

Public participation

And the economic gain in real estate & urban development for project developers



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Abstract

Public participation is often regarded as something of an obstacle in urban development. However, it can be beneficial for project developers and other initiators of projects in urban development and can potentially lead to economic gain for the developer. To research if there is any economic gain in the eventual results of a project, and to what extent public participation has an impact on this, costs and value are the focus points of this research. Economic gain does not mean more profit, but decreased costs as well. More specific, one of the largest cost factors in project development are the costs that come with delay. Often, this delay is caused by opposition and litigation in the permit-application phase of a development. To research this, the following main question will be used: *“To what extent can project developers benefit economically from engaging public participation in complex urban development projects?”* This research will take several financial factors into account: (1) primary costs of public participation, (2) secondary costs of public participation, (3) primary costs of legal processes and (4) secondary costs of legal procedures. The primary costs are the costs that are directly coming from an activity and the secondary costs are the costs that originate indirectly from these activities. To research this, two phases of case studies are used. The first phase of case studies is done to gain insight in the direct and indirect costs of public participation and legal processes, afore determining in the second round of case studies if public participation decreased the chances of (non)participants starting legal procedures or caused any other forms of delay. The first round of case studies is done through a financial analysis of multiple cases, the second round is one in-depth casestudy complimented by interviews with developers, legal advisors, and (non)participants themselves. A cross-analysis is done of the results to determine to what extent public participation helps to smoothen the process and decrease the chances of legal processes, and if so, how it financially contributed to the financial result of the project. The research is rounded off with practical recommendations for developers on how to include public participation in their development process to maximize the potential of public participation initiated by developers.

Key words: Public participation, urban development, legal costs, economic gain, process management

In New York's East Harlem there is a housing project with a conspicuous rectangular lawn, which became an object of hatred to the project tenants. A social worker frequently at the project was astonished by how often the subject of the lawn came up, usually gratuitously as far as she could see, and how much the tenants despised it and urged that it be done away with. When she asked why, the usual answer was, "What good is it?" or "Who wants it?"

Finally, one day, a tenant more articulate than the others made this pronouncement: "Nobody cared what we wanted when they built this place. They threw our houses down and pushed us here and pushed our friends somewhere else. We don't have a place around here to get a cup of coffee or a newspaper even, or borrow fifty cents. Nobody cared what we need or want, but the big men come and look at that grass and say, 'Isn't it wonderful! Now the people have everything!'"

Jane Jacobs, *The Death and Life of Great American Cities*, 1960

On a personal note

Public participation, a topic that I never thought about but sparked my interest when I got in touch with it. My experience first as a process manager in the Urban Redevelopment Game, a course in the first year of mastertrack Management in the Built Environment, and after that as a research assistant with the team of Wouter Jan Verheul. That spark of interest eventually led to this final thesis, on which I lay the last hand just before Christmas of 2021.

My personal background is inherently technical. With a bachelor's degree in architectural engineering and experience in several fields of the building industry, I did not expect to end up in the department of Urban Development Management, let alone writing about public participation. Not many people know this, but as I started my time in Delft, I was not even sure that I would start the mastertrack MBE. First, I enrolled for the studio of Architecture and Engineering, but was not entirely certain about my choice. At one point, awaiting the grade for my ON6 project on a sunny afternoon, two fellow students from my bridging semester group asked what would help me make the final decision to switch to MBE. We came to the agreement that if my grade would be an 8 or higher, I would stick to architecture. If not, I would email head of the department, Fred Hobma, to ask for permission to switch to MBE just before summer. My final grade was a 7. Nothing to be ashamed of, but my path was now clear. The fellow students that made me help this decision were Pim Lambert and Tjerk Webbers. Switching to MBE was most definitely the best choice I could have ever made, and I haven't looked back ever since. From the get-go, I've felt right at home at this wonderful department. I've met so many wonderful people along the way and experienced so much fun stuff within MBE and BOSS, so I also have to thank you for that, boys!

Then, after one year of courses, thesis time came. During the process of writing this thesis, I spoke to a great number of people in total, ranging from people within the department of MBE to a large number of professionals from the real estate industry. There are five groups of people I want to thank in particular.

First, the people from within MBE that were involved in the very early stages of my thesis. During the shaping of this research towards P1, I received a lot of feedback on my ideas which helped to shape the eventual goal of this research. Second, after the research goal and purpose was roughly defined, the interviewees from the explorative interviews provided me with very useful and necessary information to further pinpoint the research goal.

Third and fourth, the professionals from AM Gebiedsontwikkeling and the participants and involved people from the Schoemakerplantage. These people are basically the backbone of this thesis, as their input was most valuable for the conclusion and recommendation. Judging their input objectively and comparing research results was for me very enjoyable, as I learned something new myself but also contributed to the wider body of knowledge around the topic of public participation. Fifth, last, and most important, my support team for larger part of 2021. My first mentor, Wouter Jan Verheul, second mentor Fred Hobma, former second mentor Cynthia Hou, and the two company mentors from AM, Josje Hoekveld and Anneke Jongerius.

I've known Wouter Jan for a longer time now, as he was the tutor for the process managers during the Urban Redevelopment Game, whereafter I worked with him from my role as research assistant. He is an impassioned researcher with a tremendous amount of knowledge and very enjoyable to work with. Fred Hobma is an excellent addition to the team as well, with all his relevant knowledge of building law and enthusiastic approach and helpfulness to the topic. Finally, Josje and Anneke made the dream-team complete. With Josje and her academic background providing valuable input on research methodology and execution, Anneke took up the valuable role as 'feet on the ground' and linked me to the necessary people within AM to conduct this research.

I am sure I still forgot to mention some people in this preface, but hereby I would like to thank you all for contributing to this large chunk of work. You have all made this process very enjoyable, and I hope you will like the eventual result!

Personal motivation

Public participation (omgevingsparticipatie in Dutch) is a privilege for our society. It's part of our democracy, and certainly not a given in all parts of the world. The public is able to participate from the big elements of a democracy like voting for the national government, to the smallest details of a new park just around the corner. It is important to strike a balance, as more opinions often make decisions more (sometimes unnecessarily) complicated. The same goes for urban development and spatial planning. Here as well, the national or local governments have a big impact on what can and cannot be done on a local scale, and if something happens, opinions arise on all levels.

However, for market parties and project developers, public participation often feels like a subject with a negative stigma. Often seen as difficult, troublesome and with the effect unnecessary delaying projects, it is not a very attractive prospect for the project developers who have to deal with it. But there is a solution for this: Capitalism. Whether you like it or not, money has a big say in everything that happens around us, so why not let it do part of the work for you? Initiatives are popping up left, right and centre. In fields of sustainability and social entrepreneurship doing something good for society is combined with a business model that works and stimulates to do more. Regulations from a top-down level are a part of this, like what is now happening to the regulations regarding public participation in The Netherlands. If it becomes clear that when doing good can be combined with having economic gains, the possibilities are endless. So how has this to deal with urban development and public participation?

Like mentioned before, public participation is not always regarded as a positive thing. Sometimes it causes delay or more costs, without having a positive impact on the end-result. That might be because it is done improper, or not done at all. In The Netherlands, we have a law change coming up, the new Environment and Planning Act, making it mandatory for project developers and initiative takers in urban development to set up some kind of public participation process early on in the project. There are some questions though: why and how would these parties do so?

And here comes, as what I see, as a great challenge for my graduation research. To research if it possible for urban developers and other project developers that public participation can be beneficial for them, the affected communities, and the eventual end-product. The personal curiosity to the subject of public participation is there because I want to understand if public participation can actually have economic benefits for project developers as a result. If these economic benefits are reached and combined with a happy community and a better end product, it makes it a potential win for all and in my eyes, and worth to research.

Personal study targets

Personally, I'd like to gain more insight in the importance and benefits of public participation in two key areas: How to use it to make plans economically more attractive and speeding up the process of development in the complex context of today's built environment. Mainly the latter is of importance, as a process increased in speed and fluency will cost less resources for the developer itself. Combined with using public participation as a method to create a product with a positive impact on the financial end result and better fitting the existing urban context and community, a win-win can be created. Especially the impact of the affected public can be of high importance, and my personal goal is to understand it and put it to good use for all.

Executive summary

Public participation is a widely researched topic. How it could be done, what steps ought to be taken, how it could be used to benefit the democratic process and how it can contribute to an end-product where the public is more content with. However, public participation organised by private parties is still relatively unexplored and is proving to be an ever-growing relevant topic in the Dutch city transformation community (Verheul et al., 2021). From every corner in the building and project development industry, interest is shown in this topic. The topic is as important as it is difficult, no matter the stage of the project, or whether it is a building or an area development. Public participation can be an asset, as well as an obstacle.

This relevance is emphasized with the new Environment and Planning Act in The Netherlands. The essence of this law change focusses on mandating a public participation process by the initiative taker in an area- or single plot development when a zoning plan change is part of the permit application process. To help the developers with this process, every municipality in The Netherlands needs to publish a public participation guidebook (*participatieleidraad* in Dutch), where it describes what it expects in terms of public participation from the permit applicant, which is usually the project developer.

However, at first glance, this law change seems to mandate public participation for the benefit of the democratic process, the municipality, and the public around developments. There could be a financial benefit for the developer as well though, but this has not yet been explored or researched in depth. This research aims to provide insight into the benefits for the developer of privately organised public participation and focusses on practical recommendations based on both qualitative and quantitative research. This thesis elaborates on the financial effect of public participation and lessons learned from in-depth case analysis with both developers and participants.

From the literature study and first round of explorative interviews, which were done with professionals from a wide range of professions within the real estate industry, it became apparent that public participation could indeed be an asset. More specifically, it could help smoothen the development process, and primarily prevent legal opposition when it comes to permit application or a request for a zoning plan change. Furthermore, one very specific element was mentioned to be the main factor for cost increase during the development process: Delay. Project delay could cause various cost increases, from late delivery penalties to indexation of the building costs. However, the exact impact of these costs was relatively unexplored, as well as what these costs specifically are.

These two elements combined, using public participation to smoothen the development process and permit application phase, as well as the financial risks of delay during a project led to the following main research enquiry: *Public participation can help to mitigate or decrease financial impact of legal opposition by (non)participants on an urban (re)development project.* This research enquiry forces the researcher to explore and gain insight into what these delays cost, as well as if, and to what extent, public participation can help prevent or decrease these legal processes.

To research this enquiry, a main research question and several sub questions are required. As this research will focus on the financial benefit of public participation for the initiative taking developer in urban development, the research question is as follows: *To what extent can project developers benefit economically from strategically engaging public participation in complex urban (re)development projects?* This main research question focusses on two main parts: (1) Economic benefits through the strategic engagement of (2) public participation.

The economic benefits are not defined as 'more profit' or 'higher commercial value', but viewed as a result of public participation that contributes to the financial result of a project. In the case of this research, public participation is put in the perspective of preventing costs from legal procedures and the consequent delays. To analyse the financial impact, four main cost categories are researched in the financial analysis of several cases, before an in-depth analysis is done of one specific representative case by interviewing both the developer, as well as the participants in that project.

The cost categories that are going to be researched are (1) primary costs of public participation, (2) secondary costs of public participation, (3) primary costs of legal processes and (4) secondary costs of legal procedures. The primary costs are the direct costs, these could be for example the public participation moments themselves, or the costs for attorneys in court. The secondary costs are the costs that are a result of these primary processes. In the case of public participation, these are changes in the project itself that potentially cause less commercial value, such as decreased building height, or increased costs which came from a more complicated construction process to have less noise pollution. These costs are, simply put, everything that changed in the project based on agreements made through public participation. The secondary costs of legal processes are, again, costs are a result of these processes. These can be mandated changes in the project by the court, or the costs of delay that are caused by these legal processes. This analysis is done to gain insight into the financial impact of public participation and the financial impact of legal procedures and delay. This is a vital part of this research, as it will help to exemplify the financial impact of each category.

The financial analysis is done through seven case analyses, complimented with interviews from the lead-developer of each project. In, or after, these interviews, the required financial numbers were shared to conduct the financial analysis. These four cost categories were put in ratio compared to the commercial value of a development to gain insight into how these costs compare to the eventual value of a project. The results were clear: The secondary costs of public participation, meaning the costs of changes through public participation, were often equal or lower than the primary cost of public participation. Furthermore, the secondary costs of legal procedures were by far the highest cost factor, with around 90 percent of the cost increase over these four categories. Based on this explorative financial analysis, two preliminary conclusions can be drawn: (1) The overall financial impact of public participation proves to be very little and (2) costs coming from project delay caused by legal procedures are extensive, and it could be beneficial to try and prevent these costs. Furthermore, a remark can be made about the current market situation in The Netherlands. This external force on projects caused in several cases that delay would not cost any money, as the increased costs were set off by the increased sale price of the project caused by the rising housing prices. However, in the case of some projects, it caused the project to be dragged into the financial crisis of 2008-2011, so it can work two ways.

The developers interviewed for the financial analysis were also asked several questions about their thoughts and experiences of public participation, and about the link to legal procedures and delays in projects. In one of the explorative interviews, one interviewee remarked that wishes or demands from participants are usually already taken care of in the project, or there were already plans to do so. The concerns are often very reasonable and understandable. This was confirmed by most interviewees, some even stating that the positive impact, meaning that the public feels heard and involved, of public participation does have a strong link to the eventual legal procedures in later stages of the project. However, most made the same following remark as well: Not all opposition can be prevented, as some concerns and stakes are simply irreconcilable (verenigbaar in Dutch). Although an attempt is made through public participation to resolve these disputes, the decision remains to be made in court. However, if public participation is done, whether the project entails a zoning plan change or not, can help strengthen the case in court, and can partially contribute to a positive ruling in court for the developer. To test these findings and statements of developers, a more in-depth analysis is required, as well as a comparison to the perspective of the participating public in development projects.

The next part of this research focusses on analysing if public participation can contribute to a smoother process, and if so, to what extent. This is done through an in-depth case analysis of the Schoemakerplantage in Delft. This is a phased area development project which transforms the former inner-city office site of TNO to a new residential neighbourhood. The research is done by gaining insight into the development- and participation process from the developers' perspective, as well as interviewing several participants from around the project to compare and draw lessons from. This part of the research is complimented with a neighbourhood-wide survey to gain insight in the consensus around the project.

From the interviews, and the comparison to the developers' perspective, some important findings became clear. This comparison proved to be a very important element to formulate conclusions and recommendations for developers who deal with inner-city transformation processes. One key element became apparent in this analysis: Time. Time goes by quick, and things change over time. Time is often scarce, and you must choose wisely how you spend this time. At the start of the project, all direct neighbours of the project were approached to participate in several sessions with the developer about the project. In these sessions, input was given, and talks were held between the developer and neighbours. However, as the project moved along, the focus shifted from surrounding residents to the new residents. This shift was noticeable by the residents who were involved earlier in the project. Furthermore, as this shift happened, new people moved in around the project, feeling left out of the process completely. People were not informed anymore about what was happening in their backyard, and this led to mistrust towards the developer, and a less positive stance towards the project. They did agree however, that being involved in the project early on gave them a positive mindset towards the project, and as agreements were made, they explained that the chance of starting legal procedures, alone or together with their neighbours, would be significantly lower.

To conclude this explorative research, some important remarks need to be made. As mentioned before, this research aims to explore and gain insight into the financial benefits of public participation to the developer. This is done through a very limited case and in-depth analysis, which is not representative for every other case. To further develop knowledge in this topic, a broader and more in-depth research needs to be done, in both the financial analysis part, as well as the in-depth case analysis part with developers and participants. Recommendations for further research are done in the second to last chapter of this thesis. However, some preliminary conclusions can be drawn from this explorative research, and these are as follows.

As shown in the financial analysis, secondary costs of legal procedures make up most of the researched costs. Therefore, this part already validates the statements made earlier in the explorative interviews, and it is worth to research if public participation can help prevent these processes. This was done through the analysis of the Schoemakerplantage. The result was that with some recommendations and changes in the public participation process, legal processes could be prevented when it would come to permit application. However, it is recommended for the developer to see public participation not as a one-time thing, especially in phased development. Over time, the project changes, as well as its context. Therefore, it is advised to keep the surrounding public informed, and if needed involved, to keep track of concerns and deal with them accordingly. This ties in with the fact that the power of an unwilling participant or group of participants is not to be underestimated, as they can cause significant troubles for the project, rightful or not. At last, don't be afraid of public participation and its impact on the project. If public participation is purposefully not done and the public is ignored in the development process, it will likely bite the developer back later in the development process and bring all the unwanted negative consequences with it.

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1 Introduction

Public participation organised by private parties is an ever-growing relevant topic in the Dutch city transformation community (Verheul et al., 2021). A broad topic which is found relevant by parties all over the built environment: From municipalities to private developers, and everything in between. The topic is as important as it is difficult, no matter the stage of the project, or whether it is a building or an area development. Public participation can be an asset, as well as an obstacle.

With the new Environment and Planning Act in The Netherlands, the importance of public participation is emphasized. Private project developers and other initiators other than municipalities now must do 'something' with public participation in their development process. Where the bigger (urban) developers were already used to do this, not everyone is as well prepared to do this task, let alone seeing the potential (economic) benefits of it. However, public participation organised by project developers can have benefits, not only for themselves, but for the other impacted stakeholders as well. A triangle of interdependency consists of the community, municipality, and initiators of urban development projects, and whatever one does, impacts the others.

In today's academic landscape, a lot of knowledge has already been collected on public participation; what it is, how it works and why it should be done. This is confirmed by Verheul et al. (2021) in their essay on the topic. However, most publications and examples from practice mainly describe the participation processes led or organised by (local) governments. In the rare case that it is written from a private perspective, benefits for the initiators are often not clear. In addition to this, during the past decade, more and more knowledge is gained, and examples come available on the topic of the public taking matters in their own hands and coming up with a bottom-up-like approach to challenges in urban areas. As said, there is one big missing piece, and that is about project developers taking the lead on participation.

Developers, owners, and other project developers rarely take the initiative in setting up a participation process, and this could be due to several reasons. Verheul et al. (2021) describe the following possible reasons from the market party- and municipal perspective:

Why would a market party set up a public participation process?

1. Creating support at (local) governments;
2. Preventing expensive legal procedures and project delay;
3. Gaining relevant market information for plan optimisation;
4. Creating project ambassadors and co-creators;
5. Strengthening the public perspective of the developer.

Why would municipalities stimulate public participation initiated by project developers?

1. Enhancing the quality of democracy and power and influence of citizens;
2. Stimulating citizenship and personal development of citizens;
3. Mitigating 'messy' processes and cutting costs for local governments.

In addition to these eight reasons in favour of public participation by project developers, there is one other vital legal obligation that necessitates this: From 2022 onwards, setting up and contributing to a public participation process is a required element when applying for a building permit (Dutch: omgevingsvergunning). The new law, the Environment and Planning Act, requires initiators in (urban) project development that public participation processes are included in the development process if a plan does not fit in the current zoning plan, and that it must be documented and submitted together with the permit application. As per the current obligations, the public can only object to a project during the application phase. This is not a form of participating, but merely informing about a development (Arnstein, 1960). Therefore, the new addition to the upcoming law is a fundamental change as to what the process of (urban) project development look like. This is within the Dutch context however, as it is seen that in more Anglo-Saxon contexts like the US and

UK, public participation is far more often initiated by developers. This has to do with the context as well, as the Rhinelandic context often has a very 'safe' social system, wherein the public is already more protected by the government and project developers operate in a tighter window.

The main reason for the change in law is to prevent mismatch between the affected public and project intentions of project developers, thus creating a reason for the public to object, and to give the public a stage to participate in real estate and area developments (BRO, 2020). Furthermore, and possibly the most important factor for mandating public participation, is that it takes place in an earlier stage of the development process. By making participation obliged early in the process, it is more likely that plans will be less definitive, and thus leave more room for input.

The result of this is, that by 2030, all Dutch National municipalities must have their participation guidebook (Dutch: participatie-leidraad) ready for project developers to use. In this document, a suggestion is made by the municipality on what kind of participation the municipality expects, how it should be documented and how they will examine it during the permit-application phase (Deloitte & RHO adviseurs, 2021). However, this still remains a suggestion, and the initiators of a project will still be able to determine how they will deal with public participation. This research will possibly help the initiators of a development to guide them through the process of public participation.

The elements mentioned above are mainly explaining what and how public participation should be done and how it should be done can differentiate per municipality. However, why should a project initiator take public participation seriously? As said before, it can be an asset or an obligation, but that all depends on how it is used and set-up. Developers sometimes experience that public participation positively contributes to their developments in a spatial sense, but it is no given that the business case improves.

Project developers and other market parties have after all, amongst others, a primary goal of making economically feasible projects. If this does not happen, a company or firm will not exist for long. Therefore, focussing on the economic benefits of public participation for project developers and other market parties is of importance to exemplify the relevance for these parties. Put simply, if there is money to be made, then they will be more likely to be interested. As said before, public participation is well researched, but its economic benefits for developers are not.

1.1 Reading guide

This thesis consists of seven chapters. Each chapter entails another part of this research and starts with an own introduction. This reading guide provides an overview of what is to come, and what is discussed in each chapter.

This chapter, chapter one, continues with the research goal, problem statement, research questions, research output, scope, and limitations. This chapter is the basis of what is to come, as here the goals and means to do so are defined. The second chapter describes the literature study and explorative interviews, as well as the key findings for these. These key findings determine the course of this research, as here the gap in literature is defined, as well as reasoning for this research. Finally, the theoretical framework is explained.

The third chapter entails the research setup. In this chapter, the methodology, audience, empirical framework, interviewees, case selection and data analysis is described. This is the foundation of the practical empirical part of this thesis. Chapter four is the research execution. In this chapter, the cases are selected and described, the research approach is further elaborated upon, and analysis is done. The main findings are discussed in chapter five. In this chapter, the results of the case analysis, interviews and surveys are discussed. In chapter six, conclusions are drawn, and recommendations are formulated. In this chapter limitations and recommendations for further research are described as well. Furthermore, a result validation round is conducted. To round off this thesis, chapter seven is a reflection, followed by the references and appendixes.

1.2 Aim of the study

The major direction of this research and aim of this study is to research if public participation can have a positive impact on the eventual financial result on a project of a real estate developer. This will be done by looking at financial results of completed projects to take key findings from achieved results in the past. This is then combined with an in-depth analysis of a representative urban (re)development project to determine if or to what extent public participation has contributed to financial end-result, or the smoothness of the development process in general. Thus, the aim is to show to what extent project initiators can benefit economically from public participation, and if so, how that works and why public participation has an impact on the financial result. After determining this, practical recommendations are given.

1.3 Problem statement

Despite the knowledge of several benefits of public participation in urban development, in the Dutch context most developers do not seem to integrate this in their development process. It is often seen that the municipality takes up this responsibility. Furthermore, the subject of project developers initiating public participation, why they should do it and what the potential benefits are regarding their own business case are not widely researched yet. As described before, this is within the Dutch context. It is more common in Anglo-Saxon contexts like the US and UK, where public participation is far more often initiated by developers. In addition to this, especially in complex inner-city urban development processes, public participation can help solve problems that a developer might encounter. Odds are, that a development taking place in a dense urban environment, will require a more elaborated and well thought through participation process. In those cases, public participation can turn into an asset, as it offers the possibility of a smoother process and spatially better plan. And, if done well, even offer the possibility of preventing certain unforeseen costs later in the project.

1.4 Research goal

The goal of this research is to provide insight to project developers why public participation can be beneficial for the business case of their projects. This will be done by looking at various financial elements. These are five categories, namely (1) primary costs of public participation, (2) secondary costs of public participation, (3) primary costs of legal processes and (4) secondary costs of legal procedures. Keeping the commercial value as high and costs as low as possible will consequently lead to a higher end-value and potentially to a higher profit. Public participation will primarily be researched from the cost-preventing perspective; however, it can have a positive impact on keeping the commercial value as high as possible as well.

The primary costs of each category are the costs that come directly. These are the actual costs of for instance participation events or taking on the help of legal advisors when a (non)participant starts a legal procedure. Secondary costs are the ones that follow, e.g., the costs of delay that is caused by legal procedures, or a decrease in commercial value as the result of participation might be a function change or less square metres of gross floor area.

Thus, the research goal is how to strategically use public participation to maximize economic benefits for project developers. This consists out of two elements: Keeping commercial value as high as possible and keeping project costs impacted by participation and legal processes as low as possible. This research will primarily focus on the latter element. The end goal is to research how public participation helps to keep the proposed development (and business case) as economically attractive as possible and project costs minimal if public participation is done strategically and well taken up in the development process. Side effects, or tertiary findings, such as the potentially less time spent on developing plans or changing them after opposition, are described in a separate paragraph and in chapter six.

Furthermore, an important socio-economical sidenote is to be made. Private parties often act on one side of the spectrum, as it is relatively standard for public parties to take on the responsibility for setting up participation processes and dealing with the communities. Participation led by project developers provides these parties insight as to how to deal with the public around their development. By stimulating the process of connecting the community to the development, they are incentivised to come up with a way that participation strengthens their plans and benefits the public, and thus connecting the private and public perspectives.

The research goal is described based on two key elements: A literature study and explorative semi-structured interviews, as well as input from the company the author conducts this research at: AM Gebiedsontwikkeling. The explorative interviews are done with a wide range professionals involved in the real estate and urban development industry, from financiers to advisors, and developers themselves as well. These interviews were done, together with the literature study, to accurately describe the gap in literature and the necessity of this research from practice. Project developers and other project developers will provide input to gain insight on the two key research areas, whereafter a recommendation for the strategic use of public participation is made. The results could be beneficial for future projects of project developers. Experience is gained, knowledge is shared and the process itself is continuously improved. The more you do, the more you learn, the better you'll get.

The benefits of participation will be concluded in relation the business case of complex urban developments in inner-city transformation areas. Although not explicitly quantifying in percentages, recommendations, and tools on how to strategically use participation to achieve the economic benefits within the business case will be described. The balance between the primary costs and the possible prevention of secondary costs are an important element of this. The end goal is to provide insight for developers on how to strategically use public participation to maximize the economic attractiveness together with the minimal project costs which are impacted by public participation.

