heard³. We argue it is wrong to reject the principle of allowing citizens a chance to shape the infrastructure we all depend upon⁴.

We agree that unnecessary delays in delivering the infrastructure we need are a problem, but that speed of decision-making is not the best measure of success.

Time in planning should be well spent⁵. As a long history of infrastructure projects that have cost more, taken longer and delivered less than was claimed shows, problems in the construction phases increase cost and delay the completion of infrastructure far more than planning⁶. As this month's review of HS2 has shown, cutting corners early can lead to greater costs and delays overall. The benefits of early, meaningful citizen participation are projects that address the wide array of public needs at local and national levels and the resolution of problems early, when they are easier to rectify. Also, public scrutiny has long been known to be a key component in making sure infrastructure projects deliver what is promised⁷.

If the process of consultation has become a ‘tick box exercise’ then demand democratic innovations.

Allowing citizens to participate in the big decisions that shape the world around them is an important cornerstone of our democracy. Rather than abandoning the principle, we urge you to demand it works better. We know decisions on infrastructure are difficult. They can cut across local democratic boundaries and across multiple parliaments and governments. But just as we see innovation in the technology that goes into infrastructure systems, we should see the same level of innovation in the democratic systems that govern them. There are numerous examples of deliberative fora that improve the process of infrastructure decision-making⁸. The French National Commission for Public Debate (CNDP) is a particularly good example⁹. Deliberative fora (such as mini-publics) can be designed and operated to inform and to reflect on the spatial form infrastructure systems like energy and water networks, roads, railways and powerlines take and resolve the controversies they generate¹⁰.

As trust in developers, planning¹¹ and politics more generally declines the planning system remains a vital tool for ensuring fairness and building trust. It is important that infrastructure planning decisions are made with citizens rather than done to them. We believe this principle should be extended throughout the process of infrastructure planning where a recent study shows 62 percent of the public feel information is poorly communicated¹². For example, we welcome the proposals to regularly update the National Planning Policy Statements (NPSs) as an opportunity to ensure the strategies that underpin the DCO process keep pace with changes in society, technology and knowledge. However, not to insert higher standards of public participation into this process is also a missed opportunity to move up the pipeline and engage citizens as early as possible.

We understand the government was elected with a mandate for change. But to deliver on that change we urge you to push the government not to get sidetracked by arbitrary targets for decision speed or consents per Parliament. It is important to retain some flexibility and accept that a huge variety of projects will pass through the infrastructure planning system. Some projects are large, complex and controversial and will require more time to get the best possible decision. Other schemes, particularly the better ones that have engaged with the people their project will affect and where their impact on future generations and the environment are properly considered, should be able to move through the process more quickly. Planning infrastructure that our society needs and that will be with us for hundreds even thousands of years to come is time well spent. For this reason we ask you to amend the Bill.

- First, to protect the principle of early engagement
- Second to create a new expert body to improve engagement on NPSs and key NSIPs using innovative, deliberative techniques.

Signed;

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¹ Hickman, H., While, A., Croft, N., McClymont, K., Hall, S., Loveday, C., and Windemer R. National Infrastructure Planning Association (NIPA) Insights III, JUNE 2023 Project Hindsight - Post Decision Implementation. https://nipa-uk.org/wp-content/uploads/2023/08/NIPA_Hindsights_Final_Report.05.07.2023.pdf

² Clifford, B., & Morphet, J. (2023). *Major Infrastructure Planning and Delivery*. UCL Press. <https://doi.org/10.14324/111.9781800085237>

³ Natarajan, L., Lock, S. J., Rydin, Y., & Lee, M. (2019). Participatory planning and major infrastructure: Experiences in REI NSIP regulation. *Town Planning Review*, 90(2), 117–138. <https://doi.org/10.3828/tpr.2019.10>

⁴ Bell, S., Johnson, C., Austen, K., Moore, G., and Teh, T-S. Co-designing Infrastructures Community collaboration for liveable cities UCL Press. <https://doi.org/10.14324/111.9781800082229>

⁵ Dobson, M., & Parker, G. (2024). The temporal governance of planning in England: Planning reform, Uchronia and ‘proper time.’ *Planning Theory*. <https://doi.org/10.1177/14730952241226570>

⁶ Flyvbjerg, B., Bruzelius, N., & Rothengatter, W. (2003). *Megaprojects and Risk: An Anatomy of Ambition*. Cambridge University Press.

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⁷ Flyvbjerg, B., Bruzelius, N., & Rothengatter, W. (2003). *Megaprojects and Risk: An Anatomy of Ambition*. Cambridge University Press.

⁸ OECD. (2020). *Innovative Citizen Participation and New Democratic Institutions: Catching the Deliberative Wave*. <https://doi.org/10.1787/339306da-en>

⁹ Marshall, T. (2016). Learning from France: using public deliberation to tackle infrastructure planning issues. *International Planning Studies*, 21(4), 329–347. <https://doi.org/10.1080/13563475.2016.1140021>

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¹⁰ Durrant, D., & Cohen, T. (2023). Mini-Publics as an innovation in spatial governance. *Environment and Planning C: Politics and Space*, 0(0), 1–17. <https://doi.org/10.1177/23996544231176392>

¹¹ Grosvenor (2019) Rebuilding Trust: Research Findings Summary

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¹² Institution for Civil Engineers (2025) ICE Briefing Paper: Paying for Britain’s infrastructure system https://www.ice.org.uk/media/jcsdpif3/paying-for-britains-infrastructure-system-briefing-paper_feb-2025-final.pdf