

Written evidence submitted by Taylor Woodrow to the House of Commons Committee on the Planning and Infrastructure Bill (PIB109)

Abbreviations

NSIP: Nationally Significant Infrastructure Project

DCO: Development Consent Order

EDP: Environmental Development Plan

Introduction

Taylor Woodrow is a leading, UK-based civil engineering business specialising in the delivery of both national scale and regional scale projects. As part of VINCI Construction Group, one of the world's largest construction companies, we focus on upgrading and enhancing the UK's energy and transportation infrastructure while also participating in strategic infrastructure initiatives that support housing and regional regeneration.

Our expanding presence in the energy sector will see us delivering crucial upgrades to the electricity transmission network, supporting offshore and onshore wind, establishing carbon capture clusters, contributing to vital energy storage solutions and developing hydrogen production and distribution infrastructure. Our most significant upcoming contribution to the government's Clean Power 2030 target is through our role as an Enterprise Delivery Partner on the Great Grid Upgrade Programme, alongside our position on National Grids EPC T2 and HVDC frameworks. Through these programmes, we will deliver critical new substations and transmissions lines, while upgrading the UK's existing electricity infrastructure to create a fit for purpose system in a new age of clean power and electrification. We are proud to be at the forefront of the UK's net zero ambitions and believe the planning system must undergo radical reform if we are to deliver the infrastructure this country urgently requires. In this context, we welcome the introduction of the Planning and Infrastructure Bill and the opportunity to provide our perspective.

While we support the Bill's intention to address long-standing barriers within the planning process, we are concerned that it currently falls short in delivering the urgent, ambitious reforms needed to accelerate infrastructure delivery, particularly in relation to renewable energy and linear infrastructure projects. Below we set out our comments and recommendations against several key aspects of the Bill.

Five-Year National Policy Statement Updates

The proposal to require policy paper updates every five years is welcome in principle, but the practicalities present challenges. The four-year political pendulum risks undermining the consistency and certainty needed to enforce the five-year update cycle and therefore risks long term policy certainty needed for strategic infrastructure planning. Additionally, updating of national policy statements can take a substantial amount of time and the relevant government departments may struggle with the resource required to consistently review and update all 12 national policy statements on a five-yearly basis.

Our recommendation: The Government should introduce mandatory seven-year National Policy Updates to provide market certainty, that will help ensure there is sufficient capacity to deliver long-term strategic infrastructure. Although seven-year updates will provide certainty we appreciate that with fast moving markets, such as energy, elements can become out of date. For this reason, consultations should be launched every 5 years to understand if industry need policy statements reviewed sooner than the 7-year mandatory timeframe and allowances made for earlier updates in this case.

Consultation Reporting Requirements

We support the recent announcement from Minister of State for Housing and Planning, Matthew Pennycook, that the requirement to consult in pre-application stage for NSIPs will be removed. We agree with the intention of this reform in that developers should not be required to consult at multiple points during the DCO process, as this leads to repeat work. It is also welcome to hear that the government intend to publish statutory guidance setting out strong expectations that developers undertake consultation and engagement prior to submitting an application. If the requirement to consult at pre-application stage is removed, but developers still need to submit a consultation report when they submit the application to the Planning Inspectorate for acceptance, the detail and contents of this consultation report needs to be fully defined by the Planning and Infrastructure Bill and/or statutory guidance. Developers need to know what level of consultation they are required to detail in their consultation report to have the greatest chance of their application being accepted for examination.

Our recommendation: Greater clarity is needed on how the removal of the pre-application stage consultation requirement will affect evidencing and procedural expectations during the examination phase.

Judicial Review Process

We support the government's intent to implement the recommendations of the Banner Review, which rightly aim to improve judicial efficiency and ensure that the infrastructure consenting regime remains both rigorous and effective.

However, we query the proposed removal of the paper stage in judicial review proceedings in favour of proceeding directly to oral hearings. While the intention is to streamline the system, we believe more must be done to increase the standard of claims that are able to make it through the judicial review process.