1.5 Research enquiry

Based on the literature study and semi-structured explorative interviews, a research enquiry can be formulated. This enquiry is based on the expectation that although public participation and legal procedures have primary costs if they are executed well and in a strategic manner it potentially (partially) prevents secondary legal costs. Therefore, the following statement will be researched:

Public participation can help to mitigate or decrease financial impact of legal opposition by (non)participants on an urban (re)development project.

This essentially means that if public participation helps to prevent the litigation of (non)participants the enquiry is found true. To put the proposition simply: A better plan and involved public will have more support, thus potentially leading to less secondary costs of public participation and legal processes, offering the initiating market party a higher net income.

1.6 Research questions

To come to the result and achieve the research goal, a main question and several sub questions need to be formulated. From the explorative interviews conducted in the earlier phase of research, as well as the literature research, it became apparent that public participation is often done, but there has never been an in-depth analysis as to what the impact has been, and what could be learned from it. As explained before, this research will focus on the overarching topic of public participation by project developers. Several interviewees from the round of explorative interviews stated that the impacted costs will likely be secondary costs, as the primary processes themselves do not cost much, but the costs that come out of these processes are most valuable. Examples are legal procedures and participation moments. These are not a major investment, but the result of these (e.g., delay or project changes) is what can have a negative financial impact (interview 07).

To put it short: participation does not cost much, but the decreased commercial value and additional costs is what negatively impacts the financial result. Additionally, minor changes to the contents of a project does not much, but the changes itself might lead to higher projects costs. The resulting delay is what causes increased construction costs and a potential increase late-delivery penalties or ground purchase price. There is a fine balance between investing in public participation and the costs that it might prevent in the future. Finding that balance within a business case is potentially a difficult task. Therefore, the main question focusses on the overarching goal of determining why and how public participation can achieve economic benefits for project developers in the urban development practice. This leads to the following main question:

To what extent can project developers benefit economically from strategically engaging public participation in complex urban (re)development projects?

The goal of this main question is gain insight if public participation contributes to the business case of a project in a financially positive way, and if so, to what extent it does. To answer this main question, several sub questions are required. First, it is important to investigate the manifestation of public participation through its characteristics, form or participation, participants themselves, how they participate and how they are represented. Public participation is a widely researched topic, and its definitions can well be found in literature. However, an important element for this research is to gain insight into the contents of public participation, define results of public participation and common opposition, and the achieved solutions to resolve in these situations. Therefore, the following sub question is of importance as a starter:

1 - What are common points of opposition and negotiation in public participation engaged in complex urban development projects?

As striking a balance between income and costs determines the profit of a development, participation can play a vital role in the eventual outcome of a project. Public participation is often a process of change, and the goal is to create a project that brings in an income as high as possible, the net income. This is the gross income minus all costs. Before it can be estimated what the financial impact of public participation can be on an urban (re)development project. First it needs to be analysed what the actual costs public participation brings with it. In this research two elements are focussed on: Public participation and legal processes. As explained prior, these have both primary and secondary costs. To determine these, the following two sub questions need to be answered:

2a - What are the primary and secondary costs of legal processes initiated by (non)participant in complex urban development projects?

2b - What are the primary and secondary costs of public participation processes initiated by project developers in complex urban development projects?

However, analysing costs and financial results of completed projects alone do not say anything about how public participation can potentially have a positive impact. Before, an enquiry should be done if public participation contributes to a smoother process and decreased legal processes at all. Therefore, the third sub question is:

3 - To what extent did public participation contribute to a decrease in legal procedures and increase in smoothness of the process?

This sub question helps to answer the main question by looking at the probability of public participation stimulating a smoother process. Furthermore, literature on public participation itself, how it could be done (strategically) and what its potential benefits are over the course of a project is necessary. Determining this is necessary to accurately determine if public participation in general contributed something to the process, without looking at what the financial impact would be. This cross-analysis, finding out the financial impact of public participation, is done by answering the following and last sub question:

4 - What is the financial effect of legal processes impacted by public participation on the financial result of a complex urban development project?

This last sub question helps to answer the main question by combining and cross analysing the answers of the first four sub questions. By answering this question, the information on the primary and secondary costs of legal and public participation processes will be held against the impact public participation had on the process itself. By doing this, it can be roughly determined what the (financial) effect of public participation is or has been. By gaining insight on the important cost factors to maximize economic gain with public participation, it gives a foundation for further research, as well as insight into what these costs mean for the outcome of a project.

1.7 Research output

The output of this research an extensive analysis to exemplify as to how, to what extend and why public participation can contribute to a business case in urban (re)development. The target audience are project developers with projects in urban areas which both exclude and include a zoning plan change. These project developers are likely to be involved in or initiate new (re)development projects, and those projects are likely to entail a zoning plan change. The reason for this specific target audience is that the new Environment and Planning Act focusses on two situations: The first situation is a project fits within the current zoning plan. If this is the case, the permit applicant only must show participation results *if* it is done, so a choice can be to do not involve public participation at all. Whether not setting up a participation process is good for the project, differs per case, but can be beneficial even if it is not mandated by law. The second situation entails plans that require a zoning plan change. In this case, public participation is a required element when applying for a permit.

This advice will consist of two elements: The first is on how to strategically use public participation in urban development projects. This is done particularly by looking at past results of public participation, as well as mapping the elements of a project that often is a point of discussion either in the participation process or permit application phase. The second entails the costs. More specifically, the gross income and commercial value can be (negatively) influenced by public participation as the programme might get reduced, or the costs can increase due to the demands or project changes that arise through public participation. What a municipality expects of the permit applicant, however, can differ per municipality. It is therefore recommended that municipalities have clear guidelines for the permit applicants. Furthermore, if an applicant does not meet the requirements, it is always allowed to supplement it during the application phase. (Verheul et al., 2021)

However, this research can be seen as a pioneering step towards providing insight to the potential benefits of public participation on a projects' business case. This research takes public participation as an integral element in the development process, rather than just trying to see if it can be used to increase commercial value. The reason for this is, that although commercial value might be higher, costs can increase and create an overall lower end-profit. Seeing public participation as an integral process-element, which can cost something in the first place (primary costs), can benefit the project later down the line (decreased secondary costs, tertiary findings).

This approach is chosen partly due to the potential availability of information and the relative un-researched nature of this topic. The scope will be set broad to give a wider image of the overall impact of public participation of a project. Thus, this research will be of an explorative nature. This will mainly entail the effect that public participation has on the eventual end-product, in both primary costs and overall legal costs as well as the secondary costs from these factors.

1.8 Scope and limitations

A scope definition is required to gain insight and achieve the research goal. To research this, certain process elements are key, as well as the sort of projects and affected communities in these urban areas. These are defined below.

1.8.1 Theory

The theory part of this research will start with an explorative study on key terms. As a start, some key terms must be defined. The participation process itself, stakeholders, stakeholder management, process management, the different levels of participation and potential (legal) solutions must be investigated. The final theoretic deliverable is a theoretical framework which aims to provide insight into what participation is, who the participants are, what kind of results participation has shown in the past and how the results of participation give the prospect of economic gain.

1.8.2 Practice

Together with the theory part, a first round of explorative interviews is done to gain insight certain activities and events of public participation, and on rough numbers within the business case. These interviews were held with various parties involved in the world of real estate and project development. These interviews are used to accurately pinpoint the necessity from practice for this research and are held with several real estate and urban development professionals. These include developers, (participation) advisors, investors, and financiers. The results of these interviews are shared with the guiding mentors of this research and will be held private due to agreements made between interviewer and interviewee.

1.8.3 Research framework

To conduct this research qualitative interviews will be used, combined with required data from cases provided by interviewees. This data, together with the interview results, will be used to accurately map the balance between past participation processes. These interviews will provide insight into the budgeting of consequences of participation. As it became apparent, participation is not the problem, but the consequences for the project in time and budget are. In these interviews, it is necessary to discuss examples where public participation made a difference in the business case and learn from it to put the learned lessons to use in future projects to benefit all stakeholders involved.

1.8.4 Affected community

This research focusses on the existing community in urban areas, as preventing opposition and creating support for a plan is vital for the two elements of this research. The focus of this research will be public participation with the existing community surrounding an urban (re)development project, as well as the legal consequences a project might get to deal with. The future community (i.e., the future users or residents of a development) most likely won't impact these processes, and these will be held outside the scope. As stated by Verheul et al. (2021), participation can potentially prevent these legal objections by the existing community. This includes making sure that not one group hijacks the participation process and providing an inclusive process for the affected communities.

Furthermore, this research will focus on public participation before and during concrete projects and the necessary permits and approval of building plans. Therefore, will this research focus on public participation (omgevingsparticipatie in Dutch) and not only citizen participation (burgerparticipatie in Dutch), as some projects will not only have citizens living in the impacted area, but can also include local entrepreneurs, companies, and other stakeholders.

1.8.5 Urban focus

This research will focus on urban (re)development projects in inner-city or urban contexts. These are plans which deal with an existing context, and thus surrounding citizens who either work or live there. This includes plans that require a zoning plan change, which is a lengthy process as well if it occurs in an urban area. Both development and redevelopment in inner-city areas fall into this category, as both deal with the complexity of a city. As described before, the affected community does not only

entail nearby living citizens, but other stakeholders you might come across in urban development projects as well. Additionally, this sometimes involves the process of a zoning plan change, which must be approved by the municipality. Zoning plan changes entail both function change and building heights and volumes.

The development areas can be defined as inner-city, grey field or brownfield developments. Hou (2021) cites Amekudzi, LcNeil & Koutsopoulos (2003), who describe these areas which make use of existing infrastructure, which may bring less external pressure to help achieve a higher density within cities. Furthermore, developing brownfields is a possible way to slow down urban sprawl by preserving industrial land, being an environmental protection strategy while contributing to economy growth and community revitalisation (various citations by Hou, 2021). This is an important socio-economic element as well, as land is scarce in The Netherlands, so an increased demand for inner-city developments can arise as a higher density within cities can play a vital role in dealing with land scarcity (CPB, 2019).

1.8.6 Impacted budget elements

As described, the aim of this study is to research to what extent public participation affects the business case of an urban development. However, this is a very broad scope. This research will examine four key elements, namely (1) primary costs of public participation, (2) secondary costs of public participation, (3) primary costs of legal processes and (4) secondary costs of legal processes. To these four, a fifth 'bonus' category can be added. This is a category wherein other costs and findings will be discussed, which arise during the research process. This category is (5) tertiary costs and findings which will be discussed in the conclusion.

The first element entails the direct costs of public participation. This is the actual organisation of the participation moments. The costs include hours put in, location, promotion, et cetera. The secondary costs are the effects and results of public participation, as it can affect the building height or layout, or even construction site set-up. These changes can bring costs with them, and thus are the secondary costs of public participation. The same goes for primary and secondary costs of legal processes. The primary costs are the direct costs of e.g., having a legal team giving the developer advice, and the secondary costs can potentially be the costs of delay, late delivery penalties due to delay caused by (non)participants who have started a legal procedure.

1.8.7 Process elements

By using public participation as a mechanism to prevent opposition and create a better plan with more support for developments can potentially increase the economic benefit for project developers, as the costs can be minimized. Time is an important element of this, and in other words: Time is money. Legal procedures are often started by opponents of development based on the proposed contents of the plan. These can be participants who were not satisfied with the outcome of the public participation process, or even (non)participants. By organising participation in a way that the opposition is decreased as they agree on the contents with the additional benefit that on-time delivery is more likely, there is the potential of hitting two birds with one stone. Therefore, the process elements from initiation phase up until the permit application will be considered when conducting this research, as public participation is seen as an integral process element.

1.8.8 Economic gain

Economic gain through public participation can be seen because of several adjustments throughout the process. A cost reduction or increased commercial value won't likely be a direct result of participation which leads to an increased economic gain in the end. Thus, the economic gain will not be researched directly, but indirectly through the earlier described elements. These are cost reduction (or prevention) and the likelihood that opposition might arise. As a start, an element of this research is going to be dedicated to the changes in process and result through participation which happened in the past. By mapping common changes and results, more insight is gained on what happens through participation. In turn are these changes quantifiable in financial turns, and thus can give a rough indication of the economic gains or losses when it comes to end-value.

Quantifying the economic loss due to project delay can be defined when working with rough estimates and numbers. For instance, a project will have a late delivery penalty clause in its contract, and legal procedures can sometimes be estimated in length. Both will differ per case but are quantifiable in an amount of money. Again, it is important to state that participation and legal procedures likely won't cost a significant amount, but the delay and changes in programme are what causes the increase in costs. Therefore, the economic gain serves the purpose of creating a more complete image of the impact of public participation by combining the elements.

1.9 Research relevance

The relevance of this research consists predominantly of three elements, scientific, societal, and economical. The scientific relevance is essentially the gap in literature, and social and economic are focussed on the practical benefits. In this research, mainly societal relevance has to do with participation itself, and economical relevance for the project developers involved in urban development.

1.9.1 Scientific

Research in the field of public participation mainly focusses on what it is, who participates, how it can be strategically used, differences in objectives and what the potential benefits are (Arnstein, 1969; Brody et al, 2003; Bryson, 2004; Geesing, 2015; Stapper, 2020). However, the link to economic gains for developers is rarely or even never made. Participation becomes a mandatory element in development of complex urban projects. The goal of an urban developer is to create good quality areas, but also to make a profit out of the project. If there is not an expected profit, or the potential prospect of economic gains diminishes, the developer will not undertake action to initiate the project. In literature, the main missing link is the one between public participation and economic gains and benefits for the market party who takes the initiative in an urban development project.

1.9.2 Societal

The ability and process of public participation of this thesis is the core societal aspect. As Verheul et al. (2021) state, participation of the public potentially enhances the quality of democracy and power and influence of citizens whilst stimulating citizenship and personal development of citizens. Although they state this is a reason for the public parties (e.g., municipalities or other forms of local governments) to initiate a process of public participation, this cannot be forgotten as two core reasons to stimulate participation of the public in general. The new Environment and Planning Act helps with this, as it is now mandatory for project developers to do so, and thus create a link between the private and public objectives in urban development.

1.9.3 Economical

The economic relevance of this thesis entails one key element: making clear what economic benefits are in reach of urban developers when setting up participatory processes well, in a way that it stimulates the afore mentioned societal aspects and creates economic gain for themselves. As of so far, as described, this is the missing link in literature, and there is an increased demand from practice to clarify the potential value of public participation for project developers and other project developers.

2 Key findings from theory and practice

This chapter contains literature and theory research, as well as a description of the explorative interviews. As mentioned before, the author has conducted a total of seven explorative interviews alongside the literature study. The main reason for this is the fact that the result of this research will be mainly of use for project developers, and thus their perspective needs to be defined, clarified, and sharpened. Furthermore, it became apparent during the literature study it was necessary to define the need of this research from practice, as well as to exemplify the gap in the literature. The interviews were held with interviewees from different parts of the real estate and project development industry, including real estate financiers, urban development consultants, participation experts and project developers. These interviews are listed in the interview list found in appendix A.

2.1 Literature and theory

The theory part and literature study focus on several key terms and theoretical frameworks, mainly focussed at participation. First, participants and levels of public participation are defined, whereafter stakeholders and stakeholder management in urban development processes are touched upon. Decision making within these processes is researched, as well as doing so strategically within the urban development and planning context.

2.1.1 The legal framework around public participation

The new Environmental and Planning Act (omgevingsvergunning in Dutch) has an impact on the way public participation could be dealt with in the future. Verheul et al. (2021) define two key parts of the legal framework around public participation, namely (1) public law (publiekrechtelijk) and (2) private law (privaatrechtelijk). Public law entails the new planning Act, whereas private law explores the possibilities of agreements between the participating public and an initiative taking developer. These private agreements focus on the contents of an area development.

Public participation is an important element of the new Environmental and Planning Act. In their essay, and for this research as well, the focus of the level of public participation is at municipal level, as this is the scale wherein urban development projects take place. In this case, public participation is proactive, as the involvement of the surrounding context is initiated by the developer and happens in a phase prior to the application for a permit. (Verheul et al., 2021)

Prior to the new planning act entering into force, public participation initiated by the initiating party was not mandatory, although this does not mean that it did not happen yet. If a developer would initiate such a process, it could be out of the belief that public participation would help create a better spatial plan or help smoothen the permit application process by identifying potential elements of discussion early on, and possibly to prevent legal procedures and delay during the permit application phase. (Verheul et al., 2021; interview 09). There are even examples of projects where municipal subsidies or co-financing are connected to the level of public participation in projects. This is confirmed by an interviewee of ING Real Estate Finance: Public participation can be seen as a form of soft information about the risk of a project, and thus can lead to financially more attractive financing agreements (interview 06).

However, it can sometimes happen that municipalities would ask the permit applicant for a building permit or zoning plan change to show results of public participation of that specific project. This is the possibility, however the potential lack of support from society for the project is not allowed to be a reason to turn down the application. It can be a possibility that the municipality will not cooperate if the applicant has not put it sufficient effort to involve (non)participants if this should have been done based on municipal policy (participatieleidraad in Dutch). The difficulty is, that this can differ per municipality, and the new Environmental and Planning Act aims to strive for a nationwide policy (Verheul et al., 2021, Deloitte & RHO Adviseurs, 2020; interview 15). In addition to this, municipalities must take other factors outside of support into account, such as costs of a project, relevant impact on nature and wildlife and the potential stakes of non-participating stakeholders.

There is an important note for the new act: When a permit applicant applies for an environmental permit (omgevingsvergunning), a differentiation is to be made: A permit application for a project that fits within the zoning plan, or a project that requires a zoning plan change.

If an environmental permit application for a project is done that fits within the zoning plan, the applicant is required to indicate if public participation took place. If it took place, then the applicant should indicate how it was done, and what the results are. An important note is the fact that it is possible to obtain the permit without setting up a public participation process, as it is not allowed for the municipality to turn down an application if it did not take place. The application should be assessed based by the normal rules regarding the permit application. These are often rules about e.g., building dimensions, planning authority, et cetera. (Verheul et al., 2021)

If an environmental permit application for a project is done that does not fit within the zoning plan, the applicant is required to set up and make use of public participation for that specific project. When applying for the permit, the applicant should hand in a report on how, where and when participation took place, and what its results are. What these reports should look like, differs per municipality. Each municipality must have a 'participation guidebook' (participatie-leidraad in Dutch) to inform permit applicants about the requirements on the report and the public participation process itself (BRO, 2020; Deloitte & RHO Adviseurs 2021; interview 15). If the permit applicant does not meet the requirements, they are allowed to complement the original application with the required public participation report. If from the report appears to be a lack of support from the surrounding community of a project, it is not automatically a reason to decline a permit application. The municipality always must take other factors into account when a plan requires a zoning plan change, as there might be other reasons to work in favour and outweigh the negative support for the project. (Verheul et al., 2021)

2.1.2 The public and private agreements

The previous paragraph focusses on the public law side of privately organised participation processes. However, there are private law sides of public participation as well. Contacts with the (non)participants do not necessarily mean contracts, but contracts can be a result of contact between the initiating developer and participants.

During such a public participation process, it is likely that parties such as citizens, NGO's, neighbourhood organisations, companies, and environmental protection organisations publically talk about their wishes and demands. Verheul et al. (2021) define three categories wherein these demands would fall, namely (1) the content of the area development, (2) the amenities or measures that benefit the surrounding context and (3) the procedure of the development, which entails e.g., flow of information or phasing of a plan. Verheul et al., (2021) define five potential reasons why the initiative taking developer and participant should want to come to a formal agreement.

First, agreements could be made to create transparency. It makes rules and responsibilities clear during and after the development process. Second, they can be held to hold someone or somebody accountable for their actions. Stapper (2020) defines this as a 'government tool', used to control the market party on their made promises. Third, these agreements rely on 'entrepreneurial logics', meaning that governments take a step back and let the society take matters a little more in their own hands. Risk of this is, that the loudest may get what they want, but a large group is left unattended and might not feel heard or satisfied (Jacobs, 1960; Arnstein, 1969; Susskind, 2010; Fisher et al., 2011; De Bruijn et al., 2014). Fourth, it makes the private parties aware of public values which might be touched during a development process, as it makes them explicit. Fifth, sometimes municipalities demand that before they will support a project, support of the local community is required. An agreement is a form of 'hard' evidence that this support is there. (Verheul et al., 2021)

The agreement can differ as well, as it can be obligation to try to obtain the goals, or the obligation to achieve the element agreed upon. The nature of both agreements differs tremendously, as the outcome can be far from the same (Verheul et al., 2021). Agreements made can differ in legal 'hardness' and can ultimately be decided in court. For example, in the United States, or other Angelo

Saxon countries where public participation is mostly organised by private project developers or other market parties, contracts with obligations to achieve are used often. In addition to this, in an analysis made by Wolf-Powers (2010) and Geesing (2015), it becomes apparent that the contents of these agreements often are socially minded, meaning that they are meant to fill in what governments already take care of in Rhinelandic context.

However, the most difficult question and challenge for the initiative taking party is the fact that if an agreement is made, not always everyone feels represented. This can change over time as well, as agreements might not represent the community anymore over time, as residents move in and out of the neighbourhood. Although these agreements are legally allowed in The Netherlands, it is not always a given that if promises are met, no legal procedures will follow. This often occurs if a (non)participant does not feel represented or their demands are met, but almost all points of discussion are agreed upon or taken into the project if public participation is timed in an earlier stage of the project (interview 15, amongst many others). If opponents arise, the usual approach is recommended: Single out, make sure that they do not get traction in a bigger group, converse with them privately to understand their concerns, and deal with these accordingly.

In the Anglo Saxon countries, there is one form of contracting between the public and private developers that might be of interest for the Dutch and Rhinelandic context: Community Benefit Agreements. These agreements often entail demands on housing and parking, communication with the community and help with societal problems in the neighbourhood. All these elements are what makes the context wherein these agreements are made inherently important. Like mentioned before, the contents of these agreements are often meant to protect the affected community, whereas this already happens in a Rhinelandic context by (local) governments. This shows a great maximum potential of these agreements but might not to their full extent be the solution for The Netherlands. However, as shown in the case analysis of the Schoemakerplantage, the surrounding context is subject to change as well. This can potentially lead to the agreement not being representative for the context once construction starts, as this is often years later than when these agreements are made. (Daamen, 2018; Verheul et al., 2021)

2.1.3 Determining costs of delay

During the development process, projects can be delayed before construction is started. Costs of delay can be caused by many reasons, but someone must pay the bill. During a development process, project costs are made by the developer. At a certain moment in the process, the contractor will be contracted to execute construction. Often, this happens before the permit application phase, which leads to the uncertainty of having a legal obligation to start construction at a certain date, but not having the permit yet. If a delay is caused during the permit-application phase, the project developer cannot guarantee the start of construction, and that can consequently lead to additional costs for the contractor. The contractor is obliged to finish construction within the agreed timespan, but the client (in this case the project developer) should enable him to. If construction delays and brings damages with it, the one who causes the delay is responsible for the costs (Jacobs, 2013).

During construction and planning, the activities are planned along a critical path. This critical path consists out of every activity of construction, planned in such a way and order that is most efficient. If this critical path is interrupted, this can lead to delays in the planning, as well as productivity loss (Jacobs, 2013, p16). In the case of this research, only a later starting date is considered because of the above-described situation in the development process. The client has a duty to cooperate to enable the contractor to start construction. In the UAV (the general conditions of contracting in The Netherlands, Universele Administratieve Voorwaarden), five obligations for the client are described. Two of these are of our particular interest, namely (1) the client is responsible for the timely existence of any civic- and private law permissions (necessary permits) for the work (par. 5 lid 1 sub a UAV) and (2) the client guarantees that the contractor will timely be able to enter and use the site of construction (par. 5 lid 1 sub b UAV). If the client does not guarantee these two elements and construction is consequently delayed, the client is responsible for taking the costs of delay. (Jacobs, 2013, p17)

As aid before, the party who has made extra costs due to the incapability of the other party, must be compensated. This is also known as the recovery function (*herstelfunctie* in Dutch) (Barendrecht & Storm, 1995). The costs consist out of three general categories: (1) Financial losses, (2) decreased profit and (3) reasonable costs that come from the delay (Jacobs, 2013, p51/52). If costs are increased due to extra demands of the client during construction, the client is responsible to take these costs as well (*meerwerk*). This can be calculated during the works, but also afterwards by using the simple formula (total costs minus contracted value = total damages). (Jacobs, 2013, p65)

The damages done can be categorized in several categories, the first being *costs connected to time*. These costs are for the most part costs related to construction and preparation if delay arises during construction. *Opportunity costs and loss of profit*, meaning that during the delay, other profit could not be realised on other projects. *Interest on invested capital*, meaning that if the contractor invests prior to construction in required materials and equipment that cannot be used, he is allowed to charge interest over the lost capital during the time of delay. The last, and possibly most important, is *price indexation*, meaning that the amount of money reserved for construction can be indexed based on various interest rates, such as increased costs of construction materials. If a project is delayed before the start, this cost indexation can play a significant role in cost increase for the client. (Jacobs, 2013, p76-79)

The most limiting factor, however, is that although it is researched how costs should be calculated, knowledge and gain knowledge on the height of these numbers does not consist, especially in the cost categories that this research aims to provide insight in. This is confirmed by the interviews with several developers of AM (interview 26-32).

2.1.4 Participants and levels of public participation

To set-up a good participation process, knowing who participates and why they do so, is an important element. Mapping relevant stakeholders will provide a good basis to accurately map and predict potential actions for the future. This will not always be a 100% guarantee of actions, but this will partially help prevent a disrupted future process. Stapper (2020) defines five registers in which participants can be ordered. To come to this register, an analysis policy documents (18), newspaper articles (15) and interviews of main actors (26) is done. These five categories are then mapped in a table in combination with the pragmatic registers of Thevenot et al. (2000), Boltanski and Chiapello (2005), and Boltanski and Thevenot (2006). This register is used to define the different participants in the process, and how they will likely engage in the process of participation.

