

# Can Development Consent Orders help meet the challenges of our time?

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Key findings

# The successes and challenges of the DCO process

Since the debut of the Planning Act 2008, its associated Development Consent Order (DCO) process has aimed to speed up decision making for our most significant infrastructure projects.

Our main findings with respect to its successes are that:



**Its standardised pre-application engagement** and consultation promotes understanding and collaboration among stakeholders, and buy-in from communities



**It provides certainty on national need** through National Policy Statements



**It provides certainty for participants** with a clear process and timescales



**The introduction of compulsory acquisition powers** has streamlined the process

Our headline findings on challenges show that improvements can be made by:



**Addressing issues around flexibility** of consents



**Providing greater resources** especially to local authorities and statutory consultees



**Accelerating the use of technology** and artificial intelligence

# Has the DCO process successfully realised its intended benefits?

We found that overall, the answer to this is yes – through four key aspects:



## 1 Addressing national need through National Policy Statements

26% felt that the in-principle political support established for projects through the NPSs was a key benefit



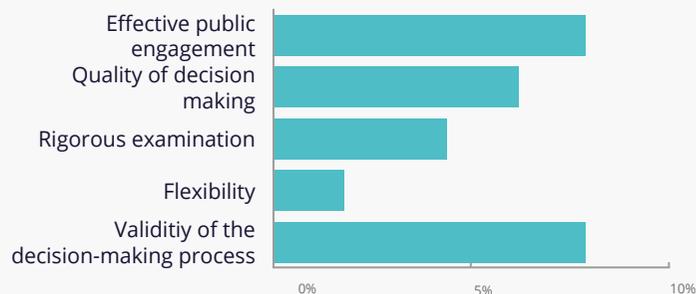
## 2 Providing certainty in the process with clear timescales

86% of respondents considered certainty of timescale and speed the key benefit of the DCO process



## 3 Effective use of the pre-application stage for public engagement

What do you believe are the key benefits of the DCO regime?



Answered: 44 Skipped 0  
Note: respondents were asked to pick three options so responses do not add up to 100%



## 4 Incorporating Compulsory Acquisition powers

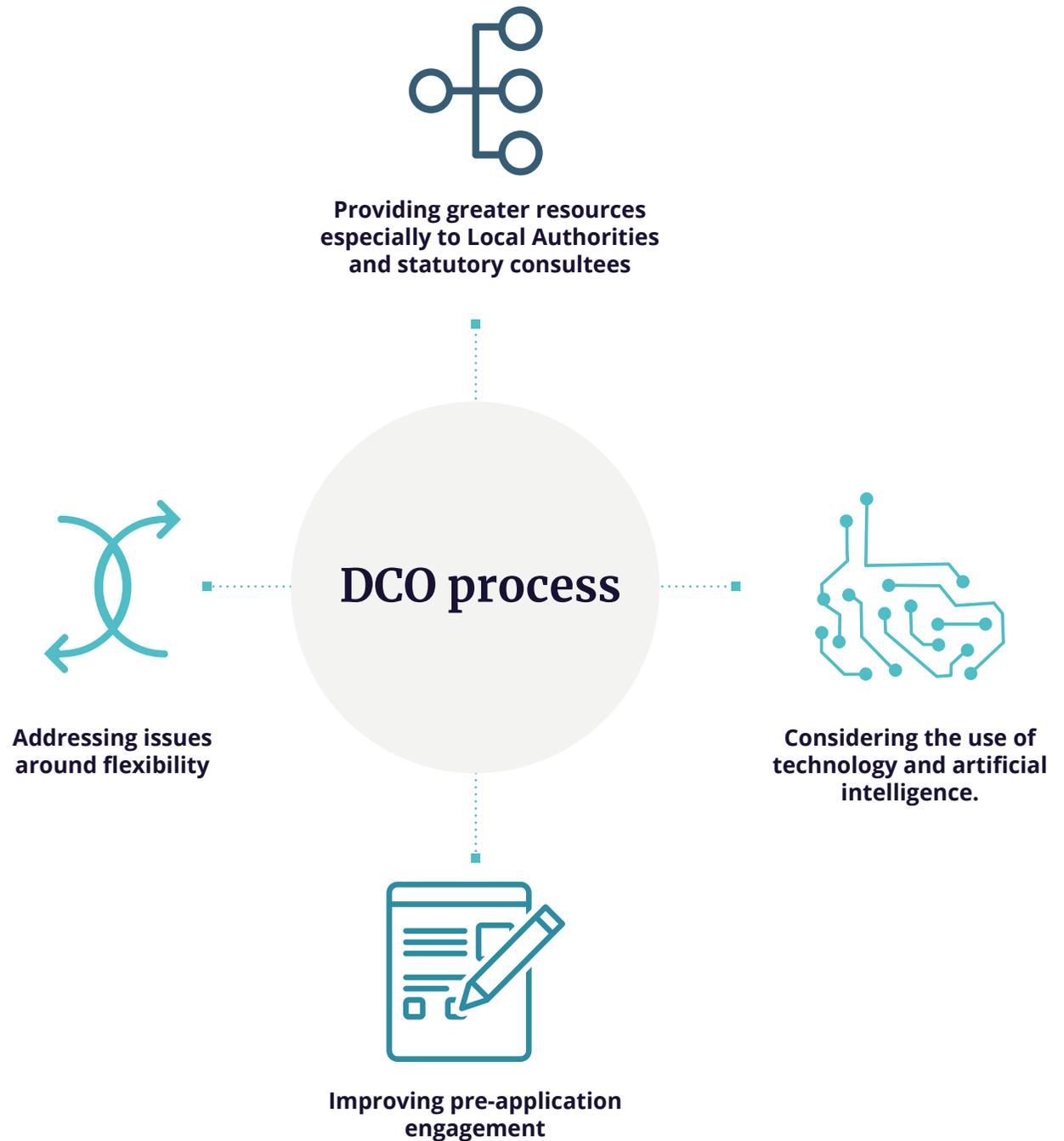
We asked survey participants what they saw as the key advantages of compulsory acquisition:

