Brussels, 12 November 2026

OPEN LETTER to the Members of the European Parliament

Call for effective permitting acceleration and legal certainty to address the EU affordable housing crisis

Dear Members of the European Parliament,

Before the plenary vote on the *Regulation on speeding up environmental assessments* (2025/0391(COD)), we write to draw your attention to one important provision.

Predictable environmental assessments are central to tackling the housing crisis. When their outcome and timing are uncertain, projects stall, costs rise and investment moves elsewhere. Accelerating and securing permitting procedures, with environmental assessments among the main elements, is one of the most effective ways to bring affordable housing to the market.

The European Commission proposed a substantial preclusion rule (Article 6). It allows Member States to provide that arguments that could have been raised during the administrative procedure may not be introduced for the first time in court. This does not limit access to justice. It ensures that objections are made when authorities can still adjust the project. Without it, a carefully prepared and publicly consulted permit can be challenged late on grounds never raised before.

Compromise amendment 3 proposes deleting Article 6 due to concerns regarding compatibility with the Aarhus Convention. While effective judicial protection and access to justice must be fully safeguarded, we believe that deleting Article 6 altogether would be a missed opportunity to improve legal certainty in environmental permitting. The Council's General Approach of 30 September provides a constructive basis for addressing these concerns through explicit procedural safeguards. We therefore encourage the European Parliament to retain Article 6 as part of its negotiating position, with the objective of reaching a legally robust and proportionate solution based on the Council's approach during inter-institutional negotiations. We also urge you to include *new and renovated residential dwellings and their infrastructure* among the strategic sectors in Article 14 / Annex, mirroring the Council's General Approach.

In light of these considerations, we ask you to reject compromise amendment 3 so that Article 6 is reinstated to deliver permitting certainty on which affordable housing depends.

Yours sincerely,

Domenico Campogrande
Director General
European Construction Industry Federation (FIEC)

Filiep Loosveldt
Managing Director
Build Europe

About FIEC

FIEC represents construction companies of all sizes from 28 countries in Europe. Those construction companies range from one-person craftsmen and SMEs through to large international firms in a competitive global market. They carry out all forms of building and civil engineering activities. With its wide-ranging representativeness, FIEC is the officially recognised Social Partner representing the employers in the European Sectoral Social Dialogue "Construction".

About Build Europe

Build Europe is the organisation representing the European national federations of developers and homebuilders, accounting for around 70% of the European Union's homebuilding capacity. Build Europe considers access to decent and affordable housing solutions that meet the needs and expectations of European citizens to be one of the main challenges that European governments and institutions must address as a priority.

FIEC aisbl · Avenue des Arts 20, BE-1000 Brussels · info@fiec.eu · www.fiec.eu · EU Transparency Register 92221016212-42
Build Europe aisbl · Avenue des Arts 20, BE-1000 Brussels · info@buildeurope.net · www.buildeurope.net · EU Transparency Register 80003592094-64