The table is a representation of the different types of participants initiating parties might encounter during a participation process, whether the initiator is a local government or a market party. These registers help to predict the actions of certain participants down the line within the process. This framework can therefore be of use, as predicting actions of actors can increase the smoothness of the process over time, and help taking the right decisions in the present time to prevent mishaps in the future. Stapper's participant register is displayed in table 1.

Table 1: Participant registers, based on the pragmatic registers of Thevenot et al. (2000), Boltanski and Chiapello (2005), and Boltanski and Thevenot (2006), combined by Stapper (2020).

	Entrepreneurial	Domestic	Civic	Market	Green
1st move: Linking the particular to the general	Activity, adaptability, flexibility, trust, Communication	Tradition, hierarchy, protection, respectability, authority, honor	Civic duty, rights, the people, legitimacy, membership, delegation	Competition, valuable, profitable, possession	Greenness, climate-neutral, no-waste, ecologically friendly
2nd move: Historical and political narratives	Self-organising, out-of-the-box, managers, coaches, innovators, creatives, consultants	Duty, obligation, father, king, superiors, elder, relative, neighbor	Solidarity, struggle, elected officials, the party, representatives	Self-interest, consumption, competitors, client, buyers, sellers	Sustainability, renewability, environmentalists
3rd move: mobilizing objects	Digital tools, new organisational devices, sub-contracting	Good manners, etiquette, titles, rank, character	Law, committees, lists, criteria, decree, codes	Wealth, money, status, property	Pristine wilderness, animals, plants, nature
4th move: criticising and evaluating	Innovativeness	Ceremonies, respectability, authority	Committees, elections, jury, representativeness	Deal, transaction, contract	Ecological footprint

In this research, these categories will be used to map the stakeholders. As this research mainly focusses on the development of complex projects in the inner-city urban context, the participants who often arise in these kinds of projects fall in to these five categories. Furthermore, the category of 'Green' will become ever more relevant in the future. Especially the Entrepreneurial and Civic types will participate when the area is residential, and the market in the context where there is a higher number of business- owners and exploitants. This is confirmed from the interviews with the developers and participation expert. (Interviews 07, 09, 10, 15)

How these participants are able and willing to participate is of importance as well. The result of the participation process depends on the power they have and the moment they participate on. Arnstein (1960) defines a ladder of public participation, consisting of eight ranks and three levels determining the public's power in determining the end-product. This ladder is of high importance, as it describes the way participants are included in the process. This framework helps to link the manner of participation to the results of the participation. For instance, it can be assumed that a higher level of participation is used, the impact of the public is larger when compared to merely informing. Therefore, to know how to strategically use participation for the benefits of economic gain of project developers it is important to gain knowledge as to how to setup these participation processes and involve the public. In addition to this, from the interviews it became clear that an interesting remark can be made of this framework: Timing of the participation during the process also affects the level of participation and the eventual impact of the public (Brody et al., 2003; interview 09, 10, 15). Arnsteins' ladder of participation is displayed in figure 1.

8	Citizen control	Degrees of citizen power
7	Delegated power	
6	Partnership	
5	Placation	Degrees of tokenism
4	Consulation	
3	Informing	
2	Therapy	Nonparticipation
1	Manipulation	

Figure 1: Eight Rangs on a Ladder of Citizen Participation (Arnstein, 1969)

When the public participates and input becomes available and known to the developer, a new decision-making process will take shape. How these decisions will be made, in what order and why, are important elements of this process. The decision-making within the participation process will be defined using Teismans' (2000) three ways of process decision making and the six strategic planning choices for citizen involvement in participation processes by Brody et al. (2003). Although Teismans' article is mainly focussed on the decision making within research processes, these concepts can be applied to decision making processes and timing of public participation in urban development.

2.1.5 Stakeholders and stakeholder management public participation

Stakeholders and stakeholder management are two important elements of public participation. After all, each participant is a stakeholder in the process, but not every stakeholder will be or should be a participant. Therefore, it is important to define stakeholders and participants separately, and how to deal with them accordingly. Here, also Stappers' (2020) method of mapping participants can be of use.

Bryson (2004) states that the word 'stakeholder' has a prominent place in management theory and practice in the last 20 years, and especially in the last decade. The term stakeholder is used in the general sense to refer to persons, groups or organisations that must somehow be considered by leaders, managers, and front-line staff (Bryson, 2004). R. Edward Freeman (1984), cited by Bryson, defines stakeholders as 'any group or individual who can affect or is affected by the achievement of the organisations' objectives. This is confirmed by various other studies about stakeholders and stakeholder management.

Again, Bryson (2004) finds that the definition of stakeholders can be found in various different variants: All parties who will be affected by or will affect (the organization's) strategy (Nutt and Backoff 1992: 439), any person group or organization that can place a claim on the organization's attention, resources, or output, or is affected by that output (Bryson 1995: 27), people or small groups with the power to respond to, negotiate with, and change the strategic future of the organization (Eden and Ackermann 1998: 117) and those individuals or groups who depend on the organization to fulfil their own goals and on whom, in turn, the organization depends (Johnson and Scholes 2002: 206).

However, these articles write about stakeholders from a certain perspective. The articles vary in target group, being either business management or public and non-profit management. Bryson (2004) argues that if stakeholders entail a broader array of people, groups and organisations, a less business-focused approach to stakeholder analysis can be beneficial. Arnstein (1969) amongst others, argues that especially in urban development, and in particular citizen participation, it is important that stakeholders are informed and potentially involved as they can play a role in the process down the line. Categorizing the stakeholders, like Stapper (2020) described with participants, can be of importance to predict their actions in the future. This includes the nominally powerless stakeholders as well, as some might develop to be irritants or blockers of a development in the future (Brody et al., 2003; Bryson, 2004). Furthermore, it is argued by Martinez and Olander (2015), that by defining interest and concerns early in the process and prioritising them accordingly leads to an inclusive systematic process of public participation.

This is confirmed in the interviews, as all interviewees who have dealt with participatory processes said the same: include the citizens who can develop to be irritants, and deal with them individually outside the plenary context to prevent them from gaining traction within the group of participants. One interviewee stated that often only the 'nay-sayers' will show up to for instance information evenings, so it is important to deal with them in a manner that deals with their concerns, but not affects the 'mood' of the group of participants. Furthermore, it is important that stakeholders get information first-hand, otherwise misinformation might go around from neighbour to neighbour, possibly leading to a group of irritants or blockers who will influence to the development process later down the line.

2.1.6 Difference in objectives of stakeholders in urban development

Participation can be one of the ways to overcome the difference in objectives between the initiator of a development and the impacted area around the project. The specific difference in objectives is argued within the context of private-civic partnerships and collaborations. Geesing (2015) defined a list with ranked objectives of private developers and civic sector, described as the public. He used several case studies from the UK to develop list, before testing it with panellists from both sectors. This resulted in a list of fourteen objectives, ranked from first to last, from highest importance to lowest. The list with objectives and ranking is shown in table 2.

Table 2: List of objectives in urban development (Geesing, 2015)

Place	Private	Civic	Place
1	Profit gaining	Profit gaining	1
2	Shareholder satisfaction	Shareholder satisfaction	2
3	Product delivery	Product delivery	3
4	Risk minimization	Risk minimization	4
5	Product quality	Product quality	5
6	Expanding	Business continuity	6
7	Customer satisfaction	Market leadership	7
8	Brand building	Expanding	8
9	Business continuity	Brand building	9
10	Market leadership	Customer satisfaction	10
11	Realizing common goals	Innovation	11
12	Sustainability	Break even	12
13	Innovation	Sustainability	13
14	Break even	Realizing common goals	14

The top five objectives are similar in the private- and civic sector. However, customer satisfaction ends up lower on this list of the civic sector than the private sector. This is interesting because the civic sector can partly be regarded as the eventual customer or end user. Furthermore, he states that it is not very surprising that the 'break even' objective is found lowest on the list, and 'profit gaining' as the highest when it comes to the private parties. Regarding this, the private sector is very honest and clear: a project needs to offer the prospect of earning a profit, otherwise it is simply not going

to be realised (Geesing, 2015). The latter statement also entails an element of raising awareness in the participating community. It must be made clear that an expected profit is required to start the development. Without profit, nothing will happen. This is also a balancing act, as some participants might now want anything to happen at all, and thus come up with unfeasible suggestions for the project.

By educating the participants, and being transparent about costs and feasibility, it can possibly help to prevent participants asking too much from the initiator of the project. If they still do so, the initiator can defend the statements made based on their transparency about costs. The interviewees agreed on this statement, as educating your participants can be an important element of the participation process and will lead to feasible and realistic input (interview 07, 09, 10, 15). Mutual understanding of whom you are sitting at the table with, is important for all involved. In addition to this, Geesing has researched the relational aspects for the basis of a good relationship between the two sectors. Again, both are ranked from lowest to highest, and the results can be seen in table 3.

Table 3: Relational aspects of private and civic sectors, (Geesing, 2015)

Place	Private	Civic	Place
1	Willingness to cooperate	Acceptance and respect	1
2	Mutual trust	Mutual trust	2
3	Information sharing	Willingness to cooperate	3
4	Transparency	Transparency	4
5	Open mindedness	Open mindedness	5
6	Acceptance and respect	Flexibility	6
7	Flexibility	Creativity	7
8	Commitment and dedication	Interdependencies	8
9	Interdependencies	Information sharing	9
10	Win-win attitude	Commitment and dedication	10
11	Creativity	Win-win attitude	11

The results make it apparent that there is a fundamental difference in the ranking of both sectors. Panelists from both sectors differ in the desired basis for a good relationship between them in urban development. However, Geesing states that there are elements that have an impact on the objectives and relation between these two sectors. The extent of participation, timing and added value of collaborating. How to strategically use the extent of participation and the added value of collaborating (public participation) will be further researched in this paper.

2.1.7 Process management in public participation

As well as stakeholder management, process management in public participation is of high importance. The way decisions are made are often as important as the decision itself. Therefore, setting up a trustworthy process is important to create mandate to use the outcome of such a process is essential. Meeting these mandates and fulfilling the mission depend on completing a set of crucial activities during the process (Bryson, 2004). This should result from 'producing fundamental decision and actions that shape and guide what the organisation is, what it does, and why it does it' (Bryson, 1995). These decisions and actions require three main activities that may contribute to make decisions and undertake actions strategically in public participation. The theory of Bryson (2004) is focussed on making strategic decisions, and these can be transformed to be used in the process of public participation.

The first activity consists of creating ideas for strategic intervention. Whom to involve and in what matter, and who not? (Brody et al., 2003; Bryson, 2004; Strand & Freeman, 2015; Martinez, 2018). Especially in complex projects, it is vital that a wide range of stakeholders are involved in the development of local plans. This process may require more time and resources, but the end-result can potentially be better and lead to a more inclusive public participation process (Martinez & Olander, 2015; Martinez, 2018).

The second relies on building a winning coalition around a proposed development, its review and adoption by the public. Bryson (2004) describes coalition building as a process of five steps. First, basic forms of analysis techniques are used to map the stakeholders, including mapping their ideas and potential roles. Through this process, complimented by for instance questionnaires or interviews, it helps to have initiators of the project think about strategically involving stakeholders. Second, a larger group of stakeholders is assembled. Again, using basic analysis techniques, this group is asked to brainstorm to gain insight in the larger community perspective. Third, exclusion of stakeholders is done. For this, the analysis must be sufficient to determine the current and potential powers of certain stakeholders, whether they will positively or negatively contribute to the project, attention getting power and legitimacy. Purposefully excluding stakeholders might have a negative effect in later stages of the project (Arnstein, 1969 amongst others). In other words, this categorising the stakeholders, for example by the method of Stapper (2020). Fourth, the resulting group should be a representative, inclusive group. If this is not the case, previous steps must be done again. Fifth, the final group(s) are determined, varying in role they play in the project. The goal of this five-step process is to establish a group of participants which can be strategically called into action but is foremost representative for the affected communities.

The third step consists of implementing, monitoring, and evaluating. This involves running through the five-step process described in the previous paragraph. Bryson (2004) states this very clearly: "Stakeholder analyses are undertaken for a purpose and that purpose should be articulated as clearly as it can be before the analyses begin – while also understanding that purposes may change over time. The purpose should guide the choices concerning, who should be involved in the analyses and how. Typically, stakeholder analyses are undertaken as part of policy, plan or strategy change exercises, or organizational development efforts. Different analyses will be needed at different stages in these processes." This essentially means that constant analysis is required, as the process changes over time. Therefore, analysing stakeholders and coalition building is an iterative process.

In the explorative interviews, especially the developers, it was stated that the process of participation is a learning process as well. Each time you do it, you will get better at it, with the result of ever coming closer to the desired outcome. However, making it an iterative process within a development can be costly in terms of time and resources, and might not always produce the desired results. Here, the element of timing could gain an important role, as participation is often brought in too late or not at all. This potentially causes more uproar from the public as plans seem to be finished already and cause a negative stance towards the project. If input is gained in an earlier stage, disputes can potentially be resolved earlier in the process. (Interview 07, 09, 15)

2.1.8 Strategic planning choices in public participation

Public participation can be used strategically to achieve the best possible results for a project. This involves making certain decisions about the way a participation process is set up and how the stakeholders are involved. Brody et al. (2003) have mapped six strategic planning choices for public participation based on several case studies in ten states in the United States. These steps each elaborate on an element of participation, how to do it and how to use it to the benefit of the initiator. Furthermore, they make an important comment regarding the required participation by law, which can also be applied to the new Environment and Planning Act in The Netherlands. They state that in states where stronger public participation requirements are in place, local actors have greater attention for this when compared to states with less strict requirements.

The first choice is to determine the level of resources required for participation. In the Dutch context, this is based on the new Environment and Planning act. This law will require some form of participation by project developers in an early stage of the project from 2022 onwards. The participation plan made by municipalities will establish guidelines for public participation and ensures that stakeholders have an opportunity to express their interests during the development process. They state that appointing a staff member who's dedicated to guide processes of participation is a method to ensure a positive impact on the decision-making process is in place, as well as impact on the final plan.

The second-choice regards emphasizing the right objectives for public participation. This can also be described as 'educating' participants. This can be beneficial as the developer gives a clear framework wherein input can be given by the participants. However, this framework should be big enough to leave room for input. A well-thought through framework to gain input from the participating public can be beneficial, as it can contribute to a plan in a spatial or financial sense. In the cases used, it became apparent that many initiators would only use public participation as to comply with regulatory requirements. However, several authors argue based on Arnstein's ladder of participation (1969), that greater empowerment of the public is associated with a collaborative approach that helps participants to better understand information, decision making, create new ideas and produce greater (long-term) support for developments. (Brody et al., 2003).

The third choice regards the timing of citizen involvement and public participation. It is argued that the best results of public participation are achieved when the public is involved early on in the development, and it offers an opportunity to inject community knowledge and expertise into the planning process, as well as it allows to reflect public views and preferences on the proposed plan. Alterman et al. (1984) argue that it should be noted if public participation begins at a later stage, it may come too late to make a lasting impact on the final plan. In addition to this, if participation does not begin before the end of the planning process, it may generate an adversarial, reactionary atmosphere that reduces support for implementing the plan (Brody et al., 2003). This is confirmed by the interviewees and is also confirmed by various Dutch municipalities. Furthermore, this became very clear in the in-depth case analysis of the Schoemakerplantage, as the possibility to give input early on in the process was much appreciated by most residents around the project. In addition to this, municipalities like Breda, Eindhoven, Den Bosch, Hilversum, Utrecht, and Delft state that early participation is required to have public participation make enough impact (Gemeente Eindhoven, 2020; Gemeente Den Bosch, 2020; Gemeente Utrecht, 2019; Gemeente Hilversum, 2020; Gemeente Delft, 2020). This is all part of the 'participatie-leidraad' requirements for Dutch municipalities, which states that they must have documentation on what they require from participation and how they examine the results.

The fourth-choice focusses on how many and which groups to target. They state that initiators need to recognize the specific contribution of each stakeholder group. Targeting inevitably leads to a higher degree of participation and planning capacity, as these participants are a form of knowledge and resources, which can strengthen the quality of the plan. In the researched cases, only four main groups of stakeholders were targeted, namely the business groups, elected local government officials, development groups and local government departments and representatives. Next came the neighbourhood groups, media, environmental groups, property owners and many more which represent fewer mainstream stakeholders.

The fifth choice aims at techniques used for obtaining the input of the public in participation processes. Callahan (2007) and Ebdon (2000), cited by Brody et al. (2003), both state their used participation levels are derived from Arnstein's ladder of participation (1969), and further elaborate on how participation can be practically shaped. The public's role varies from voters to owners, and can be engaged through plenary input sessions, interviews, focus groups and obtaining information through surveys. The dynamic and method of interaction (e.g., a partnership or consulting) plays an important role in this at gaining information from the public.

The sixth choice refers to providing the public with information. Brody et al. (2003) state that for participants to make adequate decisions, they need the necessary information to do so. More literally, they state that "Information is power, and the way it is collected, stored and disseminated is a vital part of incorporating citizens into the decision-making process." Therefore, information should be readily accessible to the participant if required, and highly integrated into all stages of the participation process. This refers to the aspect of transparency in process management. Knowing why and how decisions are made, are important to create support for the eventual result of the process. Initiators of the participation processes do have two important choices to make, which information will they provide and the types of meetings and other techniques to use.

2.1.9 Decision making process

Teisman (2000) describes and compares three conceptual models for complex decision making, namely (1) the phase model, (2) the stream model and (3) the rounds model. These three models have different characteristics and impact on the decision making itself. In table 4, derived from Teisman's paper, these three models are described.

Table 4: Three conceptual models for complex decision making (Teisman, 2000)

	Phase model	Stream model	Rounds model
Criteria for the separation of strands of activities	Stages of focal organization goes through	Different concurrent streams of problems, solutions and politics	Rows of decisions taken by actors, creating rounds through interaction
Characterization of decision making	Sequence of formation, adoption, and implementation	Coincidental or organized links between streams	Interaction between decisions taken by various actors
Assumptions about the nature of the process	One moment of policy adoption holds sway over other decisions and guides the process	A simultaneous stream of problems, solutions and politics, linked more or less at random	Decisions that conclude a round and initiate a new round, without fixing its progress
Assumptions about the content of the process	A focal actor adopts a dominant definition of the problem solution, creating governmental policy	Dynamics within and links between streams determine major policy changes	Interdependent actors take decisions separately or jointly, leading to governance policies

Although this model is developed to use for decision making in policy adaptation, its core is useful in itself for area development and the integration of public participation in the process. These three phases inherently have different characteristics when it comes to stakeholder engagement, result adaptation and evaluation.

In decision making, different actors and stakeholders are involved. Teisman states, it is not sensible to exclude actors in advance when dealing with complex decision-making processes, as assumptions about these stakeholders can be misplaced. The phase model places certain actors in a certain position based on their power and interest, while the rounds model refrains from this. The most important difference between them all, is the streams of decision making. The phase model uses phases, where you can only continue to the next if the one prior is finished. The streams model has different decision-making streams running parallel to each other, and the rounds model is a variant of the phase model, but with an increased complexity in actors making certain decisions. The interaction between the stakeholders is therefore of high importance with the rounds model.

Furthermore, Teisman makes important remarks for the rounds model: The dynamics of combining problems and solutions and the relation between the two accounts for the course of decision making. A round of decision making begins and ends with the adoption of a certain combination of a problem definition and a (virtual) solution by one or more actors. The assumption is that the actors assess to what extent other actors share their definition of reality and proceed to interact on this basis. In contrast to the phase model, none of the definitions are seen as final or permanent. Research based on the rounds model will focus on perceived problems and solutions and will subsequently analyse whether and how actors have managed to combine perceptions to such an extent that they are willing to support a joint solution. Adoption then becomes the consolidation of a problem-solution combination over a longer period of several decision rounds. (Teisman, 2000)

When compared to the phase and stream models, the rounds model aims to deal with complex situation with stakeholders varying in perception and interest. The stream model has parallel decision making, whereas public participation often aims to be an inclusive process to achieve the best result (Arnstein, 1960). As the process includes decision upon decision, a definitive solution often does not exist. As the permit application is a process with a defined end-goal, the streams model could be of use. However, as became apparent from the in-depth analysis of the Schoemakerplantage, public participation is an iterative process with a high number of different decisions making rounds. Public participation does not only entail the streamlining of a permit application process, but a wider range of decisions that impact the result of a project. Therefore, the rounds model is best applicable to the process of public participation.

2.2 Key findings from interviews

In addition to the literature review, a series of semi-structured explorative interviews were held. The necessity and importance of these interviews became apparent during the literature research and when formulating the goal of this research, as this thesis will focus on benefits for project developers. A total of seven interviews were conducted, with a broad range of parties and people from the real estate industry. The interviewees work at real estate developers, advisors in urban development and/or participation process and real estate financing. A few important elements are gained from the interviews. These mainly entail the impact that participation has on two elements, namely (1) the impact participation has on the commercial value (square metres and function) of a project and (2) the impact of support (and subsequent costs), legal procedures, participation procedures and change in building costs.

The first element directly impacts the business case of a project developer. One of the interviewees stated that in some cases, the programme needs to be decreased as for instance the building is required to be lower. This means fewer square metres, and so the commercial value is decreased. The second element entails changes that must be made to the project to gain support. To gain this support, several secondary costs are mentioned. Developers stated that the legal processes which might arise during the permit-application phase do not cost a lot in terms of resources but do cost a lot of time. In almost all cases, time is the most valuable, as late delivery to for instance an investor costs money in the form of penalties due to the late delivery. The same goes for the participation moments itself as well. These do not cost a significant amount, but the result of the input does. If the initiator develops the project for its own risk and investment, this means that increased costs for the building itself is not beneficial, and a late delivery will cause a later start in income of rent which in turn impacts the business case as well. This means that not the legal or participation processes are what costs them money, but it is the result of these process elements that cause a loss in gross income and negatively impact financial consequences due to project delay.

Furthermore, many other statements were made. Some argued that doing participation earlier will create more room for participation, which leads to more input which possibly can be included, and thus to more project support when it comes to permit application. In most examples, four out of five points made in participation processes early on, where to be included in the project anyway, so most concerns won't even impact the plan. In addition to this, some even stated that the idea of participation is sometimes more important than the participation. Lastly, it was said that developers should be careful about vocal 'nay-sayers', as they often will not represent the whole of the affected community. To deal with this, it is recommended from practice to do as fewer plenary sessions as possible and try to deal with concerns and questions as individually as possible. Be transparent and honest, to prevent misinformation going around which can gain traction and cause people to irritate or block the process in the long run. These findings are very well linkable with what is found in literature. The way decisions are made, their timing and who is involved are key items when it comes to strategically using participation to benefit the process and the project in the long run as much as possible. Creating support and making sure nay-sayers don't get traction in a group through isolation are prime examples of this.

2.3 Reasoning for further research

What becomes apparent from the explorative interviews, is confirmed when doing the literature research. Three key elements are necessary to research to gain insight as to how public participation can benefit to the financial end-result of a project, namely (1) costs of participation and the financial consequences, (2) costs of legal procedures and costs of consequent delays and (3) to what extent public participation contributes to the smoothness of a development process. These three elements combined will provide insight into what public participation and its outcome costs, as well as what the impact is of the legal procedures on the financial end result of the project.

Researching these three elements can be done through case-analysis complimented by interviews to gain further insight into the details of a project. For the first two elements, a financial analysis of a number of cases is required to gain insight into what these cost elements are and how they compare to commercial value or eventual profit of a project. Furthermore, the impact of public participation is difficult to accurately quantify, as this will differ per project. However, this is partially possible by conducting a survey with in-depth interviews as well. Cases which are researched have to comply with these demands to be suited for this research.

2.4 Theoretical framework

A theoretical framework is developed to exemplify the lack of knowledge surrounding the topic of economic gain through public participation. The theoretical framework is made based on the literature described prior in this chapter. First, the key words and main- and sub questions are listed again to clarify again why and how this theoretical framework contributes to this research. The theoretical framework is displayed in figure 2.

Key words: Legal framework, public agreements, levels of public participation, stakeholders and stakeholder management, process management, strategic planning choices, decision making.

Main question: To what extent can project developers benefit economically from strategically engaging public participation in complex urban (re)development projects?

Sub question 1: What are common points of opposition and negotiation in public participation engaged in complex urban development projects?

Sub question 2a: What are the primary and secondary costs of legal processes initiated by (non)participant in complex urban development projects?

Sub question 2b: What are the primary and secondary costs of public participation processes initiated by project developers in complex urban development projects?

Sub question 3: To what extent did public participation contribute to a decrease in legal procedures and increase in smoothness of the process?

Sub question 4: What is the financial effect of legal processes impacted by public participation on the financial result of a complex urban development project?