Our recommendation: Rather than removing the paper stage altogether, we recommend a targeted reform. This reformed paper stage would be lean, simple, and quick to review, so as not to put unnecessary stress on the judicial system. The paper stage should focus on differentiating between spurious claims and relevant ones, and the bar must be set higher for those claims that are allowed to enter court. Those NSIPs that have met the requirements for DCO (ecology surveys, design statements, proven to meet national policy statements and local plans) should be harder to claim against. We recommend that the review criteria for the paper stage is strict, with claims only allowing to progress to oral stage if they are likely to gain

approval. This approach would help filter out weak or speculative claims while preserving judicial efficiency and ensuring that legitimate concerns receive appropriate scrutiny.

Timeframes

We appreciate the government's intention to shorten the pre-application stage and the post-decision stage of the DCO process with the consultation requirement and judicial review changes. We also understand that the other stages have their statutory timeframes therefore are more difficult to change (see Table 1).

The pre-application stage is clearly the stage that needs the most rigorous reform, with this stage averaging 12-18 months. We note that Matthew Pennycook suggested in his recent announcement that abolishing the pre-consultation period for NSIPs could reduce the typical time spent in pre-application by up to 12 months. He made it clear that the removal of these statutory requirements does not signify that pre-submission consultation and high-quality engagement is no longer important - but that the current system is not working for communities or developers.

At Taylor Woodrow, we have supported the Gatwick Northern Runway DCO and we saw the pre-application stage taking 4-years, with circa. 30,000 questions and claims during the consultation. The reason for this extended timeframe was that the requirements for pre-application documentation are currently very onerous, with developers required to draw up design documents that are extremely detailed, even if the engineering of the asset has not reached maturity. Developers are also required to produce asset footprints for land boundary purposes, detailed ecology and ground surveys, a utilities design, and many more. At Gatwick, all these documents were produced prior to consultation, then when the project went out for consultation, National Highways said they wouldn't approve the project with the current design. This meant the 18month process of preparing documents was essentially duplicated as Gatwick had to go right back to the start of pre-application stage, due to a critical interested party essentially rejecting the project at this first stage. This led to the pre-application stage costing Gatwick £80m.

Our recommendation: The number of documents and preparation, before consultation, must be reduced, with clear guidance on the detail required for consultation. As an engineering company, we understand that design is an iterative process, and it is inefficient and unrealistic to prepare a design and accompanying documents to such a mature state so early in the project lifecycle. Consulting on a leaner set of initial documents and plans will save time and duplication as the project design matures.

In addition, the government should publish guidance and provide clarity on how the pre-application stage which can take up to 4-years and cost £80m will be reduced by 12 months, as announced by Minister of State for Housing and Planning - Matthew Pennycook.

The government should also hold The Planning Inspectorate and Secretary of State to account for keeping pre-examination stage and decision stage to the statutory required timeframe of 3 months. Too often these stages double in time, overall contributing to a lengthened DCO process.

Table 1 - Timeframes and explanations of each DCO stage, with the legal timeframes shown in blue

No	Stage	Explanation	Timeframe
1	Pre-application	The applicant develops the project proposal, conducts environmental impact assessments, and carries out statutory consultation with the public and stakeholders.	12-18 months (can be longer for complex projects)
2	Acceptance	The Planning Inspectorate (PINS) reviews the application to ensure it meets the required standards and includes all necessary documents.	28 days
3	Pre-examination	PINS publishes the application and invites the public to register as interested parties. The Examining Authority is appointed.	3 months is the statutory requirement, but can be up to 6 months
4	Examination	The Examining Authority conducts a detailed examination of the application, including written representations and hearings.	Up to 6 months
5	Recommendation	The Examining Authority prepares and submits a report with a recommendation to the relevant Secretary of State.	3 months
6	Decision	The Secretary of State reviews the recommendation and makes a final decision on whether to grant the DCO.	3 months is the statutory requirement, but can be up to 6 months
7	Post-decision	If the DCO is granted, there is a six-week period during which the decision may be challenged in the High Court.	6 weeks for potential legal challenge

Planning Resource and Accreditation

Taylor Woodrow supports the proposals in the recently published Planning Reform Working Paper: Planning Committees, including streamlining decision-making, standardising procedures, increasing transparency, and using digital tools to improve public participation. We also, in principle, support the mandatory training requirements for local planning authorities in Clause 45. However, adjusting the planning system with legislation can only go so far, and these changes must be followed up with investment into the planning system.