80% cited the 'on-stop shop' examination to make the case for compulsory acquisition powers

# How could the DCO process be enhanced for the benefit of projects and communities?

Respondents said improvements can be made in the following ways:

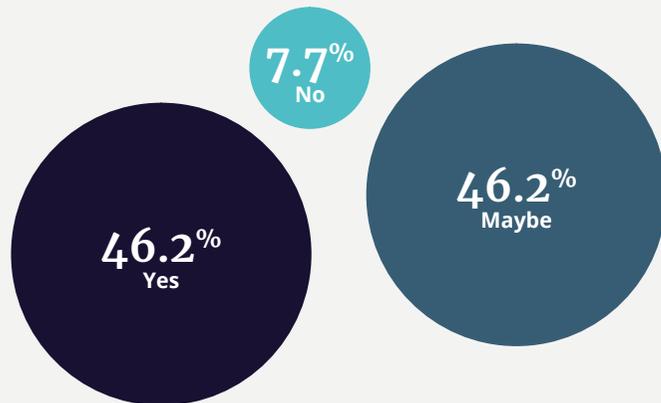
We also found that respondents felt there is a lack of spatial moorings for DCO projects. Meaning that projects could be prepared in the context of local plans rather than in isolation, which may happen because National Policy Statements lack a strong spatial element.



# Could the DCO process have a broader application to complex large-scale developments such as new mixed-use settlements?

Many of our respondents saw major new settlements and housing as a means to provide an alternative route to the DCO process:

Do you believe the DCO regime could be appropriate for the consenting of large-scale mixed-use schemes?



However, this is not as simple as creating a new, improved DCO process to extend to new categories.

Three themes appeared from our research that would help provide a framework for looking at national infrastructure, housing, and employment delivery:



## 1. You cannot take the politics out of housing and jobs

Despite disruption caused by changing politics and calls from some to separate infrastructure and development from the process, our research found that overall, public wellbeing, and therefore politics, are inextricably linked to development.



## 2. The DCO process can help deliver new settlements

By front-loading consultation and engagement, the process streamlines delivery.



## 3. One size may not fit all – and people want choice

While the DCO process has its benefits, every project and community has different needs – and for UKPLC to boost the investment it needs, it needs to enable choice for promoters and investments.