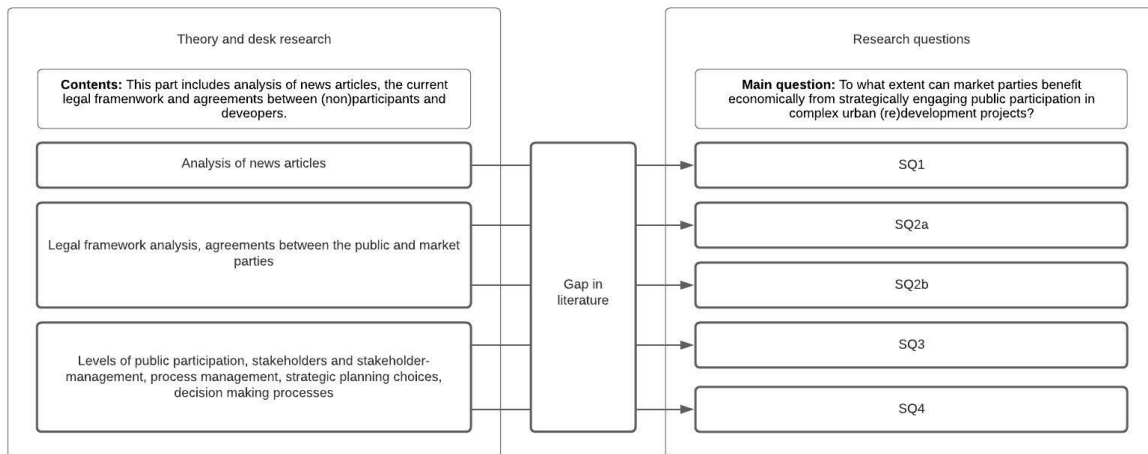


Figure 2: Theoretical framework of this research (own image, 2021)

The theoretical framework consists out of two main elements: The formulation of research questions which are based on theory and desk research. The literature research from this chapter, has led to the formulation of the main research question. To answer this main question, several sub questions have been formulated. The sub questions, and ultimately the main question, will be answered through various forms of qualitative analysis which are described in the next chapter.

The gap in literature is ultimately the main question, aimed at examining if an initiative taking developer can strategically use public participation to benefit the eventual financial result of a project. As described earlier, public participation is widely researched, but its financial benefits are not.

The importance of the use of existing theory is that this research will use these theories to analyse own findings from practice. By making use of existing theory, findings can be categorised and specified before an analysis of the findings from practice can be done. By using qualitative research in combination with existing theory, this research builds on what has been done in the past.

2.5 Case requirements

The requirements for the cases can be drawn from the theoretical gap in literature, as well as the explorative interviews. As this research aims to gain more insight into financial consequences of public participation, the four main categories used in this thesis, cases must deliver information which is required to do the final analysis and recommendations

For the first round of case analysis, the financial analysis, financial data is required in the four primary categories. Therefore, the cases are selected based on criteria that cannot be found in literature. They include all four categories. For some of these categories, such as the secondary legal costs of delay, can be calculated per project. However, the final costs are rarely, if not never, compared to the commercial value. This is also the case for the primary and secondary public participation costs. Therefore, the cases have to offer this financial data to help the research.

In addition to this, the in-depth case analysis is done to gain more insight into the differences experienced in public participation between the developer and participants. Knowledge is already available on the goals and objectives of both in urban development, however there is still an area of knowledge unexplored when it comes to learning from past processes. The findings from this in-depth case analysis will build on the existing knowledge of public participation, stakeholder management, strategic use of public participation and decision-making process in urban- and real estate development.

3 Research set-up

In this chapter, the overall set-up of the research will be described. First, the research methodology will be described, followed by the empirical framework of this research. Before the practical part begins, a paragraph about ethical considerations is added. This is necessary to elaborate upon, as sometimes confidential information and interview results will be shared or anonymised. The chapter ends with the case selection, data analysis and a protocol for interviews.

3.1 Research methodology

According to Bryman (2012), a researched method is described as the technique for collecting data. Wilkinson et al. (2016) state that good data management should not be a goal, but they stress the importance of a good integration and reuse of knowledge in the scientific community. Good data, however, is most important. In this research, several techniques will be used. As described, this research has been started by conducting literature research combined with semi-structured explorative interviews.

This research proposal, and the eventual research itself, consists out of two main parts: theory and practice. The first part of this research is conducted in a hybrid form, literature study combined with semi-structured explorative interviews. The literature research is based on different written sources that are found to be of relevance for this study. These written sources include journal articles, scientific papers, books, and other sources found online. News articles, conference papers and explorative interviews will be used as well, as these can be an important form of gaining insight on more recent knowledge. As this is a relative new topic which partly describes and researches a proposed law change, it is important to keep track of recent events through news publications, as well as interviews to accurately gain insight on the view from practice on this topic. It is important to stress that these forms of input must always be reviewed critically before using in this study. Most of the literature is found through Google Scholar and by searching online, as well as literature used by different courses of MBE and CME.

The empirical research method is descriptive qualitative research, as this research aims to gain insight as to what extent public participation can positively contribute to the business case and overall financial result of a development project. For the empirical part of this research, two forms of qualitative research are used: Case studies and interviews.

Essentially this means that past performance and events will be analysed (e.g., the rough costs of legal processes in urban development) and examined in combination with another set of conclusions (i.e., the likelihood that participants will start a legal procedure against a development). By doing this, it is possible to make a rough estimation of the 'prevented' legal costs because public participation was initiated. When conclusions are drawn, it is possible to examine these results by validating through a questionnaire, another round of interviews or focus groups. However, the latter remains to be determined if necessary and/or possible.

3.2 Dissemination and audiences

This research will be aimed at project developers in the real estate industry. More specifically, real estate developers in urban areas, which can be inherently complex due to their constraints on for instance building law or physical limitations. Public participation is not a full solution for every problem one might encounter, but it can potentially help resolve financial and soft (or personal) problems that might arise during the process.

3.3 Empirical framework

Based on the elaborated information prior, the empirical framework can be determined. This is a simplified version of the research approach described so far. The case analysis, one with a more quantitative approach, the other more qualitative is followed up by the cross-analysis of the results, followed by a process of validation to validate the results of the research. After this, the results will be used to provide insight on the impact of public participation on the financial end-result of a project, together with some guidelines (handreikingen in Dutch) for the reader.

To understand how theory and practice will complement each other, the main question and sub questions are described below. Theory will be linked to each question, and elements of the semi-structured interviews (done with developers, legal advisors, and participants) will be linked to these sub questions accordingly. With each sub question, a table is displayed with proposed theory and interview questions for developers, legal advisors, and participants. Of course, these questions are merely there to start a conversation, further questioning will be done along the conversation itself. Before each interview starts, an introduction on the topic, research elements and the goal of the interview will be given.

Main question: “To what extent can project developers benefit economically from engaging public participation in complex urban development projects?”

Sub question 1: “What are common points of opposition and negotiation in public participation engaged in complex urban development projects?”. This sub question helps to answer the main question by mapping the most frequent and common points of opposition and negotiation during urban development projects, to predict and help structure actions in future projects.

Theory	News articles, legal decisions, past cases
Interview question(s) for developers	What are the elements (non)participants often start talking about or are likely to oppose to during a project?
Interview question(s) for legal advisors	During legal processes started by (non)participants in area development projects, what are the most frequent elements that were the start of these processes?
Interview question(s) for participants	If you were to oppose a project in your neighbourhood in your street or a block away, what are the most likely points you would be concerned about?

Sub question 2a: “What are the primary and secondary costs of legal processes initiated by (non)participant in complex urban development projects?”. This sub question helps to answer the main question by determining the rough costs of these processes to gain insight and help predict these costs for future projects. This will be done primarily through case analysis rather than elaborated interviews.

Theory	Financial data from cases
Interview question(s) for developers	How would you describe the primary and secondary costs of legal processes during urban development and where are they most likely to come from?
Interview question(s) for legal advisors	How would you describe the primary and secondary costs of legal processes during urban development and where are they most likely to come from?
Interview question(s) for participants	Are you aware that legal processes bring primary and secondary costs with them during a development process, and that it might impact the eventual result for both developer and participant?

Sub question 2b: “What are the primary and secondary costs of public participation processes initiated by project developers in complex urban development projects?”. This sub question helps to answer the main question by determining the rough costs of these processes to gain insight and help predict these costs for future projects.

Theory	Financial data from cases
Interview question(s) for developers	How would you describe the primary and secondary costs of public participation processes during urban development and where are they most likely to come from?
Interview question(s) for legal advisors	How would you describe the primary and secondary costs of public participation processes during urban development and where are they most likely to come from?
Interview question(s) for participants	Are you aware that public participation brings primary and secondary costs with them during a development process, and that it might impact the eventual result for both developer and participant?

Sub question 3: "To what extent did public participation contribute to a decrease in legal procedures and increase in smoothness of the process?". This sub question helps to answer the main question by looking at the probability of public participation stimulating a smoother process. Furthermore, literature on public participation itself, how it could be done (strategically) and what its potential benefits are over the course of a project is necessary.

Theory	Theory on public participation and it's execution and use
Interview question(s) for developers	To what extend did you notice that the involvement of public participation decreased the chance of legal processes by (non)participants?
Interview question(s) for legal advisors	To what extend did you notice that the involvement of public participation decreased the chance of legal processes by (non)participants?
Interview question(s) for participants	Did you start a legal process during a development in your area? If so, did you participate? Did you feel like your interests were met and your concerns heard? When chosen the legal path, did you analyse your chances of success/failure? Do you feel that choosing a legal path might trouble the 'participatory' conversation with the developer?

Sub question 4: "What is the financial effect of legal processes impacted by public participation on the financial result of a complex urban development project?". This sub question helps to answer the main question by combining and cross analysing the answers of the first four sub questions. By answering this question, the information on the primary and secondary costs of legal and public participation processes will be held against the impact public participation had on the process itself. By doing this, it can be roughly determined what the (financial) effect of public participation is or has been. This sub question is answered by analysing the results of the previous sub questions.

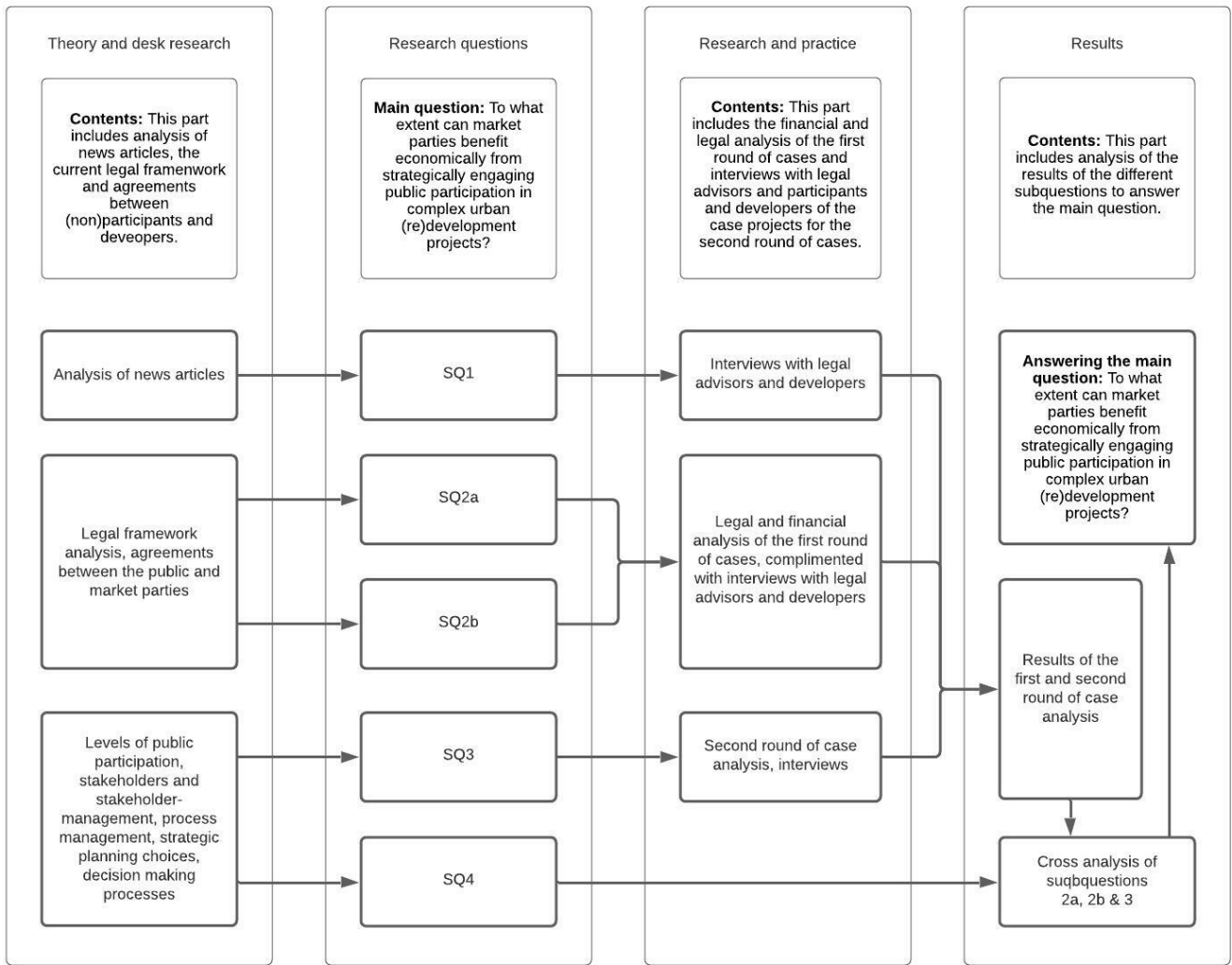


Figure 3: Empirical framework of this research (own image, 2021)

The method consists out of two main elements. The first entails the theoretical input. Like described earlier, the input consists of the literature research, input from (semi-structured) interviews, in-depth, and news articles. Part of the first step is to channel the existing knowledge in to three categories: a general term definition of public participation, how project developers engage it and what common contents and outcomes of these processes are, also see sub question 1. This is partly done in the literature research and will be continued in the execution of the research.

The literature review is conducted to gain information about important subjects regarding this research. The subjects entail a definition of public participation in urban development, strategic use of public participation, process management in general and decision-making processes in a broader interdependent development project. Bryman (2012) describes the importance of literature review is to identify and understand what is already known about these subjects, its concepts and applied theories in science and practice, what research methods already have been used and what controversies and clashing evidence exists. This research will be continued with empirical research, whereafter results are compared to the existing literature study and explorative interview results and new theory will be added in an attempt to fill the gap in literature and build upon the already consisting of body of knowledge.

The empirical research will be done through in-depth interviews and case analysis. These in-depth interviews will be conducted amongst (urban) project developers who have gained experience with participation and budgeting within these projects, as well as legal advisors and participants. The goal of these interviews is to create a clearer image of the indirect consequences of participation, the change of procedures and how participants felt during such processes. Furthermore, the outcome and process itself is analysed. In addition to these interviews, to prevent anecdotic evidence only, two rounds of case analysis will be done. A timeline of the cases can be constructed, and by focussing on key factors, events and incidents, a clearer image can be made of the outcome.

3.4 Interviewees

The interviews within this research will be conducted with legal advisors, project developers and participants of the case in round two. As explained previously in this chapter, gaining, and applying knowledge is an iterative cycle to learn and improve. The interviewees will be selected based on their role within a project team or company and with their experiences in projects involving public participation processes. The goal of these interviews, supported by case studies, is to determine in hindsight what lessons could be learned from the impact of public participation on the outcome of the project.

3.5 Case selection

In addition to the interviews, case studies are a complimentary element in combination with the interviews. As sometimes hard data (e.g., late delivery penalties compared to commercial value or an increase in building costs) might be required to clarify statements of the interviewee. Hard data is required to compare and draw conclusions when it comes to the primary and secondary costs of public participation and legal procedures. Thus, the interviews are the main element for the second round of cases, complimented by data and case analysis from the first round. What is for certain, is This research will use cases of inner-city development projects as well as brownfield and grey field developments. The main reasons for this are the fact that grey field, brownfield- and inner-city developments often have a diverse group of participating stakeholders. Not only citizens, but local entrepreneurs and companies as well, which makes the participation process more complex. One important requirement for the cases is the fact that the initiator of the development has included and set-up a participation process in the project to reflect upon. As with the semi-structured interviews, the data will be held private and is available to the mentoring team of this research. If mentioned directly in this research, interviewee and company will be asked for permission to publish.

As mentioned before, case selection exists in two phases to conduct this research. The first category will be used to gain insight on the primary and secondary costs of public participation and legal processes before the second phase of case analysis begins. For the financial analysis cases are required in which public participation either did or did not took place, as the costs will be a more accurate estimate. Furthermore, this will be of importance to determine possible secondary costs, like costs of delay, legal costs, opportunity costs, et cetera, as well as tertiary findings. Here, likely a total of seven individual cases are used/ This will be done by also taking the scale of a development into account, as a larger development likely has a higher number of (transaction)costs with certain elements in absolute numbers when compared to a smaller development. This will be extreme case study selection, to gain a broad view of the potential costs that public participation and legal process might bring. The second category consists of two cases where public participation was part of the development process. This will be similar case study selection, to draw conclusions based on cases which occur more often, like transformation areas on the edge of a city centre for example. The importance between the two phases of case studies is as follows: The first phase is to gain insight on costs, the second round of cases is to determine the likelihood that participation or legal processes helped to overcome differences and come to a decision.

3.6 Ethical considerations

During the conduction of this research, it became apparent that information and interview results can contain confidential information or sensitive statements. For each of these two research elements, an approach to deal with sensitive information is formulated.

For the (explorative) interviews, notes and transcriptions will be shared amongst the interviewee, first mentor, and if necessary second mentor. These notes and transcriptions will not be made public in the appendices or be shared with the company mentors. Reason for this is to stimulate free and honest speech during the interviews to obtain as much clear and honest information as possible, as this will help the research going forward. There will be a list of interviews and noted conversations in appendix A, and names will be anonymised. This list is necessary to refer to during the writing of this paper.

For the financial and legal case analysis, exact information will be withheld from the reader. Only the company mentors, interviewee (most definitely the developer or legal advisor) from a certain case and the first mentor will be able to see the actual results. For illustration purposes, financial results will be noted in percentages rather than financial number. Information used for certain calculations will not be shared, only the method of analysis and rough results. Reason for this is, that other competing companies to AM Gebiedsontwikkeling might use this sensitive data to their benefit in future projects, as the case analysis will give an in-depth view on the way AM works and deals with tenders and projects, as well as the results.

3.7 Data analysis

The data analysis of the cases will be done in two ways, as the two rounds of cases have two different methods of achieving results. The first round of cases will be done through a financial analysis based on past results, complimented with conversations with the developer in charge of that project. The in-depth analysis of the Schoemakerplantage will be analysed using a survey and semi-structured interviews with people from the development team, as well as participants from the area.

3.7.1 Financial case analysis

The first round of cases will be analysed financially in four key categories, based on the STIKO (stichtingskostenoverzicht in Dutch) or the overview of overall project costs. These four key categories are (1) primary costs of public participation, (2) secondary costs of public participation, (3) primary costs of legal processes and (4) secondary costs of legal processes. The four categories are complimented with a 'bonus' category, namely (5) tertiary costs and findings. In this fifth category, findings that do not fit into the first four will be recorded, although these findings will not be considered when the final analysis is made.

1. Primary costs of participation: These include the costs that are made for the participation moments itself, e.g., the hours and financial resources spent on the actual event of public participation;
2. Secondary costs of participation: These include the costs, or delta in value, that have changed due to the impact of public participation. This can be a slight change in programme, e.g., different orientation of apartments or decreased building height. The changes that have been made to the programme of the building, and negatively impact commercial value, are the secondary costs of public participation. However, the possibility of public participation impacting the commercial value positively is ought to be not ruled out, and will be taken into account when analysing a case;
3. Primary legal costs: These are the costs that include the costs of attorneys and other resources that a developer uses during these processes;
4. Secondary legal costs: These are the costs that are caused by the delay that legal processes bring with them. These can be for instance late delivery penalties or costs that are made to arrange with individuals who are litigating against a development;

5. Tertiary findings: These are the findings that do not fall into the categories but do have an impact on the result and analysis. These will be mainly discussed in the discussion part of this research.

The first round of cases will be used to determine the costs and loss of value per case. As each case differs with programme (function and meterage), it is important to note the value per square metre and function. If a case is only residential, and a certain amount of costs arise, that means that the costs are a certain percentage of end value, and a certain amount of cost per square metre or housing unit. The calculating model, made in Excel, is found in appendix D.

Furthermore, during the interviews with developers and legal advisors, questions will be asked about their experiences and thoughts on public participation as well. This is done to gain a broader view of how developers look at public participation, how it should be done, the link to a smooth process and what the results are.

3.7.2 In-depth case analysis

The second round of cases will contain one case specifically: A representative case for the developments that AM Gebiedsontwikkeling does, and one where public participation played a key role during the development process. The case will be elaborated upon in the next chapter. The analysis of this case will be primarily done with semi-structured interviews. The interview protocol, which is the same set-up wise, but different content wise per category of interviewee, is described in the following sub-chapter of this research.

3.7.3 Cross-analysis

The cross analysis of the cases will focus on the probability of (non)participants taking matters into their own hands and start a legal process against a development. For this, participants from within the case, developers and legal advisors from the project developer will be interviewed. The interview protocol is elaborated upon in the next part of this chapter.

For instance, a risk can be that a (non) participant will start a legal procedure because of building height. If this building height that the developer proposes is within the zoning plan, the chances of it needed to be changed are lower, however the impact it has on the time schedule of a project is higher because it causes delay. Increased time will subsequently lead to more costs; however, time is part of the risk. This is primarily the reason that time and cost are measured separately, as one differs from the other. Costs are likely to increase in a slower pace than time delays (interview 26). Time is measured during the development process, without the construction process, as this is a different part of the chain of events. This research focusses solely on the development process, as public participation will primarily impact this. Increased costs will be measured against the overall commercial value, not the construction costs. The probability of a risk, or the likelihood that one might happen, is generally defined as the possibility of a risk happening. It can be defined in a qualitative and quantitative manner, in either terms as low and high (qualitative), or numerical (quantitative). The qualitative manner will be used during the analysis, by using the description of the probability of a risk happening during the interviews. The higher the rating of a risk, the general risk level for an event is.

3.8 Interviews and protocol

Part of this research is done through qualitative interviews. Castillo-Montoya (2016) describes the interview protocol as "a four-phase process for systematically developing and refining an interview protocol". These four phases are (1) ensuring interview questions align with the research questions, (2) constructing an inquiry-based conversation, (3) receiving feedback on interview protocols and (4) piloting the interview protocol. Step two can be seen as doing a semi-structured interview, which is defined by Kalio et al. (2016) as an interview method using interview questions as the rough structure of an interview, rather than focussing obtaining answers to direct questions. This method of interviewing often leads to a more open structured conversation.

Castillo-Montoya cites Rubin and Rubin (2012), with the definition of use of interviews namely "interviews provide researchers with rich and detailed qualitative data for understanding participants' experiences, how they describe those experiences, and the meaning they make of those experiences". The four-phase IPR contributes to the strength of the interview by making use of the iterative cycle of trying, analysing, and adjusting the contents. The four-phase plan is used to come to the current interview protocol.

The interview protocol used for this research takes a few elements into account, namely the ethical considerations described earlier, as well as the different interviewee categories. There are primarily three categories, namely (A) real estate developers, (B) legal advisors and (C) participants. There is a fourth category, (D), which entails the interviewees who were interviewed, but not fall into the first three categories. The interview protocol for each category is described in appendix G. The interview questions are already partly described in chapter 3, subchapter 3.3. Empirical Framework.

4 Research execution

The research execution entails the practical side of this thesis. For this part, several case studies, interviews, and surveys are held to gain the necessary information to form the conclusion, discussion, and reflection.

The chapter starts with an elaboration on the case selection. Based on the literature study in chapter two and research setup in chapter three, a final case selection is made. The case studies consist out of two phases: The first phase entails the financial analysis to gain insight into the primary and secondary costs of public participation and legal processes, and the second phase entails one case analysis with interviews and a survey. In the first round of case analysis, semi-structured interviews were held as well to collect more information about each individual case and on the topic of public participation in urban development in general as well.

4.1 Case selection

The cases will be analysed with two different goals: (1) determining the financial consequences of either using or not using public participation in the development process, and (2) the likelihood that public participation contributes to a smoother process with less delay. These two factors of information are combined into a cross-analysis to determine the financial impact of public participation on the end-result of a project. An extreme case selection method is used because of the explorative nature of this thesis, as it is one of the aims to provide insight into the balance of these costs over different categories of projects.

4.1.1 Zalmhaven, Rotterdam

The Zalmhaven towers in Rotterdam are an outstanding project here in The Netherlands. Specifically, the now tallest tower in the Benelux. This project has seen over ten years of delay in the development process, albeit with the support of the Municipality of Rotterdam. This project was significantly delayed because of (legal) procedures started by (non)participants and other NGO's during the development process. This case forms an excellent addition to the financial case analysis group, not because of its uniqueness but because of the extremity of the case and the costs and time delay that it brings with it.



Figure 4: Render of the De Zalmhaventoren. The tallest tower being 215 meters tall, the two lower ones have a building height of 70 meters. (dezalmhaven.com, 2019)

4.1.2 Babel, Rotterdam

Project Babel in Rotterdam is another residential development by AM Gebiedsontwikkeling. AM had won the tender for this project based on their vision and sketch-design, but for the final plan, public participation was used during the design-process. This led to changes in the design and some smaller changes in floorplans, but no major changes in programme or function of the building. Therefore, this case forms a solid candidate to gain insight into the costs of public participation and the results. The changes that have been made during the development process did cost some resources and time, but eventually resulted in a permit-application process without any legal procedures.

Figure 5: Render of Babel, a residential single building development in a former harbour area (Royal BAM Group, 2020)



4.1.3 Wickevoort, Cruquius

Wickevoort is a residential transformation project of 55 hectares in Cruquius, in between Hoofddorp and Haarlem. The former site of healthcare institution SEIN (Stichting Epilepsie Instellingen Nederland) is being transformed to a new residential area. The site of SEIN was formally owned by the association but sold off through a tender to have more income. AM Gebiedsontwikkeling won the tender based on their vision for the area. Eventually, SEIN downscaled, and started to make use of multi-level buildings instead of small, spread-out buildings in the area. The development had to deal with surrounding citizens at the Ringvaart, but also SEIN as one of its participants. This led to a total delay in the project of one year, as well as some small programme changes. The programme changes proved to be very little, as input from the surrounding context was collected early in the project.