Our recommendation: Delivering a comprehensive training programme for committee members will require substantial resourcing – both in terms of funding and time commitment. We recommend that the forthcoming secondary legislation outlining the training requirements is accompanied by a clear funding commitment to ensure successful implementation. In addition, ringfenced investment should be allocated to strengthen critical planning functions, with particular emphasis on establishing dedicated green infrastructure planning resource to support the delivery of Clean Power 2030 targets. To further enhance capacity and reduce delays, we propose that Planning Performance Agreements (PPAs) be formally embedded within the legislation. This would enable developers to directly fund dedicated planning resources, helping to alleviate bottlenecks and delays.

Environmental Development Plans and Natural England's Role

We recognise the opportunity to adopt a more strategic, area-based approach to nature recovery through environmental development plans (EDPs). This could facilitate quicker and cheaper mitigation and reduce legal challenge risk by moving biodiversity considerations upstream in the planning process. It is also proven through the District Level Licensing Scheme that area-wide mitigation is affording better protection for species on the Landscape Level built on the Lawton Principles of Bigger, Better, More Joined Up Habitats. Streamlining protection and mitigation through one body could also remove local variation and local rules which often cause confusion on Taylor Woodrow projects at site level. If EDPs are built on a similar premise to District Level Licensing (DLL) for Great Crested Newts, in some cases this may remove the seasonal constraints we currently experience, unlocking programmes from the outset.

However, the practical delivery of these plans is questionable given Natural England's existing constrained resources, and the complexity associated with the accurate costing of future conservation and restoration measures. While Natural England has developed an extensive database tracking great crested newts, similar comprehensive data for other protected species (e.g., badgers and bats) is lacking, necessitating significant effort to support the creation of EDPs. The DLL scheme took several years to develop and is still not available in all areas of the UK, which underscores the challenges in implementing such frameworks. Moreover, like Biodiversity Net Gain (BNG), the success of EDPs hinges on collaboration from developers across various sectors, not just housing.

Our recommendations:

To ensure the success of EDPs we recommend that cross-sector collaboration is fostered during their development. Achieving meaningful outcomes requires time and coordinated effort. In addition, the government should ensure adequate funding and resources. Given the complexity of accurately costing future conservation and restoration measures, and Natural England's existing resource constraints, sufficient funding should be allocated to support the development and maintenance of EDPs. This includes investments in data collection for protected species beyond great crested newts. Moreover, sufficient time should be allowed, and expectations should be set for a phased role out of EDPs, with them being introduced

gradually. If rushed, there's a risk that EDPs will be filled with broad statements and ambiguities, failing to unlock growth or effectively protect nature.

Spatial Development Strategies and Strategic Planning Boards

We welcome the introduction of Spatial Development Strategies prepared by new Strategic Planning Boards. These strategies offer the potential to take a genuinely strategic, integrated view of regional development needs and infrastructure provision.

Our recommendations: Spatial Development Strategies (SDSs) should be designed to align infrastructure delivery with new housing development, ensuring that communities are well-served from the outset. This approach improves public safety, health outcomes, and construction efficiency. Taylor Woodrow's collaboration with Enfield Council on the Meridian Water project exemplifies this strategy. By prioritising infrastructure delivery – such as roads, bridges, district heating, electricity distribution substations and community facilities – before commencing housing construction, the project ensures that the area is prepared for the incoming population. This proactive approach is more cost-effective, quicker and safer than retrofitting infrastructure after residents have moved in.

Conclusion

The Planning and Infrastructure Bill represents a welcome and necessary step towards reforming the UK's infrastructure planning system. However, it must be backed by adequate resource, ambition, and practical mechanisms to deliver accelerated, reliable, and sustainable infrastructure delivery. Taylor Woodrow would welcome the opportunity to brief members of the Public Bill Committee on our views to support their role in reviewing the Planning and Infrastructure Bill and to ensure the legislation is fit for purpose in delivering the infrastructure needed to support the UK's net zero ambitions and economic growth.

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