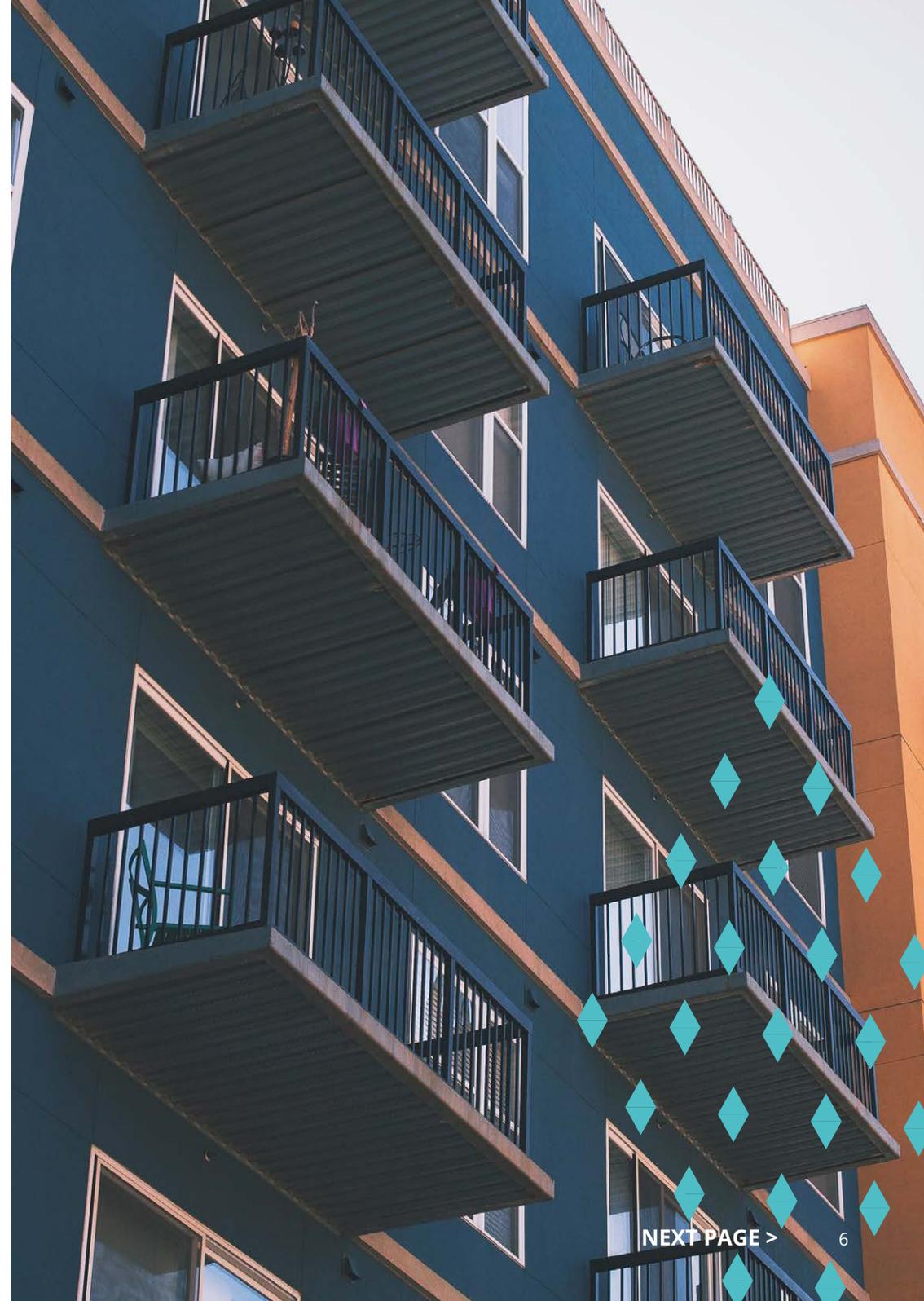
# Observations

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**National infrastructure planning and spatial planning are disconnected from each other. Integrating infrastructure, housing and jobs at different spatial scales is needed so that all can be delivered in the national, regional and local interest.**

This will promote schemes to address the issues of our time, including climate change, regional inequalities and place-making.

Delivering this requires leadership. The Ministry of Housing Communities and Local Government, (working with their colleagues in the Department of Transport and others) is very well-placed to provide this. Doing so could bring together a wide range of stakeholders to facilitate stronger connections between national infrastructure and spatial planning.



# Recommendations

Our research highlights how applying DCO principles could benefit existing planning mechanisms for settlements, as well as developing a DCO option for their delivery.

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## **Reinforces and enhances the certainty of the DCO process by:**

- Reviewing National Policy Statements every five years
- Increasing local planning authorities' participation in every stage of the DCO process
- Enhancing the flexibility of the process at examination and post-consent



2

## **De-risks projects and facilitates investment by applying the DCO principles of front-loaded engagement and compulsory acquisition to other consenting processes**



3

## **Explores extending the remit of the DCO process to new settlements and other complex developments by preparing a National Settlements Strategy (NSS) equivalent to National Policy Statements.**

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