Figure 6: Render of Wickevoort, an area formerly owned by healthcare institute SEIN, now opened, and transformed to residential area (venhoevencs.nl, 2019)

4.1.4 Overveen, Bloemendaal

Project Overveen in Bloemendaal is an inner-city residential development in the core of Bloemendaal. This project is running from 1995 onwards but proved to be difficult. Designs were made and published, but there was a lot of pushbacks from the surrounding residents. Finally, in 2011, the permit became irrevocable, but only three or four out of the eighty apartments were sold, and the project was written off and cancelled. Around 2013, the project was started back up again and intensive talks with delegates from the surrounding neighbourhoods, the municipality, and the developer itself were held. This resulted in a project that had a very intense participation process, and no legal procedures when it came to permit application.

Figure 7: Vijverpark Overveen, an area development on the edge of Overveen, close to Bloemendaal. (am.nl, 2018)



4.1.5 Op Enka, Ede

The transformation of the Op Enka terrain, from factory to residential, provides an interesting case which looks at inner-city transformation, and the costs that public participation (in this case also business to business) brings with it. In this area development, two specific sub-developments are of interest for this research, namely the Zouterij and De Residentie.

The Zouterij is a block of seven rowhouses, which was significantly delayed due to the trees on the building site. A permit application was filed to cut the trees down, but one of the recently moved in neighbours litigated against the decision. This led to significant delays in the construction of this block of housing, including productivity loss for the contractor. Eventually, an agreement was reached, and new trees were planted around the area to compensate.



Figure 8: Zouterij, Op Enka, Ede. The Zouterij consist of multiple blocks of row housing, one of which having to deal with (legal) opposition. (am.nl, 2018)

In the case of De Residentie, a residential building of 9 layers, 32 appartements, a lot of pushbacks from the surrounding neighbours was received. This was the new highest building in Op Enka. As it turned out, not all rules and regulations were met during the permit application phase (such as stikstof), and the neighbours held off the project because of this. The project now must cope with over two years of delay, and the project is starting over with an independently coordinated participation process to execute the development. The results, however, are in this phase of the project still unknown.

Figure 9: De Residentie, Op Enka, Ede. The proposed tallest building of the area development. (Raven Architectuur, 2019)



4.1.6 Schoemakerplantage, Delft

The Schoemakerplantage will be the sole case used to determine the likelihood that public participation impacts the smoothness of a project. The reason that only one case will be used, and this case specifically, is the fact that this is a representative case for this research, as well as for the developments AM Gebiedsontwikkeling is usually involved in. During the development process of this case, an external company was hired to channel the marketing and information for surrounding residents. During the process, active talks and information sessions were held with the surround public, and some smaller changes were made to the project. This eventually led to the development having no delays during the application phase, and construction starting and finishing on the proposed planning.

4.1.7 Residential development, Rotterdam

In cooperation with another development firm, AM Gebiedsontwikkeling has developed multiple buildings in one of the former harbour areas in Rotterdam. This case is anonymised due to the sensitivity of agreements made between involved parties. In this case, a new tenant from an earlier phase in the development process, started litigating against the new phase in the same development. This new phase of the project included a new residential tower. Although this new appartement building was perfectly coherent with the zoning plan and other regulations, this nonparticipant decided to litigate against the project. Although she was repeatedly approached by the developer to negotiate about an outcome, she decided to start the legal procedure on the last day of permit application, and thus the mill started turning and costs and delays were ramping up.

4.2 Research approach

As mentioned before, the analysis is done in two phases. Below, both phases will be elaborated upon, and it is described how data is collected, what methods were used and why. In the next chapter, the results will be discussed.

4.2.1 Financial analysis

The financial analysis is done through analysing the seven individual (sub)projects of various developments by AM Gebiedsontwikkeling in The Netherlands. Per case, an individual Excel-sheet is made with an input part and output part. In these sheets, the available financial information will be put in, which is then combined in a 'result sheet', which combines the data and calculates the averages. These averages are the primary and secondary costs of public participation and legal processes compared to the average commercial value per function. This essentially means that for example primary costs of public participation are a certain percentage of the total commercial value per function, like residential or commercial.

In addition to these hard financial numbers, interviews were held with each lead-developer responsible for this project. Often, data was shared in these interviews, or sent to the researcher afterwards. More importantly, other information, experiences and opinions were shared. These experiences, often with or about the project at hand, gave a very good insight into the development process itself but primarily gave a broad view of the context around project development. It then became very clear, that public participation never can be isolated from the rest of the process.

4.2.2 Participation analysis

To research if, and to what extent, public participation contributes to a smoother development process, is researched through two surveys and complimentary interviews. First, information of the interviews with developers already gives a perspective on how public participation can contribute to the result of a project. However, public participation focusses on the participants themselves as well. To gain insight from the other side of the table, two different surveys are used: One survey focussed on the in-depth analysis of the Schoemakerplantage, and one panel-survey conducted with the panel of AM Gebiedsontwikkeling using crowdsourcing. In addition to this, people who've contributed to the survey had the chance to show their interest in a follow-up conversation to share their experiences or to elaborate on their answers. This way, a general trend of opinions could be verified and clarified using conversations with (non)participants from the neighbourhood around the Schoemakerplantage.

4.2.3 Limitations

There is one big limitation to this research however, and that is that the pool of data is not sufficient to be representative. For this research and its outcome, this was to be expected. This research is setup in this way to gain insight in this very new topic, rather than to draw hard conclusions. To do this, further research is required. This research will be the basis on which can be continued, and in chapter 6 the writer will elaborate on the potential for further research.

5 Main findings

This chapter entails the main findings of practical research part. In the first part, for each case the interview results and financial findings will be disclosed. However, due to the sensitivity of information, exact financial numbers will not be shared. The outcome of the financial analysis is discussed at the end of the first part of this chapter.

The second part goes more in depth on the case of the Schoemakerplantage, the participation process and the effect of public participation on the case. Furthermore, an additional survey has been conducted at the AM-panel about public participation, and these will be described as well.

5.1 Financial case analysis

The financial analysis is done through interviews and collection of data. Per case, the interview results and an indication of the financial findings are given. Main findings of the interviews combined are given in the final part of this sub-chapter.

5.1.1 Zalmhaven, Rotterdam

The Zalmhaven towers in Rotterdam are an outstanding project here in The Netherlands. Specifically, the now tallest tower in the Benelux. As mentioned before, this project has seen over ten years of delay in the development process, albeit with the support of the Municipality of Rotterdam. The cause of the delay, the process that led up to it, how the project organisation dealt with the delay and the results are unique in The Netherlands as well.

The original development of the project started in 2008. During the first phase of the project, going on until 2011, several talks have been going on with the surround public through a representee consultative groep (klankbordgroep in Dutch) and the architect to shape the project that was more acceptable for the public. One thing did become apparent, the building height was the biggest element of discussion, as well as the increased traffic on the existing mobility network. In 2011, the depth of the housing crisis which followed the economic crisis of 2008, the project was put on hold and no further action was taken.

From 2013 onwards, the project was started back up again. The prognosis for a more profitable residential market for dwellings gave a positive boost to the project. Although sticking largely to the former design, the project braced itself for an intense participation and legal process. The difficulty of this project proved to be the building volume, and the yet to be adjusted zoning plan. After all, the municipality of Rotterdam has shown its positive interest towards the project, but the zoning plan was not yet changed to accommodate the new building volume.

So, in 2013 the project team started with the application for the zoning plan change and the building permit simultaneously. The planning made for the project, held account with the maximum time spent in the legal procedures that might follow and consequently cause a delay. Reason for this is, that the project team expected the maximum amount of time needed to get through the process. This expectation was proved to be the right one, as legal procedures reached all the way up to the Council of State (Raad van State in Dutch) and took over two years. During these two years, almost the entire engineering of the building was done, albeit with the risk that the outcome of the legal processes might not even be positive. This is a risk that the project team took very consciously, as the larger part of the direct surroundings, the city itself and the municipality were in favour of the project.

In 2015, the outcome of the saying of the Council of State was positive for the project in terms of the zoning plan. One of the arguments against the project was the lack of public participation. This argument was refuted by the developer, and this was largely since the developer made reports of every public participation moment that took place during the process, as well as always being transparent about its goals. Public participation moments ranged from informing and consultative groups to actual workshops and sessions with designers. The opponents then did not decide to litigate against the building permit, as their arguments would be largely the same against the project.

At the end, the direct surrounding public consisted out of over 800 addresses, but only a mere 50 of them showed signs of being against the project, let alone acting against it. However, as became clear during these procedures, people simply did not agree with the fact that a large residential tower was built in Rotterdam or close to their home. The building height turned out to be an irreconcilable element for the developer and part of the public. This happened one time in the project, however. The group got the opportunity to speak to the local council (gemeenteraad in Dutch) to hand over a petition of 400 votes against the development. Another group, this one rooting for the development called RotterdamXL, started up a similar petition. They got the opportunity to talk to the local council as well that same day and handed over an overwhelming 1200 votes for the development. AM consciously did not associate itself with RotterdamXL and stayed independent to prevent any signs of working together. These were in fact turning into project ambassadors, which helped with positivity around the project.

In terms of profit and costs, it is difficult to exactly quantify what the costs were. Primary costs for public participation and legal processes are defined, but the costs of delay were largely not apparent since the planning was already anticipating maximum delay. Therefore, without taking the housing crisis into account, the project was delivered on time when prognosed in 2013. However, this change in programme between 2011 and 2013 was not only because of the public against the project. For instance, the original design could not have been built in phases and proved to be challenging with parking. Therefore, the costs of the redesign cannot be categorized as only secondary public participation costs. The primary costs of public participation and legal processes are taken up in the financial analysis of this research. (Interview 27, 2021; Vastgoedmarkt.nl, 2021)

5.1.2 Babel, Rotterdam

Project Babel in Rotterdam is another residential development by AM Gebiedsontwikkeling. AM had won the tender for this project based on their vision and sketch-design, but for the final plan, public participation was used during the design-process. This led to changes in the design and some smaller changes in floorplans, but no major changes in programme or function of the building.

The project was approached based on a co-creation public participation process with potential buyers of the project. There were second to none programme changes, only smaller changes in design and floor plan layout. However, the definitive design proved difficult to be feasible for commercial and technical reasons. The floorplans had changed, based on the framework set out from the public participation, and finalised for permit application. An important remark was made by the developer about public participation. He stated that the smooth process cannot be directly linked to the public participation processes, as litigation often starts as people might feel threatened by the project at hand. In this case, Babel was one of the first developments in the area, so little to no surrounding citizens were able to litigate against the project.

The permit application procedure went smooth, as no objections were found, and the permit was irrevocably given after the waiting period of six weeks. The main costs were proved to come from the public participation process. Therefore, this case is used in the financial analysis for the input for primary and secondary costs of public participation. (Interview 28, 2021)

5.1.3 Wickevoort, Cruqius

Wickevoort is a residential transformation project of 55 hectares in Cruqius, in between Hoofddorp and Haarlem. The former site of healthcare institution SEIN (Stichting Epilepsie Instellingen Nederland) is being transformed to a new residential area. The site of SEIN was formally owned by the association but sold off through a tender to have more income. AM Gebiedsontwikkeling won the tender based on their vision for the area. The Wickevoort development consists out of several sub-developments and phases. This research goes in depth on the total public participation process for the entire area development, as well as the sub-development of the Orangerie close to the existing buildings on the Ringvaart.

The development is quite unique, as the site is formally owned by SEIN. Although the terrain was open and accessible to everyone, nobody ever entered because of the association being there. The public participation process started with promoting the area and actively opening it up by organising tours and walks through the area itself. After being selected for the development, talks started with surrounding citizens and users of the area. These entailed people who lived on the Ringvaart, but also facilities like the horsery and golf course. The workshops always started with a blank sheet of paper, and people could write what they wanted to see in the area. A lot fitted, but something of course did not. These sessions were sometimes very weird and creative but created a common shared element throughout the development process and strengthened the bond with existing users of the area. According to the developer, this helped prevent a lot of delays for the project. However, it won't always take everyone's concerns away.

Second, an interest-list was opened for potential buyers of dwellings in the area. To these interested people, a survey was put out to determine the core product of the development (e.g., what kind of housing and facilities there should be in the area). Several people were randomly selected to do workshops with the designers and deliver input for the sketch design. After this, the outcome was tested again with the panellists on terms like floorplans, shapes of the buildings and general design style.

However, despite the intensive public participation processes during the start-up phase of the development, a lot of pushbacks was received when the plans were closing into finalisation. The finalisation of the zoning plan went all the way up to the Council of State. Citizens of the Spiringweg, the main road of access to Wickevoort, showed their concerns about pressure on the existing road network. Even after three separate independent research, which all ruled in favour of the development, they were not convinced. The developer won all cases in court because of these independent research. The costs for the delays proved to be negligible compared to the eventual outcome of the project of around a thousand dwellings. The prospect of profit was very good, even when taking the ground deal into account with SEIN. Although the legal procedures took over two years, the eventual delay proved to be around one year as the developer choose to start other development processes at his own risk before a final ruling was made by court. Eventually, the costs of delay were diminished by the increase in selling value of the development. As seen by the Zalmhaventoren, the upgoing market for housing suddenly made the project more profitable than it was before.

The interviewee stated that the most important thing is to stick to your promises, be transparent and explain what you are doing and why so. For example, trees can only be planted in one season of the year, but a lot of people do not seem to know this and will then complain that you have not planted your trees yet. This is a simple example of how explaining will help the attitude of the public towards a project. Listen, and be aware that you are a visitor in an existing context with all its knowledge and networks. This case in its overall shape proves to give solid information for the financial analysis in all categories. (Interview 30, 2021)

5.1.4 Overveen, Bloemendaal

Project Overveen in Bloemendaal is an inner-city residential development in the core of Bloemendaal. This project is running from 1995 onwards but proved to be difficult. Designs were made and published, but there was a lot of pushback from the surrounding residents. When the former BAAM Vastgoed made the winning bid for the project, the surround neighbourhoods disagreed. During that period of the development, the only time the developer and surrounding citizens spoke with each other was in court. The citizens did not win in the legal process, but only gave the project significant delays. Finally, in 2011, the permit became irrevocable, but only three or four out of the eighty apartments were sold due to the newly arrived housing crisis and the project was written off and cancelled.

Around 2013, the project was started back up again due to the shift in the housing market. An agreement of intent was signed between the municipality and AM. Again, there was a prospect of profit being made. From there on out, the process went quick. This time, the project team decided that the approach should be entirely different than the first try for this project. Talks with the surrounding area started immediately. One active citizen from the surrounding neighbourhood, with the help of a local architect, got in touch with the project developer at the time. From there on out, an active participation process was started. It was a breath of relief for the consultative group to talk to the developers. Their stance towards the project changed when they became involved in the project. (AMuse, 2019)

The consultative group consisted of around nine people, including the municipality. This group focused on the framework for the project, like the amount of housing, looks, public space, et cetera. This was a balancing act between all, as AM had to make a profit, the municipality wanted a good ground price and the public wanted to have a say in the overall direction of the project. When framework was decided upon, AM used crowdsourcing to accurately predict exactly what kind of housing should be made, and further details were voted on by the public via surveys.

This process resulted in a zoning plan change and irrevocable building permit without any delays or litigations. The interviewee of this project stated that participation is a no-brainer to do. It will cost you close to nothing but will save you a lot of time and money further down the line. This project shows the extreme of two worlds, from talking in court to talking at the table, with the results to match. This case will be used in the analysis for the public participation costs, as well as costs for delay. The first stage of the project was completely written off and is seen as a loss for this project. (Interview 30)

5.1.5 Op Enka, Ede

The transformation of the Op Enka terrain, from factory to residential, provides an interesting case which looks at inner-city transformation. In this area development, two specific sub-developments are of interest for this research, namely the Zouterij and De Residentie. The development includes different types of housing, including housing for handicapped people in the area (AMuse, 2019)

The Zouterij is sub-development of several blocks of rowhouses in the Op Enka development. One block of seven houses was delayed because of three oak-trees that were still standing at their proposed location. To apply for the permit, the developer also applied for a permit to cut down the trees. However, a new resident of the area filed against that permit, and so it was not given. The citizen called in the help of SME (Stiching Mileuwerkgroepen Ede) and blocked the permit for the housing block. This led to significant productivity losses for the contractor, as the other blocks could be built but this specific block was delayed. Eventually, the permit to cut down the trees was granted as they would be compensated with 17 new trees in the area. The interviewees stated that this possibly could have been prevented by filing for the permit earlier, as the new resident would not have moved in by that time. However, this is always difficult to say in hindsight. (Interview 29, 2021)

In the case of De Residentie, a residential building of 9 layers, 32 appartements, a lot of pushbacks from the surrounding neighbours was received as this was the new highest building in Op Enka. Admittedly, some mistakes were made by the developer during the permit application process. As it turned out, not all rules and regulations were met (such as stikstof), and the neighbours held off the project because of this. During the development process, the local public was not involved. This resulted in negative response towards the project because of the building height and volume in general. The project now must cope with over two years of delay, and the project is starting over with an independently coordinated participation process to execute the development. The developer expects to reuse some of their project costs from the first phase but less commercial value due to the building probably not reaching such a high level anymore. Both projects are used to analyse the costs of delay during the development process, as public participation did not play a role with either of them. One positive remark could be made, and that is that the project team does not expect any losses due to the increase in housing price. (Interview 29, 2021)

5.1.6 Single building development, Rotterdam

AM Gebiedsontwikkeling has developed multiple buildings in former harbour-areas in Rotterdam. This new phase of the project included a new residential building. In this case, a new resident from an earlier phase in the development process, started litigating against the new phase in the same development. Although this new appartement building was perfectly coherent with the zoning plan and other regulations, this nonparticipant decided to litigate against the project because of the building height and proximity to his/her own building. In the case of this project, the permit had been given but was not irrevocable yet. On the last day of the waiting time, a nonparticipant filed litigations against the project. At first, the objections by this citizen were deemed unfounded by the municipality. However, she turned her focus to the court. When someone decides to go this route, certain present procedures are mandatory, consequently causing delay for the project. Even if these procedures are shortened, they will take around half a year to finish.

This delay caused various cost increases for the project. One of them is the agreement made with the contractor for building price and ground price with the municipality. First, the construction costs are indexed based on the increase of building materials, equipment costs and costs for loss of productivity. The ground price increases as well, as the moment the developer takes off the ground from the municipality delays, the interest (grondprijnsindexering in Dutch) goes up over time. Furthermore, the contracts of sale of the apartments becomes uncertain as well, as the contracts cannot be held on forever and potential buyers have the chance to resign from the purchase. This turns into a whole new risk, as developments are often started at a sale rate of 70% or higher to minimize chances of losses. The primary and secondary costs of this project are taken into the financial analysis part of this research.

In the end, the demands of this nonparticipant were irreconcilable with the development, so public participation would not have solved the problem at hand. One member of the project team even stated that it would have been cheaper to give this nonparticipant a sizable amount of money instead of the caused delay, which is a sad but true statement which sometimes can be made about public participation. This is exactly what happened. A settlement was made between the opposing resident and the developer, and a financial compensation was given. This is the primary reason that the case is anonymised as sensitive data and agreements are in play. This case was very difficult to solve, as the plans are coherent with the zoning plan, as well as with the plans of the municipality whilst working with agreements and plot passports (kavelpassen in Dutch). Therefore, this case is a very good example to gain insight into the primary legal and secondary costs that arose during the project. (Interview 28, 2021)

5.1.7 Financial results

All cases mentioned in this sub-chapter, have been analysed financially. During or after the conducted interviews, financial data was shared of all these projects in order to find out what costs are the most prevalent during these projects. In the interviews, it was explained by the researcher what financial data was required to conduct the research. These are primary and secondary costs of public participation and legal processes. Primary costs being the costs of the actual processes, such as participation moments and legal processes, and the secondary costs are the costs that are the result of these processes. These can be the costs of adjusted programme or design, or costs of delay that is caused due to the (sometimes) mandatory legal procedures.

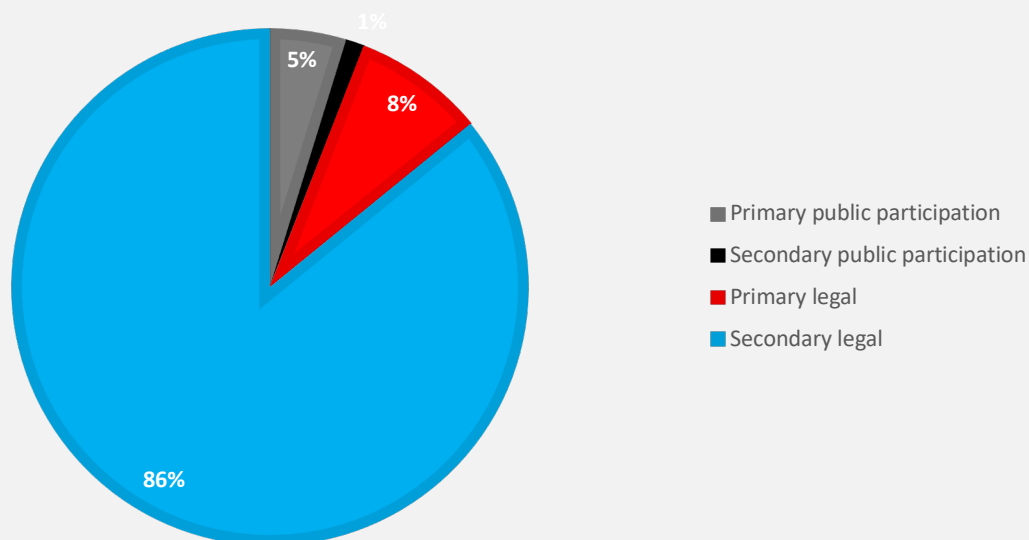
In the explorative interviews, done earlier in this research, it became apparent that the costs of public participation are likely not the biggest cost factor in a project. The biggest cost would be the costs that are a consequence of the delays of a project that can be caused through the legal processes. If a citizen appeals against a permit, it is legally required that certain legal procedures are set into motion, which consequently leads to delays in the project. These costs of delay can for instance be increasing construction costs or late-delivery penalties. For each case, the lead developer or somebody from the project team delivered the financial data required. These were as mentioned the primary and secondary costs of public participation and legal processes, but also more project information.

This information entailed information about each function in the building (residential, commercial, parking, other), and the number of square meters and commercial value of each. In this way, the primary and secondary costs could be set off in percentages compared to commercial value per function and the entire building or project.

The financial outcome was analysed first per project before combining the results of the analysis. As the projects differentiated quite a lot in size and value, an average was taken by taking the scale of each project into account, rather than adding up the averages and dividing the number by the number of projects analysed. By doing this, a more accurate insight is given into the costs that potentially arise. Furthermore, not every project had costs in every cost factor. Some projects did not make any costs in the primary public participation category, whereas some projects did not have to deal with any secondary legal costs. In addition to this, most projects entailed primary residential only projects with parking. The only project with commercial space in this research is the Zalmhaventoren. In order not to reveal any sensitive information about each project individually, the information discussed will not be linked to a specific project, and overall results will be discussed in more detail. For analysis accuracy, the both the results including and excluding the Zalmhaventoren are analysed as the high number of square metres might offset the results of the other projects.

When looking at the average result of the analysis, one thing immediately became apparent. The secondary costs of legal procedures are by far the largest cost factor. Although total cost increase, the total extra costs of primary and secondary costs, is around 1 percent (0,85% including and 1,22% excluding the Zalmhaventoren), the percentage of these costs are roughly 90 percent (86% including and 92% excluding the Zalmhaventoren) a result of the secondary legal costs. In every case, the primary and secondary costs of public participation stayed low or not apparent at all. In one case, the costs of secondary legal procedures even were as high as 6,6 percent when compared to the commercial value, with two other cases between 3,5 and 4 percent. The full overall result sheet can be found in appendix D and in table 5.

Table 5: Percentages of total researched costs (own graph, 2021)



5.1.8 Most important findings

A very important remark, made by almost all interviewees, is that delay would not directly cause a decrease in profit. This unique situation, with an increase in building costs and rising project costs, was possible due to the fast increase in housing prices and thus cannot be influenced by the developer itself, as it is simply an effect of the current market and timing. Several projects did not see their profit get smaller due to the delays that were caused because these costs were compensated with a higher selling price, or commercial value. It is important to stress that this is only possible in a specific timeframe, in which this research is conducted.

In the round of explorative interviews, one interviewee stated up to 80 or 90 percent of what participants come up with during an early participation process, are wishes' or demands that would likely already be integrated in the project. These concerns can range from everything between public space and building volume. This was confirmed by almost all interviewees in the second part of this research. They confirmed that most, if not all, wishes were primarily focussed on practical elements of the plan and were easy to integrate in the design.

Furthermore, some interviewees stated that often you don't hear the 'silent majority' that is in favour of the project. This makes it difficult, as the 'nay-sayers' often get most of the attention during participation processes. In addition to this, if there is a councilary group, members are sometimes in there not only for the neighbourhood, but to be better off as individuals as well.

The topic of public participation leading to a smoother process was discussed during these interviews as well. The most important remark made by several developers was that not all demands or wishes from the (non)participating public are reconcilable (verenigbaar in Dutch). This is a point that has proven to be difficult in several projects, as public participation cannot solve the fundamental disagreements between the proposed plan and the opinion of a local citizen.

But most interviewees stated that public participation can help increase the smoothness of the process, one interviewee even stating that "attention is a justified payment method" (aandacht is een wettig betaalmiddel in Dutch). However, some were critical on the direct connection between having little troubles during the permit application phase, and the intensive public participation process that was done. This must deal with many external factors as well. However, possibly the most important remark made during the interviews is that if projects and decisions end up in court, the likelihood of a positive decision for the developer increases if a good public participation process is done.

To partly overcome this uncertainty, this research has conducted a survey with the surrounding citizens of the Schoemakerplantage, as well as several interviews with (non)participants of this project. In addition to this, a panel survey is set out from AM to gain insight into the participants' side of the story. This will be further elaborated upon in the next sub-chapter.

5.1.9 Notable additions

In addition to the financial case analysis, several conversations were held within AM to find other exemplary cases which have been impacted by the surrounding context. Other elements of these discussions are named in other chapters, but one project is described below. One specific project is had to take several periods of delay because of concerns of the neighbouring residents.

First, the project was hindered because of a protected toad (kikker of pad in Dutch). The residents argued that the developer should take several measures to prevent the toad from being able to enter the dangerous construction site and potentially be hurt. Thus, the developer took action. Around the whole construction site, frog-fences were built. At the entrance for transport, big rooster (veeroosters) was placed to prevent the toads from coming in but the building site still being accessible. However, when the eco-expert arrived, the solution was deemed not enough: The toads needed stairs to get out of the rooster. Thus, stairs for the toads and frogs were placed. This whole situation led to delays and tremendous extra costs for the building site.

When construction came for this project, and drilling poles (heipalen in Dutch) was about to start, another delay was caused. Deer in the area could have hearing loss due to the noise being made. Again, the project was delayed because proof was needed that this situation was safe for the deer. This delay was a total of two months, so the project team decided to remove the installation for drilling the poles. However, a magpie (ekster in Dutch), had nested on top of the machine while the breeding season was in full force, so the machine could not be removed. Eventually, drilling the poles was deemed safe and construction could be started, with some special spectators wondering what was happening: The deer.

As it turned out, these residents did not like the development at all, and used the flora and fauna arguments as an excuse to hinder the development. This is a 'textbook' example of project blockers, using everything they can find to get their way. The same had been seen in the past, with the 'postzegeclub'. This club got its name from the simple act of sending letters to municipalities to ask for monumental status for buildings if they did not want a redevelopment project to happen. Then, the municipality must take this into account and start the procedure, and the developer must show that the building is not monumental, as the evidence had to come from the initiating party. These project blockers are inherently difficult to approach, and it is difficult to prevent them taking certain actions. (Interview 41, 2021)

5.2 In-depth case analysis

In this sub-chapter, the case of the Schoemakerplantage is analysed. This case is analysed in both a quantitative and qualitative way. An interview is held with the lead developer of this project at the time, as well as the external firm responsible for setting up the participation process and marketing for the area. This is complimented by a survey focussed on the experiences of the surrounding neighbourhood during the development process, as well as several in depth interviews with a smaller number of (non)participants

5.2.1 Schoemakerplantage

The development of the Schoemakerplantage started in 2005. The first couple years led to an extensive process of identifying what the area should look like, who the new residents were and what the overall identity of the area could potentially be.

In 2013, a market analysis was made by AM and consequently a meeting followed with several stakeholders. These stakeholders had to stick notes to a wall and talk about what they thought of the area. These stakeholders reacted from ratio and primarily from their own individual stakes. It did not come to the formation of an identity for the area, but the stakes became apparent. A shared vision was not created, and support was still negliable.

In collaboration with the firm BrandSense, several core-values were identified for the area, as well as consistent colour mapping for the buildings and much more. At two more occasions, stakeholders were invited for a so-called 'Sensestorm'. Stakeholders were told to approach the session from their feelings, and this resulted in a very different kind of session. Individual stakes were put aside, and a common interest became apparent. From these two sessions forward, stakeholders were more connected by this shared interest. Sadly, the output of BrandSense was still quite broad, and further details needed to be pinpointed. (Interview 32, 2021)

With the help of Firma Stek, an area marketer, and Smart Agent, the findings from BrandSense were further expanded to determine a target group for the area, as well as defining local entrepreneurs who could give a function to the empty hall in the middle of the area. This location later turned into an on-site project location as well. Here, people from the surrounding neighbourhood or potential buyers could come and visit. One thing did become apparent though, and that was that the concept phase was not yet properly finished before moving on to the planning phase. (Interview 32, 2021)

Based on the target group and other information, the project was started up. A website was launched, and active talks started with the neighbours about the design, look and feel of the new area. Concerns and wishes were gained and put to good use in the project. Firm Stek made sure that the surrounding area was properly informed by making use of a newsletter and other forms of personal contact. People could contact them with their concerns as well, and they made sure the feedback would be given to the developer. Also, the interviewee from Firma Stek stated that these talks did not lead to significant changes in the project, and it could continue just as planned. In the end, the permit application phase for the first part of the project was rounded off with no delay, and construction could start. The main period of activity for de Firma Stek was between 2011 and 2014.

During realisation, focus shifted from the surrounding participants to the new inhabitants of the area. A pre-housewarming party was organised at the costs of the developer. The new residents could invite friends and family over to show them their new home and neighbourhood. The developer was there holding a low profile, but approachable for questions. This event turned out to be very positive, and in fact created a whole new group of ambassadors for the project. Furthermore, personal delivery of the houses was done by members of the project team. If there were any troubles, the new residents could always come to the central hall to discuss this. Personal contact costs only a few minutes but was tremendously appreciated according to the developer. For potential customers, a 'binnenkijkdag' was organised. This was a day where newcomers could look in the houses that were finished earlier in the project. This was also organised by the developer, and possible because of the good connection between the new residents and developer. (Interview 31; 32, 2021)

5.2.2 Public participation survey

As mentioned before, the mixed reactions from the other project developers regarding the effect of public participation and the link to a smooth process are a reason to go more in depth on the likelihood that public participation contributes to this. Therefore, a survey is conducted under the surrounding citizens of the Schoemakerplantage, which is to be discussed in this paragraph. The full survey results are to be found in appendix E. The main reason that the survey is not conducted with the new residents of the area is because this research focusses on the participation process with the surrounding neighbourhood. The results of this survey must be reviewed critically. The target group itself was only 120 addresses, as the public participation focussed only on direct citizens around the Schoemakerplantage. The results that are filled in however, are likely to be people who were more actively involved or would be most critical to the work executed. In figure 11, the site of the Schoemakerplantage and key surrounding factors are displayed.



Figure 10: Schoemakerplantage, Delft (Google maps, 2021)

The survey was handed out in the high-rise residential building of the Van Embdenstraat and the low-rise housing at the Professor Evertslaan. The primary reason that the other two high-rise buildings were not selected is because this research focusses on gaining insight in the participation process. As described earlier, this was primarily done with the surrounding context between 2011 and 2015. De Firma Stek, who took part of the responsibility leading the talks and informing the neighbourhood about the project, contacted every part of the direct surrounding context of the Schoemakerplantage. However, the high-rise of student housing and mixed social- and student housing at the Professor Evertslaan did not respond to the enquiry for participation at the time, thus, these two buildings are left out of the survey.

The survey was set conducted over a period of two weeks. In collaboration with AM, a professional survey-system was used to set it up digitally and a QR-code to the survey was generated. The QR-code could be scanned by every smartphone and the survey would open in an internet browser tab. Then, a postal card was made with important information about the survey and the QR-code itself. This card was handed out either in person to the residents by going door to door or put in the mailbox. People could leave their contact information at the end of the survey if they were interested in giving a more in-depth interview to help the research. Figures 12 and 13 display the front and back of the survey-card handed out.



Figure 11 (above) and 12 (below): Survey-card for handing out (in collaboration with AM, 2021)

After the period of two weeks, 38 people filled in the survey. Using the zip-code system, it was verified that all participants did indeed live around the Schoemakerplantage. 36 of these participants (94,7%) were residents at the time the project of the Schoemakerplantage started. Furthermore, nine in-depth interviews were held, including a focus group, which will be discussed in the next sub-chapter.

The survey consisted out of three main parts: (1) How people were informed about the possibility to participate, (2) why they did or did not participate and (3) what effect they thought the participation would have or what their desired result would be. The interviews were used to gain a more specific insight into the project itself, and how the participants dealt with it over time.

From the 36 eligible respondents, 15 people (45,5%) were aware that they could participate in the project. In this case, it is important to remark that everyone was approached during the start-up phase of the project. Reason could be that the other 18 people moved in after this period, but still must deal with ongoing development of the project.

From these 15 people that were aware that they could participate, most were informed by the developer (11 people), and the other people found out through their neighbours or other ways of communication. An important remark can be made, and that is that only one person found out through the municipality of Delft. 8 out of the 15 people did participate, the other 7 did not. The most important reason for people to participate was to gain information about the plans to oppose to it. A smaller percentage had the idea that they could influence the outcome through these talks with the developer. The most important reason for people to not participate was that they were not able to although they would have liked to. Reasons varied from clashing agenda's to forgetting about the event. From the non-participants, the largest percentage (71,4%) did not think of starting a legal procedure against the project.

Furthermore, from the survey it did become apparent that multiple people were in contact with each other outside of the conversations with the developer. This was primarily to discuss the results of the talks and if needed, oppose during the project if it were to apply for a building permit.

One of the final questions of the survey, able to be filled in by every survey-participant, was focused on how they thought their concerns and interests could be best addressed and have an impact on the project. 25 people answered this question, and 13 people (52%) believed it would be through a public participation process. 9 people (36%) were convinced it would be through a legal process and 3 people (12%) were not sure or thought it would be a combination of the two. As the survey did give a small insight into the situation of the project and the overall impact of public participation, more in-depth interviews are required to formulate a more accurate description of the process around the Schoemakerplantage. The interview results are discussed in the next sub-chapter.

5.2.3 Interview results

As mentioned, eight different interviews were conducted among the interview participants. These interviews were an even mix of people that did participate and from different parts around the Schoemakerplantage. All interviews were held by phone or Microsoft Teams.

During the interviews, it became apparent that the different parts around the Schoemakerplantage had very different concerns regarding the project. The residents on the Professor Evertslaan were primarily concerned about the contents of the plan, such as greenery or other public facilities. The concerns of the residents of the high-rise at the Van Embdenstraat were primarily concerned about a new planned building of 40 meters (same height as theirs) at the entrance of the project. How they approached the situation, turned out to be inherently different as well. Therefore, a division is made between these two groups, and discussed in two separate paragraphs.

First, the residents from the Professor Evertslaan. From this part of the neighbourhood, four people were interviewed. All these interviewees have been living in the street for a long time, some even being the original resident of the house. The residents are primarily elderly people enjoying their after-work life. Some of these residents had a past in research and higher education themselves, and they admitted they have a little more time on their hands and are home quite a lot during the day. The most important detail however, that the residents on this part of the neighbourhood grouped together, instead of everyone having to deal with their individual concerns towards the developer. Even more, one resident, contacted the interest group TU Noord to help them during the process.

This part of the neighbourhood participated in the early phase of the Schoemakerplantage, but their involvement gradually became less as the project progressed. Two of these interviewees stated that it was notably noticeable that the interest to surrounding citizens of the Schoemakerplantage shifted to the new residents. This is in line with earlier statements from the developer (Interview 32).



Figure 13: Professor Evertslaan, Delft (own image, 2021)

This resulted in a concerned group of people, as they felt the situation became less transparent and they did not know what is to come. Furthermore, the zoning plan was changed by the municipality in the early phases of the project in a 'very sneaky way'. This is also something the residents of the Van Embdenstraat found. This cannot be either confirmed or denied, as changing a zoning plan must follow a mandatory procedure with the possibility of opposing it by citizens. According to the municipality of Delft, there was even an information event about the plan on April 14th, 2015 (Planviewer, Gemeente Delft, 2021). If it was done correctly, is not viewed in this research. At the time of writing, two elements formed a discussion between the developer and this group of residents. (1) The area of greenery in the area and (2) the height of a residential building for elderly people.

First, the area of greenery was proposed at a width of 8 meters. According to this group of residents, the area was possible to be up to twice as wide. These talks were held before anything was built, so changes in the plan were still possible. The width of 16 meters could be reached if the proposed housing would move gradually, supposedly making the plots smaller as more room was needed for public space. If this was at a stage in the process that these houses were already sold (and thus plot sizes were already determined and the zoning plan was set), is unknown. However, from the perspective of a developer it is understandable that if plot sizes decrease for the benefit of public space, that they do not agree for financial -or other- reasons. However, the fact that greenery was included in the plan, and that it would be accessible to surrounding residents of the Schoemakerplantage as well, was seen as something positive about the project.

Second, the building height for the new residential complex. It is set in the zoning plan that the building was allowed to be a height of 25 meters. The developer proposed a project with this building height, but the residents did not agree. Although the plan was within the zoning plan, the residents filed a 'zienswijze', which is a reaction that a stakeholder (belanghebbende in Dutch) can send to the authorised supervision, in this case the municipality, as a reaction to a design-decision. This decision can entail a building permit or zoning plan change. These 'zienswijzen' can be filed over a usual period of six weeks (in The Netherlands) when a permit is given by the authorised supervision. The authorised supervision then must decide of what to do with the zienswijze. If the filer of the zienswijze thinks disagrees with the decision made, he or she can start a legal procedure (bezwaar aantekenen of in beroep gaan).

This 'zienswijze' was considered by the municipality. The residents filed a zienswijze against the building height of 25 meters, as they thought it was too high, too close to the existing houses and would produce too much diffuse light during night-time. The talks even led to an Alderman (wethouder in Dutch) visiting the location and talking with the residents. This Alderman agreed with the citizens, and for the residents to withdraw the zienswijze the building height had to be lowered. This was eventually done by the developer, decreasing the building height from 25 to 15 meters. According to some residents this was still too high, but they understood the necessity of the building and neighbourhood itself as well. The developer could only accept this fact, otherwise no building would be built at all. After all, less profit still means profit.



Figure 14: Low-rise residential building, left the Professor Evertslaan, Delft (own image, 2021)

Talks were still going on about this specific part of the project. Concerns of citizens also included the light from the cars that would shine into their gardens at night-time. This was caused by a parking area at the backside of the new building. The developer listened to their concerns and made sure by putting down a ground-wall that the light would be blocked from the cars. Furthermore, pressure on the parking and infrastructure was also mentioned as a concern. (Interview 35-36, 2021)

Although not every concern was dealt with as they would have liked, this part of the neighbourhood believed that the talks with the developers helped the outcome, and the prevention of lengthy legal processes. Some interviewees even stated that although the outcome was not always desired, they were still happy that talks with the developer took place. What frustrated them most, however, was the fact that they feel that they were increasingly left without any information about the project. They would like to see the developer act in a more transparent way to inform them about what is happening in the Schoemakerplantage. (Interview 33-36, 2021)

Second, the residents from the Van Emdenstraat. Their concerns and attitude towards the project were inherently different than the residents from the Professor Evertslaan. The interviewees all did not actively participate in the earlier phases. The cause of this is probably that the talks between the developer and public were held between 2011 and 2014 at the very beginning of the project, and three of the interviewees moved in in 2014 or later. One interviewee moved in the appartement in 2013, before purchasing it in 2014, which has potentially led to a lack of communication between the two parties.



Figure 15: Van Emdenstraat, Stieltjesweg in the background, Delft (own image, 2021)

The primary concern of this group of residents came from a planned residential building of 40 meters next to theirs, at the entrance of the Schoemakerplantage. The concerns arose from events from the past, most of the events even falling outside of the scope of AM. Their primary concern was about the wind past the buildings. In 2013 and prior, when the student housing Stieltjesweg on the TU campus was under construction, these problems were not yet apparent. Residents of the Van Emdenstraat could use their balconies without any concerns. However, when the building was finished at the Stieltjesweg, the wind speeds around the building in the Van Emdenstraat increased tremendously, reportedly unbearable and unsafe for elderly and people with strollers and small children. (Interview 37-40, 2021)



Figure 16: Student housing at the Stieltjesweg, Delft (own image, 2021)

According to the residents, this was caused by the construction of the 22-story building on the Stieltjesweg. They felt misled by the developer and municipality, as they said that also here the zoning plan was changed without notice and the wind-calculations prior to the project showed that it would not have been of any impact on their building. This includes a solar study (zonnestudie in Dutch), which concluded to have not any impact on the Van Emdenstraat, although residents do have negative experiences from a decreased amount of sunlight and increased windspeeds. One interviewee even stated that she could not use her balcony anymore because of the winds (interview 38, 2021), reporting that some stuff on the balconies would sometimes blow off and fall on the ground. The VVE (Vereniging van Eigenaren), wrote a letter to the municipality of Delft about the dangerous situation, but their concerns were reportedly ignored. (Interview 37-40).

Their opposition toward the new high-rise building came from these experiences. Wind- and solar studies again showed that the new building would not cause any problems, but their experience of the past led to mistrust in these reports. According to the residents, the developer should dive more into the actual situation, rather than trusting on (in their eyes) faulty theoretical calculations. One interviewee stated that if the developer and municipality held to these calculations and not would go into the field and check for themselves, they were not to be trusted and they would litigate and start legal procedures against the project if it were to be started. This remark was made by an interviewee who is not only a resident of the building, but a representative of the municipality of Delft as well. (Interview 38)

The concerns of the residents of this building are understandable. Again, these residents felt not properly informed and were very frustrated to see that their concerns were not considered. Furthermore, they also felt that the zoning plan changed in a very 'sneaky' way. However, a remark must be made. The solar- and wind study is published by the municipality (PlanViewer, Gemeente Delft, 2021), but at the time of writing no building permit has been filed for the specific plot. The residents wrote their letter of concern to the municipality of Delft, not to the developer, which might cause the developer not being aware of the concerns from the neighbourhood. If the developer indeed is not aware of these specific concerns, active talks with residents from this building to hear about their concerns might help the situation forwards.

5.2.4 Most important findings from the Schoemakerplantage

From the case analysis of the Schoemakerplantage, some key findings can be identified. These findings are based on both perspective's, from the developer as well as the (non)participants. It is important to note that these findings are not in any way accusations to either party involved in the project, but findings from a third party, the researcher, as an independent viewer of the project. Furthermore, some remarks are made about the research method of this case.

The first finding of the analysis is a very general one: There is a notable difference between how each side of the party perceived the process in general, or some elements of it. This is of course not a surprise, as both sides have different interest in the project and might have different objectives from the conversations with the other. As in most cases, some participants around the project were more vocal and entrepreneurial than others, where others had no complaints or even complimented the approach of the developer in early stages of the project. Both perspectives still need to be reviewed critically for the analysis.

The difference in perspectives became especially apparent when the interviews with the residents with the Van Emdenstraat and Professor Evertslaan were held. The perspective of the residents of the Professor Evertslaan, AM and Firma Stek were in line. The neighbourhood was informed in the beginning about the plans, and there were project visits and moments to address concerns of the residents. These moments led to changes in the project to address the concerns of the residents of this specific street. After this process, AM (see interview 32) stated that the focus shifted to the new residents and potential residents of the neighbourhood. This was done in a time that not the entire project was finished, and parts were still under development. This concerns the residents of the Professor Evertslaan, as they noticed this shift very clearly and felt left out of the process. This sparked the feeling of being left out and misinformed, which concerned them about further developments within the Schoemakerplantage. This was also the case during the construction of the first phase. Some residents complained about the noise made during construction and they did not know what was exactly happening. Important to note is that these residents usually lived in the street for a longer period, and thus were residents of the street at the time the talks were held with the developer.

The experience could not have been much different compared to the residents of the Van Emdenstraat. These residents felt out from the beginning of the project and are very concerned with one part of the Schoemakerplantage in particular: The tower that was proposed to be built next to theirs. These interviewees felt left out of the public participation process, which is understandable. As mentioned before, this could be because these talks with the developer were held in a time that

these residents were not yet residents of this building. These statements were clearly different from the perspective of the developer, as the developer stated that everyone had been approached during the development process. Again, a remark can be made. The developer had contacted every resident around the Schoemakerplantage at the time, but the residents changed as the project moved along.

In terms of scientific relevance, the questionnaire and interviews were in little numbers. This means that in general terms, the data is not always representative for every other case, although a lot can be learned from this specific one alone. In the end, questionnaire functioned more as a method to come in contact with potential interviewees who could share their view on the project. Put in that perspective, the survey is a success, as many participants from different parts of the neighbourhood are interviewed.

However, other buildings could have been included in the survey as well. The general approach and reasoning for handing out the survey-cards in specific parts of the neighbourhood was based on the response during the initial public participation process. This reasoning did not consider that new residents moved in and had concerns about new parts of the project, such as the new Highrise at the entrance of the Schoemakerplantage. Although these residents could not have influenced the initial talks, they are ought not to be left out of the further participation process. If a new attempt would be made by the developer to come in contact with residents, it is recommended that they would contact every prior-contacted addresses again, including the buildings that did not respond at the time.

Furthermore, the QR-method was not always a useful way to have people fill in the survey. The residents of the Professor Evertslaan were often in their retirement and not always knew their way around a smartphone. This problem was overcome by going door to door in this part of the neighbourhood and handing over cards personally and giving them contact information, such as a phone number, to contact the researcher directly. This worked, and although they did not fill in the questionnaire, they still could share their findings on the project. In addition, the card that was handed out was in Dutch, which led to some not native Dutch speaking residents of the Van Emdenstraat not being able to fill in the survey.

5.2.5 Results of AM panel survey

To compliment the results of the survey conducted in the Schoemakerplantage, a survey is sent out to the AM panel as well. This panel, with over 2500 contributors, exists out of (former) customers of AM as well as interested people in project development who would like to give their opinion on certain topics. The full question list can be found in appendix H and the results in appendix I.

First, a total of 102 people responded to this survey. The first filter question entailed if there is or was a new development in the direct area of their place of residence. This filter questions is of importance as insight is needed into how these people dealt with and viewed this situation. A total of 68 people (69,6 percent) stated that this was indeed the case for them. These 68 people were given the full questionnaire to fill in.

In 55,9 percent of these cases, 38 people, the developer initiated some form of public participation possibilities, whether it was informing up until co-creation. Most of the people, 50 percent, were informed about this either through the developer or municipality. Almost two-third of these people did attend these sessions. Primary reason for this was that people would like to know what would happen in their neighbourhood, as well as concerns about what was being built and how that would impact their personal situation. Furthermore, another reason which was mentioned by multiple people is that they attended to display their concerns about the project towards either the municipality or the developer. Around two-thirds of the respondents said that they had the idea that they could influence the outcome, whereas a very little amount of people, around 20 percent, wanted to gain information to oppose to the project.

After these public participation process, their stance towards the project and legal procedures was measured. Over 50 percent stated that their opinion on starting a legal procedure against the project was still the same after the public participation processes. The most important finding of this survey, however, is that most people, almost 60 percent, stated that they believed that their concerns and wishes are better dealt with through public participation rather than a legal procedure against the project. Furthermore, all respondents did not think about starting such a procedure against the project in their neighbourhood. The largest part of the respondents, exactly two-thirds, stated that they felt that their concerns and interests were considered during the development phase of a project.

An important note should be made: This survey does not display the level of public participation, so the results are very general and not representative for one specific project. This survey is done to gain general insight into the stance of people toward certain procedures and processes from within projects in their direct area. Furthermore, in open questions, it became apparent that people are primarily concerned with elements of the project that might impact their own situation. These concerns entailed elements like privacy, greenery in a project, certain housing types or pressure on parking and mobility. The most important finding that can be drawn from this survey is that people do feel like that public participation will help communication and potentially can safeguard their interests and concerns about a project. However, in most open questions, people stated that they did not feel that it entailed 'real' participation, as it was often mostly informing and a one-sided conversation. Despite this, people still felt heard during the process.

5.2.6 Linking to literature

First, from the legal perspective, the developer is not mandated to initiate a public participation process with the surrounding context around the Schoemakerplantage. As mentioned in chapter 2.1 Literature and theory, this mandate will come as early as mid-2022 with the new Environmental and Planning Act. However, the developer still prevented some potential delays through talks with the surrounding residents, like with the *zienswijze* from residents in the Professor Evertslaan. The zoning plan was not part of the discussion with the developer, as the zoning plan was already put in place by the municipality before the developer filed permit applications for certain phases of the project. However, as it is difficult with this case, it is difficult to predict how the situation would have been if the developer did not take the initiative to come in contact with the neighbourhood.

Agreements were made between the two sides of the table, but these were not formed into contracts for during the development. Again, with the *zienswijze*, it was agreed that the residents would withdraw it when a certain compromise was made. There were other elements of the project, such as the concerns regarding the headlights of parking cars shining into back gardens, which were dealt with. Again, certain agreements were made, but no contracts entailing the larger development were made. When going in-depth on the case, it became also apparent that the development process is spread out over multiple years. If agreements were made, odds are community benefit agreements such as discussed in chapter two, will not be representative for the entire neighbourhood as residents move in and out and might have other opinions about certain problems and solutions.

The participants themselves and the level of participation is important in each case as well. In the case of the Schoemakerplantage, a certain approach is taken towards the residents and context around the project. To know how to approach this, an analysis of the participants and a decision on the level of public participation is required. During the interviews and survey, it became apparent that some participants were more entrepreneurial than others and were not shy of getting involved more in the project. The residents of the Professor Evertslaan are examples of stakeholders in the domestic and civic category defined by Stapper (2020), calling on their legal rights and using the existing procedure to find a solution for their concerns. The residents of the Van Emdenstraat are found to be more entrepreneurial as well, finding their own way into the project and using various tools and means to exemplify their concerns towards the project team. When participants are 'categorized', which is in itself a difficult thing to do, their actions become more predictable, and negotiations with these groups might resolve the problems that are (to be) encountered.

The level of participation is also a part with this. When chosen for a less inclusive (ongoing) public participation process, the risk arises that when residents are excluded, they will find a (legal) way to address their concerns and come to a solution. Some participants stated that they do believe in participation resolving a lot of issues, but as stated by the developers as well, some elements of the project are irreconcilable and solutions must be found using a different path (see also the interviews with the developers and participants, 2021).

However, and probably most important, is timing of public participation. The residents of the Professor Evertslaan and Van Emdenstraat were informed about the project in the beginning, early on. This was much appreciated and gave a more positive stance towards the project. The current residents of the Van Emdenstraat thought not so, as they were not involved in these talks. They were not approached in later stages of the project, and in their view some troubles could not be resolved anymore through public participation. This difference highlighted an important addition to the timing aspect: Public participation should be a constant cycle between the developer and surrounding context of a development, in a more rounds-model like setup defined by Teismann (2000). This could be done to help resolve misunderstandings about changes in the development, or further development of a phased plan. Especially in larger urban area development projects, which usually run over a longer period, it is important to constantly inform the surrounding area about what is going on, as the residents and users of those buildings can change over time.

These stakeholders can have a very big impact on the project. When we look at the residential building near the Professor Evertslaan, the building height was decreased from 25 to 15 meters when a *zienswijze* was filed against the development. This was largely since these participating residents grouped and found help of neighbourhood group TU Noord. This made talks with the group easier, but also created the risk of leaving people out of the talks. However, in this specific part, an agreement was reached between the participants and developer. Furthermore, it is important to stay in touch with these participants as the development continues, because they can still impact the process later down the line. To create an inclusive public participation process, they need to be involved early on, and stay involved during the project. The latter did not happen in the case of the Schoemakerplantage, and that might have an impact later in the project, such as potential blockers or irritants towards the project (Brody et al., 2003; Bryson, 2004)

The lack of transparency and not sharing information, either on purpose or not, can cause mistrust from the surrounding context. This automatically changes their stance towards the project. This is what happened after the initial period of public participation. In the case of the residents of the Professor Evertslaan, it led to mistrust, and in the case of residents of the Van Emdenstraat, they felt completely left out of the process. Approaching a case like this, can be done in the ways defined by Brody et al. (2003) and Bryson (2004), described in chapters 2.1.6 and 2.1.7. Here, it is described which steps can be taken to create this inclusive public participation process. Mapping stakeholders, describing objectives, timing, decision making, participating at what level, providing constantly informing and monitoring and evaluating are some key elements, which can also be applied to the Schoemakerplantage. Especially constant information flow and keeping (non)participants up to date can prevent mistrust from stakeholders and a potential negative impact on the project.

Last, Teismans' decision-making process (2000) exemplifies the importance of the iterative public participation cycle. This cycle can be described as the rounds model, instead of the phase (different phases of information sharing) or streams (different flows of information parallel) model. The rounds model is focussed on constant decision making and the interaction between these. In the Schoemakerplantage, the involvement of the residents seemed to be a one-time affair: early in the project. Different groups were approached, and different groups had different concerns which were dealt with. This can be described using the stream model, as these are separate flows of information. However, as became apparent during the case analysis, the rounds model can potentially be of more use, as the cycle then becomes iterative, reflection is done, and (non)participants stay involved. This is not only pleasant for the surrounding residents and users but might also help the developer keep an eye on its surroundings and identify possible impact-makers early on.

6 Conclusion

In this final part of this thesis, conclusions are drawn upon the results of this research. This is done first by answering the sub questions and main questions, whereafter recommendations and limitations are discussed. In the discussion, results are discussed, followed by research validation and recommendations for further research. After this chapter, the reflection is at the end of this thesis.

6.1 Answering the sub questions

To formulate an answer to the main question and discuss the recommendations, the sub questions need to be answered first. Answering the sub questions are done based on the interviews with the developers and participants, as well as desk research and literature study. The answers will be discussed per sub question separately.

6.1.1 Common points of opposition and negotiation

To research the common points of opposition and negotiation the following first sub question is formulated: What are common points of opposition and negotiation in public participation engaged in complex urban development projects?

This question has been asked to both the developers and participants, albeit formulated differently. A clear answer can be given, within some limitations. The first and important remark that is to be made, is that it differs per project. No project is the same, so concerns always are different. However, they can be concluded in one simple answer: The most common points of opposition and negotiation are the elements of a project that touch the self-interest of (non)participants and the surrounding public of a development. For instance, when it is a higher building, residents are usually concerned with their privacy, the building volume, shadow, and pressure on the current road network. Every category of projects has its own traits, and usually the concerns per project category are roughly the same. In short: the usual concerns about an area development are often quite different when compared to high-rise developments.

The most common points of self-interest that are brought up are often of the same category. The first and primary concern is building volume. This includes the building height and proximity of (elements of) the plan to the existing urban structure around a new project. These concerns were first mentioned by the developers, and examples were shown in the form of the Orangerie in Wickevoort and De Residentie in Op Enka. These examples caused the surrounding residents and users to oppose to the development, as new building plans were often seen as too close to them or too high, causing problems with for instance blocking of the sun or increased wind flows. These concerns were then confirmed by the findings in the case analysis of the Schoemakerplantage, where the residential building caused the filing of a zienswijze because of its building height. The not yet built residential tower which is planned close to the Van Emdenstraat was not viewed positive as well. Both buildings triggered concerns for blocking of sunlight and increased wind forces around the new and existing building.

The next concern entails parking and increased pressure on mobility and roads. These concerns became apparent in the cases of Wickevoort and the Zalmhaven. In both cases, the opposition caused part of the delay, and used the pressure on the existing roads as an argument to fight the development in court. Other developers mentioned these concerns as well, although it was not a problem for the case that was discussed in that interview. In the case of Wickevoort, this even led to three separate independent firms conducting research on how the project would impact the existing road network. The same goes for the Zalmhaven, but in the end for both projects it was no problem to continue development, although due to the procedures it already caused a delay. This was confirmed in the Schoemakerplantage. Although parking was secluded and resolved within the plan, concerns were shown about the light pollution to the surrounding buildings of cars that drove through the project and parked at the side of existing buildings. These were resolved when talks started between the developer and residents with compromising with extra hedges and ground-walls to block the light.

The last primary concern entails greenery and public space. This became apparent in all cases except the Zalmhaventoren. In almost every project, new residents and surrounding residents showed their concerns about the public space and tried to influence the size and contents of the plan. In the project of Op Enka, the housing block Zouterij even found delays in construction due to the opposition against cutting down existing trees. In Overveen this happened as well. An important remark is, that surrounding residents almost always try to influence the contents of a new plan, where beforehand it was either a non-accessible area to them or there was nothing. If taken very strictly, the new facilities and content of the urban space should be a concern of the new residents. However, the use of space by residents happens across areas and neighbourhoods so their concerns are of then well argued. These comments of the developers were again confirmed by findings in the Schoemakerplantage. One elements of discussion were the areas of greenery within the plan, as well as the public allotments. Often, the size and use of these areas were of the concern of the surrounding residents. In addition to this, the playgrounds in the Schoemakerplantage were criticized by some residents of the Van Emdenstraat as well.

To conclude this sub question, it can be summarized that three main elements are of concern for surrounding residents. As mentioned before, these are all concerns that primarily touch upon their self-interest, and what they would like to see in the project. This was remarked by one of the developers as well, that although there is always a common goal and interest among residents, there is always a small part that gets involved for their own.

6.1.2 Costs of legal processes

To gain insight into the primary and secondary costs of legal processes, the following sub question is formulated: What are the primary and secondary costs of legal processes initiated by (non)participant in complex urban development projects?

This question, and the next sub question as well, are answered primarily through the financial case analysis part of this thesis, as well as the interviews with developers and literature study. As described in chapter three of this research, for each case the financial data of primary and secondary costs of public participation and legal processes are acquired. This financial data is complimented with explanation of the developer involved in the project to comment where these costs are coming from. First, the primary public participation costs are described, second, the secondary costs.

The primary costs of public participation are confirmed to be the costs that are directly involved to start and follow through with public participation processes. These are costs that entail the location that is used for these moments, hiring external firms to manage these processes, own hours, and other resources of the developer, marking and an information cycle in the form of newsletters and information points in the project itself. It was remarked by almost all developers, that these costs are often negligible when compared to the costs of the project itself. In the overall budget of a project (stichtingskostenoverzicht in Dutch), the costs of public participation are categorized under the header of marketing.

The secondary costs of public participation are the costs that are the results of compromises and outcomes of the public participation process. The example in the Schoemakerplantage of the decreased building height exemplifies this well. There was a loss of three full floors of apartments, which led to a decreased commercial value, decreased building costs and consequently, to less profit. This can be seen as a secondary cost of public participation. Other examples are for instance the costs of a changed construction site setup to minimize construction traffic, or changes in floor plans and programme of a building. These are not uncommon and was shown in an example from the explorative interviews. In the case of this project, the construction side had to be adjusted to reroute heavy transport, which led to changes in the foundation of the project. In almost every project discussed in this research, the developer mentioned that small changes are very common in urban development projects, with some changes costing more than others. From the financial case analysis, it became apparent that these costs are often more than the primary public participation costs, these are still not the most impactful costs on the business case in general of a project.

6.1.3 Costs of public participation

To gain insight into the primary and secondary costs of public participation, the following sub question is formulated: What are the primary and secondary costs of public participation processes initiated by project developers in complex urban development projects?

As described earlier, the primary costs of legal procedures are the costs that are directly involved with these procedures. The secondary costs are the costs that lead from these procedures. These answers are formulated based on the interviews with developers, as well as the financial case analysis.

The primary costs of legal procedures are primarily the costs that come from the involvement in court. These are the costs for legal advice during a project, as well as the costs for attorneys during the legal procedures as well. The primary costs include the resources that are going into the process from the developer's part as well, as these processes often require time and input to strengthen the case in court. The amount of these costs is dependable on the amount of time spent in court, and if the opposition decides to go to the highest court if an agreement or solution is not met.

The secondary costs of legal procedures are the cost factor that impacts the financial result the most. These are the costs that come from the impact of legal procedures started by the opposition of a project. These costs can be that a project is declined to be permitted by the court, or costs that come from the delays that are caused by these procedures. If certain procedures are started, it is mandatory that these legal processes follow a pre-determined plan, which inherently leads to delay in a project. These delays are what causes most expenses during the project, and this was confirmed by all developers and the financial analysis. These costs from the extra project costs that need to be made, indexation of construction costs, increased costs of ground purchase of the municipality and possibly even late delivery penalties if buildings are delivered late for a client.

With the delays in a project, an additional risk for projects becomes apparent. Permit application and construction is usually started after 70 percent of the building is sold or leased out. This is done to minimize the risk of the development, as most costs are already covered at that point. However, if delay is too long, sale contracts and lease agreements can legally be withdrawn from the purchaser or leasee. Furthermore, in several cases it became apparent that the housing market not always goes up, and some projects were dragged into the financial crisis of 2008-2011, which led to the development being unsellable, and the project was put on hold. This alone, proves to be a very important cost factor for some projects, as delays not only increase project costs, but also create a risk of selling the building itself. In this research, most interviewees stated that delays did not lead to financial problems, as the increased selling price of housing was higher than the increase in costs that were caused by the delay. In the case of two other projects, Overveen and the Zalmhaventoren, the projects became feasible again in the upgoing market.

6.1.4 Public participation for a smooth process

To determine the effect of public participation on the smoothness of a development process, the following sub question is formulated: To what extent did public participation contribute to a decrease in legal procedures and increase in smoothness of the process?

This sub question is answered mainly using the interviews with both the developers and interviewees. Responses were different per case, but the general opinion from both sides was that public participation does contribute to a smoother process with a lower change of legal procedures. First, the perspective from the developer is explained, second, the perspective of the participants.

First, the developers. Some developers were more vocal about their opinion that public participation does contribute significantly to the smoothness of a project. Some were more critical, in saying that drawing a hard link between public participation and the lack of legal procedures and opposition always entails more external factors. However, most agreed that public participation can help resolve several disputes between the surrounding context and the contents of the plan. In the explorative interviews, one interviewee stated that doing public participation early in the project usually leads to no or little surprises. He even stated that up to 80 or 90 percent of the concerns that are shown by

the participants, are concerns that were going to be dealt with within the project anyway. This question was asked to all developers, and most agreed on this statement. In addition to this, by involving the surrounding context early on, participants felt involved and heard and were less likely to oppose to contents of the project. However, an important remark is made. Most developers agreed on the fact that public participation can help prevent legal procedures, but not all. In some cases, one or more participants are purposefully not engaging in participation processes and oppose to the project anyway. Some interests that differ between the surrounding context and developer are irreconcilable (niet verenigbaar in Dutch). This means that there is a fundamental disagreement about the contents of the plan or even the whole plan itself, which cannot be resolved by either party changing their stance. Public participation can play a role however, when building up towards a legal procedure, as the developer will be able to show attempt(s) made to approach the public and come to a solution.

From the participants perspective, several remarks can be made. These are described and included in the recommendations as well. However, between the interviewed participants there was a difference in stance toward the project of the Schoemakerplantage and public participation in general. These opinions came from experiences regarding this project. The most important difference is between the residents of the Professor Evertslaan en Van Emdenstraat. As explained earlier, the residents of the Van Emdenstraat were little to not involved in the public participation process, as this was done largely before they moved to their current dwelling.

The residents of the Professor Evertslaan had a positive attitude towards public participation, as they were also involved early in the project. However, most of them remarked that the shift towards the new residents became more apparent over time, and they were increasingly less informed about what was going on in the project. They do believe that talks and conversations with the surrounding context can help prevent lengthy legal procedures if compromises are reached and followed through by the developer. The example with the zienswijze can be mentioned again. Although an agreement was not reached within the process, eventual talks with the municipality and the developer did lead to talks and consequent changes in the project which prevented the legal procedure.

The residents of the Van Emdenstraat were less positive, which is understandable when their situation is considered. The felt left out from the process, and with incidents with another project in their area still in the back of their mind, the stance towards AM and the project itself was not very positive. If asked about if a more intensive public participation process would be a solution, the answer was a clear no. The proposed development of the tower next to their building, was clearly an irreconcilable element of the project. About the other contents of the plan, they had a more positive stance that talks between them, and the developer could lead to for them positive changes in the project. However, these were mostly focussed on public space, not about the buildings in the plan. Their stance towards the other parts of the project, the tower excluded, were neutral to positive.

However, these are the results of one case analysis. To gain insight into this topic deeper, more than one project needs to be analysed to determine if the participants agree with the statement that public participation can help prevent legal procedures.

6.1.5 Financial impact of public participation

Finally, to determine the financial impact of public participation is research through the following sub question: What is the financial effect of legal processes impacted by public participation on the financial result of a complex urban development project? This question is asked by comparing the results of the financial analysis with the results of the interviews, in particular the results which described the likelihood that legal steps would be taken if public participation would not have taken place. A first important remark should be made as well: It was found during this research that concrete losses or decrease in commercial value are not always calculated. Often, the outcome of (legal) processes in the form of programme changes are accepted and moved forward to steer towards a solution, and thus progress of the project. After all, a project which has less profit due to programme changes or other varying cost factors, is still a project with profit, albeit a lower profit.

First, the financial analysis, albeit limited by the number of cases, portrays a clear outcome: The secondary costs of legal procedures are the costs that will likely impact the project financially the most. This statement is not taking any risks about purchase- or lease contracts into account but must be considered as well. Primary and secondary costs combined make up the smallest portion of the costs that are considered in this research.

Second, public participation is considered as a good tool to prevent legal steps by (non)participants. This is confirmed by the developers and some of the interviewed participants. If these legal steps are taken, it strengthens the case in court for the developer, and if a decision is to be made in court the chance of it being positive for the developer is higher. This is confirmed in several cases, of which the Zalmhaventoren and Wickevoort. Especially regarding the Zalmhaventoren, the whole process was clearly documented by the developer, which helped them achieving a positive outcome in court. This is also partly because the court must take other societal considerations into account when coming to a decision, other than only the arguments of the opposing party. This can be for instance the shortage of housing, or the necessary investment that a developer makes in an area which benefits the local community but might not be in favour of some opposing residents. Public participation can prevent some, but not all, legal procedures. However, if a decision about the project is to be made in court, the developer has a stronger position compared to when public participation would not have been done. The financial effect will be that public participation either prevents costs, or minimizes the costs made in court. Most developers stated that it is 'a no brainer' to setup a public participation process because it will not cost many resources but can prevent costs in the long run.

6.2 The economic benefits for developers

The purpose of this research is to gain insight as to what extent project developers can benefit financially from public participation. To gain the knowledge required and provide the basis of the research, the main question is stated as follows: To what extent can project developers benefit economically from strategically engaging public participation in complex urban (re)development projects? To answer the main question, the results of the financial analysis and the prior sub questions are considered. As the financial analysis showed, legal procedures and the consequent delays make up the largest portion of the costs considered in this research. Furthermore, the statements from the developers and participants, and in some cases results in projects, show that public participation can help resolve discussions and prevent the step to take legal action. However, as explained in the beginning of this thesis, this research is not aimed at giving hard financial numbers to convince developers to take public participation seriously. This research is done to gain insight in the financial impact of (non)participation, and how public participation can help the eventual financial result of a project.

So, engaging public participation will not likely change the commercial value of a project, as public participation is often seen as a tool to increase the smoothness of the project. The financial impact of public participation has to do with the result of a project. However, drawing a conclusion between the effects of public participation and financial result is near impossible, as there is no 'before and after' comparison to be made. But, as mentioned by both the developers, public participation does help to prevent some legal processes and the consequent costs that bring these with it or stand stronger in court if needed so. This links back to the aim of the study and the research enquiry: *Public participation can help to mitigate or decrease financial impact of litigation by (non)participants on an urban (re)development project.*

Public participation can make a difference when it comes to help decrease or mitigate legal processes and the project delays that come from it. This includes decreasing the costs that come from these delays, which were the most significant cost factor shown by the financial analysis. However, it should be taken into account that public participation will not help prevent all legal processes, as some demands and interests are simply irreconcilable. If decisions are to be made in court, the developer stands a greater chance of a positive outcome if public participation is done.

Thus, based on the findings of this research, public participation with the existing users and residents around a project will likely not increase the commercial value by any significant amount. However, it helps prevent or minimize costs that might occur later down the line in a project. This includes projects that do not include a zoning plan change but can also only include the application of a building permit. Therefore, the financial effect of public participation will likely not be positive but minimize the negative impact of legal procedures on the eventual financial result. However, this low result might also be what it is, potentially because developers are not willing to change something about the plans, as changes might be too costly. Furthermore, it is important to take into account that this research focusses on existing residents and users of an area around a project, not the new or potential residents. During this research, several key recommendations for project developers are identified. These are formulated in the next subchapter.

6.3 Result validation

The research results are validated in two separate focus groups. The first focus group entailed an open conversation with two representatives of TU Noord, the interest group (belangenvereniging in Dutch) of the northern part of Delft. The second focus group is conducted with two colleagues from AM, an area developer, and a project developer. Important to note is that everybody from these focus groups did not contribute to this thesis in an earlier stage of the research, so that results could be discussed objectively and based on experience.

6.3.1 Focus group TU Noord

The first focus group session is held with TU Noord, a special interest group which exists to help the citizens and public of Delft when problems arise in their neighbourhood. During this session, a former board member and a new resident of the Schoemakerplantage attended, both still active members of the group. During the session, it was stated that clear agreements and plans are needed. In earlier phases of the project in the Schoemakerplantage, the zoning plan was there but very 'flexible' and not clear. This meant that the surrounding residents had no idea what was happening up until the point that a concrete plan was made. They agreed that without transparency and clearness about what is happening in the plan area, it can potentially cause mistrust from the direct surrounding public of an area.

One thing did become apparent though, and that is that they both mentioned that they feel that the municipality is often not very transparent about zoning plan changes or handing out permits. The same was heard from the residents in the Van Emdenstraat. Whilst not pointing fingers, the approach from the municipality is not in all cases the most transparent and trustworthy approach according to several involved residents of the city. Also, during this conversation, the 'participation-paradox' was brought up. It was agreed upon that earlier public participation has a positive impact on the project and stance towards it from the public, but if the contents remain unclear for a long time, it becomes very difficult to deliver input. People are usually triggered when plans become more concrete, so a clear zoning plan might help with this earlier on. Making changes later in the project, when it is already more concrete, becomes more difficult as the project progresses. This makes it difficult for people who get involved later, to have an actual impact on the project. Furthermore, networking was proved to be of much value.

During the session it was stated that someone from TU Noord knew someone from AM, which helped to drive some wishes forwards and to be integrated into the plan. Same goes for the lowering of the low-rise elderly residential building. The Alderman which attended and made sure that the building was going to be lower, turned out to be the Alderman of a political party where one of the residents in the Schoemakerplantage is an honoured member from. Although it is not clear if networking is done, it is important to note that a network, and in particular the more entrepreneurial residents who can mobilize it, is something to be aware of. In addition to this, members of the local parliament always have something to say about projects, albeit positive or negative, but the opinion of the Alderman is mostly what determines the outcome.

Last, it was stated that legal procedures and decisions made in court cannot always be prevented. Although a well-documented, good public participation process can help the case in court for the developer, we should be aware of just handling public participation as 'ticking the box'. Factually, the initiative taking developer must hand over a public participation report, because then it has met its legal obligation. However, it can also be seen as a method create support for a plan. One should be careful though, as often it can go the opposite way and people turn against the project if it becomes apparent that the developer is in it for 'ticking the box'.

Furthermore, public participation should not be seen as a 'tovermiddel' that resolves all the problems that might arise during a project, as much external factors have an impact as well. However, the developer does have a lot of the outcome in their own hands. If public participation is done sincere, honest, expectations are managed and agreements are followed through, chances are that public participation will help prevent sessions in court and come to agreements. (Interview 43, 2021)

6.3.2 Focus group AM

The second focus group is held with two people from AM Gebiedsontwikkeling, one area developer and one project developer. Both have relevant experience in the field of project- and area development and have been with AM for over ten years.

The most important remark made, and this statement is based on experience of both interviewees, is that public participation can have significant amount of internal social pressure in the neighbourhoods. First, it is difficult to know if the people you are talking to are representing the whole neighbourhood, or just their own stakes. Second, if they do only represent their own stakes, other residents can feel left behind or not taken seriously in the process. The developer should not resolve this social pressure on the other side of the table but is often the victim of it as agreements made might not always be representing the whole neighbourhood. This is virtually impossible as well.

In addition to this, the municipality must stay independent, but often they do want a development to happen but also must protect the inhabitants as well. It is not unheard of that the municipality will steer towards a decision made in court, which can be acted upon, rather than them having to take a sensitive decision. This connects to the use of public participation. Not only might public participation help strengthen the position of the public, but it also helps with problem definition for the developer. If one is aware of a problem in the area, the developer can act upon it and try to resolve it during the development process, rather than becoming aware of it in court or during permit application. Furthermore, participation is not only with the public, but also the 'multi-headed-monster' that is the municipality. Municipalities often have different departments who do not all agree on the contents of a development, and this can lead to an unclear situation for the developer. Same goes for public participation, as the public might not always agree on the contents. One should be aware that you won't get stuck in endless conversation without a single decision is made. It is stated that sometimes a decision made in court might be useful, as then a decision is made, and the project can progress.

Lastly, is stated that the municipality and developer should be working together on public participation, as developers still have a negative stigma around them for the public. Often, the developer works within the zoning plan, but if problems arise with this, it is also the shared responsibility of the municipality as well. Although the wishes and concerns do not need to be the same, partnering up in public participation can be very well beneficial for the process and its outcome. However, the results should be reviewed critically. Are plan changes always beneficial for the developer? And why should one listen to participants if a plan is within the zoning plan, and a decision in court might be positive for the developer? If a decision is made against a plan that is within the zoning plan, the court is then effectively deciding against the zoning plan that is determined by the municipality. This can be a risk worth taking but remains a risk and can have other side-effects as well. Furthermore, the position of the municipality should always be reviewed critically as the developers having to act alone in a project can have negative impact on the development of an area, despite it being the wish of the municipality of development happening. (Interview 44, 2021)

6.4 Recommendations

This research is focussed to answer the main question. However, some key findings were identified as well during the interviews and analysis. These are formulated as five key takeaways that a developer should keep in the back of their mind when involved in inner-city developments, as well as area developments where an existing urban fabric is connected to the development.

First, do not be afraid of public participation, the costs, and the results. Do it early, be honest about the goals, and keep it going over the course of the project. There are several reasons to do it like this. Participants always notice if a developer is sincere or not. If not, their attitude is likely to be more negative towards the project. In addition to this, asking for input does not always mean that the demands of participants should always be fulfilled. Input should always be reviewed critically, but the power of the participant is not something to be underestimated. By doing it early in the process and doing it constantly, participants do not feel left out and included in the process, which is likely to enhance their stance towards the project. Especially in larger phased developments it is important to keep the surrounding context up to date. If people do not know what is happening in their back yard will cause concerns and might have a negative consequence down the line. Public participation is not a one-stop-shop but is an ongoing thing during the development.

This links to Arnsteins' (1969) statement about the importance on keeping the public involved, as they can play a role in the development later down the line. Furthermore, this adds to the findings of Brody et al. (2003) about their six strategic planning choices, of which the third being 'timing'. As it turns out, not only the timing is important, but also the iterative cycle of participation during the process as well. Furthermore, it is argued by Martinez and Olander (2015), that by defining interest and concerns early in the process and prioritising them accordingly leads to an inclusive systematic process of public participation. This inclusive process of public participation is vital to preventing misunderstandings and mistrust from the participants towards a project, especially in later stages of a project.

Second, and it was already briefly mentioned, do not underestimate the power on an unwilling participant or group of participants. Some demands and wishes are simply irreconcilable, but concerns should never be ignored, and as seen in one of the cases, a settlement was made between a nonparticipant and the developer, to withdraw the opposition so the project could continue. Public participation is therefore also a way to gain insight in what the consensus is around a development and provides a platform for surrounding users and residents do show their concerns to the developer. By doing this, they likely feel more involved in the project, and the developer can take their concerns into account with the development of a project. If public participation is not done, it will likely cost the developer money and resources later down the line in the project. This connects to keeping people informed. Transparent sharing of information and keeping people up to date can potentially help create a positive stance towards the project. This is not only vital for the development phase of the project, but also during construction of a multi-year phased development.

A good example is the sign at the entrance of the Bajeskwartier in Amsterdam, also a project of AM. On this sign, information is shared about the construction works for the coming five weeks to keep the residents around the project informed about what is happening. The sign can be seen in figure 17 on the next page.



Figure 17: Information sign at the entrance of the Bajeskwartier, Amsterdam (own image, 2021)

Third, the costs of public participation are negligible when compared to the overall development costs and the costs it can potentially prevent. This of course depends on the scale of the project and on how intensive the public participation will be. Most importantly though, the cost and benefits of public participation outweighs the costs that it can prevent. Even if projects do end up going to court because of opposing public, public participation will make the case for a developer stronger in court. This was exemplified by for instance the Zalmhaven, where the whole process was documented, and the argument of the opposing public that public participation did not take place, was put aside. This in the end, had a positive impact on the final ruling of the court. However, as of now, public participation is not a legally mandatory element of the development process and permit application. It can have an impact on the legal result, but it does not determine it for a significant amount. However, it can play a role in the cooperation of the municipality in planning- and legal matters. In the general sense, good public participation helps the case, but does not prevail the outcome.

Fourth, be aware of the position of the developer in the complex environment of the municipality and public. The difficulty arises that the municipality does not always agree with itself, and the same statements goes for the participating public. Always review the statements made from the municipality critically and steer on decisions and agreements to safeguard progress and having a clear outcome. The same goes for public participation as well. However, as stated before, public participation with the public and municipality cannot resolve every dispute, and decisions in court will still be necessary in some cases to move forward in the project.

Fifth, making use of the time spent in legal procedures. This can be beneficial, but also entails some risks that differs per project. As was seen in the cases of the Zalmhaven and Wickevoort, time spent waiting on the outcome of legal procedures was used to make progress behind the scenes for the project. For the Zalmhaven, this was the complex engineering of the building, and in the case of Wickevoort this was the same for some parts of the project. In both cases, the factual delay was close to two years, but practically it was only one as loss in time was significantly decreased through effective use of it. However, and this is a very important addition, is the risk that is connected to doing this. In both cases, the outcome of the legal processes was found to be in favour of the project, so taking the risk payed off. However, if the outcome is negative, the time and resources spent during the 'waiting time', are wasted resources. In the case of the Zalmhaven, planning went even further. In the general timespan of the development process, the maximum amount of delay was already integrated in the project planning, as the developer anticipated the (legal) processes the project would encounter during the development. This recommendation can be summarized as simply 'making the most of the situation' and making the delay productive, but it entails a risk of wasting resources.

To summarize the recommendations, it can be said that developers should not be afraid of public participation and its results, and that there is a way to use it to their advantage by taking it as an integral process element on not expect to gain any more commercial value out of it. Although the advantages might not become clear early in the process, it can help the project financially later down the line. In other words: If you do not do public participation, problems will for sure arise in later stages of the project. If you do use public participation, an attempt is made at resolving disputes beforehand which can help the project in overall smoothness and during permit application. The costs of public participation are often negliable and combined with good expectation management and taking the surrounding public serious, a lot of problems can be prevented. Furthermore, this can help create a stronger bond between the project, the developer, and the surrounding public, potentially even creating project ambassadors and a positive consensus around the project as well.

6.5 Limitations

During this research, several limitations were found. These are five key limitations, which are described below. These limitations have to do with external factors, as well as how the research is setup. To start with the research setup. To draw hard and clear solutions, the number of cases and interviewees are not representative. Therefore, this research is depended on the outcome of a limited number of cases and there are several external factors that cannot be influenced. From the beginning, it is made clear that this research aims to provide insight into if, and to what extent, public participation can help the business case financially. Thus, recommendations for further research are formulated as well at the end of this chapter.

First, the in-depth case analysis is only done for one case. Although the analysis of the different perspectives provides valuable input for the research, a broader case selection is required to gain more insight. In addition to this, the case selected for this analysis is not representative for every inner-city development. The Schoemakerplantage is a phased urban inner-city transformation project, and conclusions drawn from this case might not apply to other developments. The number of cases analysed for the financial analysis also are not sufficient. Although this selection of cases is representative for common developments in today's built environment, and proved to be a good differentiation of project, this document can be simply expanded upon to create a more accurate view. Also, the response on the survey is not representative. Although almost one third of the approached residents filled in the survey, it did not give a clear image of what the consensus was around the project. In the case of the Schoemakerplantage, the interviews proved to be giving very valuable input for the research.

Second, the reason that the financial analysis is concluded in two different ways, namely one without the Zalmhaventoren and one with, is that this is the only project with commercial space. Therefore, these conclusions are potentially not suitable for mixed used inner-city projects, as commercial space is not represented enough in this research. Furthermore, the Zalmhaventoren is an extreme case selection. Although this case provided very clear and good input and valuable lessons from the development process, it did not contribute significantly to the financial analysis.

Third, the most important limitation is that the housing market is under pressure, meaning that housing prices increase tremendously, and demand is higher than supply. This sparked a very interesting finding in this research, being that delay costs money, but those costs are compensated by the higher selling price of the housing. As the case selection is primarily residential and little mixed use, this became apparent in almost all cases. The important factor here is, that housing was not yet sold before the delays occurred, and although construction prices and sometimes ground purchase agreements were indexed, the housing price increased at a faster pace. For the developer, this would usually cause not any big financial problems. However, developers usually have a yearly goal of delivering certain number of square meters or units, which are not met if a project is pushed back. Furthermore, the time and effort spent on the delay, could have been used for different project. Some developers of AM acknowledged this, but this will primarily be a concern for smaller developers.

Fourth, because the financial case analysis is limited, the amount of secondary public participation costs will likely not be representative. As mentioned before, the willingness of the developer to change something about the project might be very low. This can be due to several reasons, for instance the moment of public participation. The late delivery of input will likely have less of an input as the project will be more concrete in later stages. In addition to this, if early public participation has taken place, project changes are possibly not even an element of discussion.

Last, the zoning plan change and building permit application are important elements. The new Environmental and Planning Act focusses on making public participation mandatory if a zoning plan is required for a development. However, and this became apparent as well during this research, the zoning plan is sometimes already changed before the developer comes in. The participation process should then already have been taken place and organised by the municipality. A zoning plan change has a mandatory procedure before it is determined (vastgesteld in Dutch), so arguably the public participation for a plan that is within the regulations becomes unnecessary, or so it seems. However, in the case of some developments, the surrounding public is only triggered when plans are announced, because then the plans will become real. This is the aforementioned 'participation-paradox'. One could argue that this new law change is not only aimed at developers, but also at the municipality which oversees this zoning plan change. This does not downplay the fact that even if plans are within the zoning plan, developers cannot receive opposition on elements of the project that are within the zoning plan.

The arguments that a plan does not fall in the zoning plan, does not exist at that point. But, sometimes a building permit is applied together with a zoning plan change. In this case, it is mandatory to have done a public participation process following the participatie-leidraad of the municipality it takes place in. If a zoning plan change is done by the municipality prior to a project, without proper communication or room for input from the public, the developer might feel a negative backlash of this when the development process starts.

6.6 Building on literature

The results of this thesis are primarily practical recommendations for developers, as well as multiple recommendations for further research. These recommendations are described in the next sub-chapter. However, literature study is the provided basis of this research and its goal, finetuned and complimented with the explorative interviews. As this research builds upon existing knowledge, this body of knowledge is tested as well. This thesis can add, deny, or confirm findings in existing literature, which is described in the next three paragraphs.

6.6.1 Confirming

First, costs of delay, and how these are calculated, is in line with what is found in literature, especially with Jacobs' (2013) findings. If the delay is caused by the client, or the client not being able to provide agreed upon information, permits or resources, the client is responsible for compensating other contracted parties. This usually is the contractor, and the contractor is legally allowed to index construction costs or calculate loss of productivity if the situation arises. A good example is one of the cases in Op Enka in Ede, where one building block seemed to start late with construction, which would have led to a loss in productivity for the contractor, and thus increased cost of construction.

Second, the first choice of strategic planning in public participation by Brody et al. (2003) is of importance, as they state that establishing guidelines for public participation is vital, as well as appointing a staff member who's dedicated to guide processes of participation. This proved to be very effective in the case of the Schoemakerplantage as well, as the main developer from AM became a trustworthy and familiar phase around the project. According to both the participants and the developers themselves, this added positively towards the effectiveness of public participation.

Third, educating the participants, as described by Brody et al. (2003), are important. As stated in multiple interviews, input from participants can be very useful, if it is given within the right framework. This framework should consist of borders wherein the participants can deliver input, but the framework should be big enough to leave room for input. Expectation management about what is done with this input is very important as well, as some participants might have the impression that their feedback is used, whereas sometimes that would not be the goal of the developer. In addition to this, participants need the correct and relevant information to make decisions upon. If participants are asked to participate, but they do so on old and not correct information, their input won't be of any use as the information is not given within the right context. Therefore, leaving room for input, as well as providing the information to give this input upon, is vital for gaining relevant information from the surrounding public.

Fourth, Teisman's (2000) decision making models are important. Public participation, and real estate development in general, is a constant cycle of decision making. Especially in public participation, different groups of actors are constantly deciding and making incremental process in the earlier stages of a development project. Linear decision making is done with either different groups of people separately, or step by step without monitoring and evaluating. Therefore, the rounds model, can be of best use for public participation. This became apparent as well during this research, as interviewees stated that public participation is important to be done constantly. This was also found in the Schoemakerplantage, as one-time public participation led to people feeling left out of the process. The rounds model is best used in a complex context with stakeholders with varying perceptions and interests, which is often the context in which urban development takes place in.

6.6.2 Adding upon

First, Bryson (2004) amongst others state that the public needs to be informed about the project in their area. This is partially true, as it will help people be up to date with what is happening. However, leaving room for input and providing a platform to do so, is vital as well. If people do not have the possibility to show their concerns, the likelihood that they will do find a way to address these through a legal way increases. In addition to this, and here is Stapper's (2020) mapping of participants of importance, knowing the people around a project can be vital to predict their actions. As stated in one of the interviews, public participation can be a method to gain insight into the neighbourhood itself and get to know the concerns and disputes to deal with them accordingly.

Second, the objectives of the private and civic sector described by Geesing (2015) are complete, but partially in context. Although his objectives and relational objectives are described accurately, it is found that they will not always be representative for each project. This is simply since each project is different, and that very project sparks different concerns with different people. As described in this thesis, concerns, elements of negotiation and opposition do vary from project to project, but these elements are generally the ones that hit the closest to home for the participants.

Third, determining who's going to participate is vital. Brody et al (2003) amongst others that is especially important in complex inner-city projects, as there is a challenge with dealing with the existing context. However, determining who's not participating is important as well. Found in this research, (purposefully) excluding people will have negative benefits in the long run, as people will always find a (legal) way to display their concerns. If not done through public participation, they will likely take the legal step. In the end, complex inner-city phased urban (re)development projects will take more resources to deal with the existing public, but this is a challenge that needs to be dealt with. The second and third step that Bryson (2004) describes are important as well, as building a coalition around the project will create a solid group of people where the process relies on. Furthermore, constant implementing, monitoring, and evaluating is important. This is not only the case with the project, but also the public participation in general. As came to light in the Schoemakerplantage, the context is ever changing and should be re-evaluated along the process to not leave people out, who can develop to be irritants or blockers towards the project.

6.6.3 Reviewing critically

First, the agreements between the public and private sides of the table. Although this can be a good solution in Angelo-Saxon countries like the United States of America in the form of community benefit agreements for instance, they might not always be a good solution. This is because of two elements, namely (1) the social system and (2) the ever-changing context. First, the Rhinelandic social system is inherently more protective of its citizens compared to the Angelo-Saxon context. As seen in several analyses of the contents of CBAs in Angelo-Saxon countries, the agreements often entail very social elements, where the governments of Rhinelandic countries already take care of. These for instance are providing work for handicapped people or making sure that there is enough social housing in a project. Second, the public around projects changes, especially when it is residential. As seen in the Schoemakerplantage, the public participation process turned out to be not so representative anymore as new residents moved in. As the developer did not start the talks back up again, these residents started to feel left out. This touches upon a sensitive point, as agreements made at a one point in time might not be representing the current public anymore. This is especially the case in large phased urban development projects, which happen over a longer period.

Second, the level of participants, and the categories of participants are proved to be an essential part of public participation. However, one question which raised often, is what you call public participation? Is providing information still public participation, or should the public have an actual impact on the project? As Jacobs (1969) described, there are two categories of nonparticipation, which are therapy (basically telling people to accept a project) and manipulation (forcing people to accept a project). Informing could be moved to this category as well, as it is still a one-sided affair where input from the context is not taken in.

Third, timing of public participation is important. This also links to the educating participants and the framework wherein they can deliver input. In addition to this, the 'participation-paradox' comes in. As became apparent from literature and the interviews, the earlier participation is done, the more room for input there is. This is also one of the motives for the new Environment and Planning Act. However, as became apparent from the interviews, people are usually only triggered when a concrete plan appears, rather than only a zoning plan (change). This could be the reason people sometimes feel surprised when a developer suddenly moves in, and they find out that there was a new zoning plan reinstated a couple years ago for instance. Early timing is in that case not the solution, but a more assertive approach and clear definition of what is happening with a zoning plan, to make people aware of the fact that a project in their neighbourhood is a real possibility. After all, determining and approving a zoning plan is the task of the municipality, and it should be done correctly through the necessary procedures. If this is not done correctly, the developer might be hindered later down the line. Timing is important, but at least as important is the information that is talked about.

6.7 Further research

Whilst this research aims to gain insight into the financial impact of public participation, several reasons for further research can be mentioned. This research primarily focusses on generating further hypothesis on this topic which must be reviewed more in-depth. These recommendations for further research are described below.

First, this research has focussed more on the impact of public participation on the overall financial result of the project. This is then probably the most difficult recommendation for further research: Can public participation increase the commercial value of a development? During the talks with the developers from within AM, placemaking and land-value capturing are often mentioned. If a project is valued higher by potential residents because of their input, it will lead to a higher commercial value. However, these changes have some impact at the other costs as well. AM has a strong platform for this, using public participation to define the core product, and crowdsourcing to finetune eventual details. These steps could be of valuable input to research if public participation makes a difference on commercial value and have a higher profit in return. Little research is done as to how and to what extent the input of the public can benefit to a higher commercial value. Geesing (2015) has made a rough start, but this is nowhere close to what research can be done.

Second, this research was done in a housing market with fast increasing prices. Thus, the impact of public participation is only measured in projects that have been taken place in this situation. Two projects, Overveen and the Zalmhaventoren, had to deal with the housing crisis, but were brought back to life again when the housing market readjusted, and the project became financially feasible again. Furthermore, in one of the explorative interviews, it is stated that the output of public participation processes can be used as soft information to have more beneficial financing terms. The financier of a project often comes in after the building permit has been granted. However, if the 'sellability' of a project can be shown by the results of the public participation process, this can mean less risk for the financier, and thus for better terms on the loan. This plays in both an up- and down going market. This focusses on potential buyers or leasers of a building, not the existing public.

Third, the exact costs of all four cost elements in this research need to be further explored. As described in the limitations, the case selection is small and purposefully a wide selection is made because of the explorative nature of this thesis. Although these cases do individually provide insight into how much some costs are, and what the ratio is compared to the development or construction costs, the case selection is still too small to draw concrete conclusions. Further research needs to go more in depth into the balances of these costs, and possibly expand upon these categories. In addition to this, the cases can be categorized further as well, such as a category of low-rise, mid-rise, and high-rise for example, or differentiate between inner- and outer city urban developments.

Fourth, the balance between public participation costs and the costs that come from it are required to be researched further. As the financial case analysis was done through a limited number of cases, a representative conclusion could not be drawn for this part. Experiences with different projects, either from the explorative round of interviews or hearing about other cases which are not taken up in the analysis, have shown that this balance is not entirely accurate. This can differ per project and per situation, as some projects are inherently more complex and will have more costs. To elaborate this balance further, a more in-depth and well categorized research should be done.

Fifth, this research partially researched how public participation can contribute to a smoother process. However, this was done using a limited number of interviews and cases. Again, this provides good insight into the differences between the perspective and experiences of developers and participants, there lies a challenge to review these differences more in depth. Geesing (2015) already does this, displaying the differences in objectives, but this is in an Anglo-Saxon context. The Rhinelandic context has an inherently different social and governmental system, which plays a big role in the urban development profession. This can be seen in the US with the Community Benefit Agreements as well. The contents of these agreements are more focussed at the things which in the Rhinelandic context the government takes care of.

Sixth, the agreements made between the public parties, private parties, and the citizens. As noted in this research, the contents of some decisions might not be relevant over a longer period. In the Schoemakerplantage, the residents and surrounding context changed over time, which made the one-time practice of public participation not obsolete, but less relevant in later stages of the project. A recommendation for further research is to gain more insight in how an iterative public participation process should be setup in phased urban development projects, as this is a whole new challenge compared to a single-plot-building development.

Seventh, the public participation process of the zoning plan change procedure. As mentioned before, the new Environment and Planning Act makes it mandatory for a private developer to setup a public participation process when a zoning plan change is needed for their project. However, some of the interviewed participants felt that the zoning plan changes done by the municipality did not always went in a very transparent process. They only were notified by the zoning plan change when the developer showed plans for that specific area. This raises the question if a zoning plan change done by the municipality should also include a public participation process, which is then checked by an external party. This might prevent the developer receiving the backlash of an unfair or untransparent zoning plan change procedure by municipalities.

Eight, the concerns of participants per category of projects. In this thesis, concerns are identified in only on case. However, this is not representative for every case or project out there. Therefore, it could be beneficial to go in depth and analyse more similar-situation case studies to accurately define the concerns per project category. When this is done over more projects per category, a better insight is given, and the development process of such projects can be adjusted to this.

Ninth, and this recommendation links to the first sub question, common points of consensus in a public participation process are of importance as well. During this research, the primary focus was common points of opposition and negotiation as the financial impact was focussed at preventing lengthy discussions and procedures. However, having insight into the common points of consensus might help the negation process as it can be used as leverage. These elements of consensus might not be apparent at first sight by the (non)participants or developers but can be vital to the process.

Tenth, and last, the position of the municipality in urban development should be reviewed critically. Both from the (non)participants and the developers, strong feedback was given about how they felt about the general approach of municipalities towards projects and real estate development. Often seen as indecisive, bureaucratic, heavily opinionated, politically influenced, and sometimes even called 'sneaky' portrayed a not-so-positive stance towards 'the municipality'. Furthermore, their stake in the process of zoning plan changes and giving out building permits is vital for the real estate and project development industry, and interviewees felt not always that decisions were objectively or independently made. This links to a statement made in one of the final interviews, naming the municipality a 'multi-headed-monster' which makes it difficult to handle in the development process. Their role is of high importance, but a lot of challenge lay ahead to streamline their actions and process, especially regarding public participation, and in general.

As mentioned, time and time again, this research is very much exploring and broadening the knowledge on the financial contribution of public participation to project development. Certain choices in research setup are made because of this, as the main aim is to find recommendations for further research and place the results of this thesis in a wider context. Eight recommendations for further research are written, but it is also up to the reader to find links from this thesis to venture into more detailed research about this topic.

7 Reflection

This reflection is split up in three main parts: Process, product and personal. Each of these reflects on one specific part leading up to the result of this thesis. This chapter concludes this research.

7.1 Process

The process leading up to this eventual final product overall felt like a smooth process. As I've worked on an essay about privately organised participation as a research assistant with Wouter Jan and Fred Hobma, the topic of this thesis was not entirely new to me. It was the intention from the beginning of my role as a research assistant to see if there would be an opportunity for further research from that essay for my thesis, which would start close to the end of the research programme.

Thus, in February of 2021 I started with desk research but quickly noticed the 'newness' of this topic and the lack of prior done research. Reason for this was that public participation was widely researched, but not how or why it could be used to the advantage of the development process. This led to several explorative interviews with professionals from different parts in the real estate industry: From financiers to developers. This helped to formulate a research goal, as useful insight was provided from different corners in the industry. By doing this, the 'newness' of the topic was confirmed, but also its scientific and social relevance. After all, the new Environment and Planning Act proved to be a big law change, especially the element of mandation of public participation when zoning plan changes are part of the development. The desk research and explorative interviews helped to pinpoint the research topic, and thus gave a good foundation to move forward.

The approach to the empirical part of this research is comparable to the literature study. To research the topic of how public participation contributes to the business case of a project, it needs to be measured. From the beginning, the goal was not to reach conclusions with hard numbers and data but provide more insight in the topic and provide a basis for further research to be done in the future. This approach worked well, the research became more explorative, which in turn made the research better to execute.

For the empirical part a clear methodology was chosen. The research setup leans on primarily qualitative research, and a little quantitative research. In execution, like expected, qualitative research would prove to be the largest form of gaining input. This worked well because of the explorative nature of this thesis. The approach was formulated in collaboration with my two tutors from AM Gebiedsontwikkeling, Josje Hoekveld and Anneke Jongerius. Josje, an academic herself, helped tremendously to find the right approach to gain insight in the topic, whereas Anneke proved to be an excellent tutor through her practical knowledge and network within the company.

As mentioned, the most difficult part of this thesis was the 'researchability' of the topic. The approach was determined by using both the practical side of availability of data, as well as adding to the existing body of literature. In the end, both a qualitative financial analysis of the involved costs was chosen, complimented with interviews with developers and participants. The outcome of the explorative interviews and literature study was clear: Public participation is widely researched, as well as the legal framework around the new law and development process. Furthermore, research was already done on legal agreements made through public participation, as well as how to integrate strategic public participation well into the development process. In addition to this, in the explorative interviews it was repeatedly stated that costs of delay within projects are the costs that often are the most. However, this was not widely researched as well, only the legal framework around how to calculate costs of delays, and whoms responsibility these costs then were. To add to this existing body of literature, new insights must be found in as to how strategically engaging public participation would add to the financial result of a project. Supposedly, according to the explorative interviews, the costs for delay are the largest cost factors which occur during the development process. These delays would often be the result of legal procedures which would occur during the permit application phase, where either a building permit application would be done, or a permit application which would include a zoning plan change.

The researched focus became ever clearer: To what extent can public participation contribute to the financial result by smoothing the process and preventing legal procedures, which consequently cause delays? By focussing on this research question, this thesis aims to provide more insight as to what extent public participation could be beneficial for the developer for the financial result, as well as gain more insight in balance between certain costs, and if public participation contributes to a smoother process. With this goal in mind, the research became split up in two main parts.

The first part focussed on researching the costs that occur during the development process: The costs of public participation, legal processes, and the costs of delay. These costs are split up in four main categories to find balance between them, and how they compare in ratio to the commercial value of a development. Gaining insight into these categories already gives a clear image as to where costs come from, and what the financial risk of delay is. The second part of the research was then focussing on how and if public participation could contribute to the smoothness of the legal processes and prevent the lengthy legal procedures. This is important, because if a link becomes clear, the practical and financial use of public participation immediately becomes clear. This approach was used primarily because it would add to the existing body of knowledge, gain insight in this new topic, and would give recommendations for further research. After all, this thesis is just the beginning.

The cases were chosen based on the above-mentioned required information. The developers of each of these cases were interviewed, not only about that specific case but about their experiences and thoughts on public participation as well. This was complimented by an in-depth case analysis where experiences and perspectives of developers and participants were compared, as the potential differences between both sides would give a more in-depth view on the process itself. These experiences then could be linked to the existing body of literature, and test if these findings would be right and fitting to experiences from practice in an actual project. This is the biggest reason for this approach, as I feel that research about public participation cannot be done without the input of participants.

However, this did not always go smoothly. Whereas most of the interviews with participants proved to be very useful, some interviewees quick to a different turn. In one example, one interviewee displayed a significant mistrust in the developer and municipality. Rightfully so, as concerns were not addressed and events in the past caused a big part of this mistrust. At one point in that interview, I was accused of purposefully excluding residents from the interview, that my research would not be of any use or accurate, and that my approach to this topic was inherently wrong. Mind you, these statements were made after carefully explaining what the goal of this research is, and why some specific groups were approached to contribute to this research. After explaining and talking about this, the interviewee seemed to understand the nature of this research, and the interview was continued. It turned out that this interviewee, amongst other interviewees, were concerned about the new residential tower close to theirs. They were rightfully concerned, but that was not the focus of the interview. The focus was to gain insight into how talks between them and the developer went, not about the contents of the plan, as I stood completely outside of this. This specific interviewee turned out to be a representative of the municipality of Delft. After this, I explained that the residents of this tower did not contribute to the participation process at the time, despite being approached by the developer. A week later, I was notified by a resident of this other building that someone had put my card with the QR-code in the elevator of their building, with a note that they were purposefully excluded of the research and survey.

Later in time, I was approached by someone from an entirely different neighbourhood. She noted that a survey was put out around the Schoemakerplantage and wanted me to do the same for her neighbourhood. This neighbourhood apparently had troubles with Vestia and the municipality of Delft, something completely outside of my scope. The day I was contacted there was an interview with her published in a local newspaper, and she wrote if 'we could help each other, as she was starting up her own political career'.

These two examples left me with a weird feeling and thinking if I could have done something different. These two examples are two cases of someone trying to influence the research which in my mind, could have not really been prevented. These two incidents put aside, the interviews with the participants generated a significant amount of useful information for this research. The interviews with the participants proved to be the most important part of this research, as only in these interviews the perspectives and experiences became clear, and solid conclusions and recommendations could be formulated. Difficult conversations are also a part of this, and I feel that they possibly even contribute the most to the experience of these interviews. This process confirmed the approach to include participants in this research.

Politics then became something I learned more about gradually along the process. Where-ever I searched for knowledge, I also found political influence in decision making amongst other things. Without going in too much detail, it shocked me with the amount and scale politics could be and was used to influence the course of a project or projects. This is something I recommend for further research as well, to review the role of the municipality and underlying networks that have an impact on projects and their outcome.

In the end, I felt that the process was complete and would add to the existing body of literature. The only thing missing, was attending a participation evening for one of the cases which are researched, or for a different project of AM. This is for personal experience though, not actually contributing to the conclusions of this research. The results, conclusions and recommendations are gained and formulated to the best of my abilities and based on the actual findings. The result gives me a proud feeling, as I see that I've contributed to the existing knowledge on the topic of public participation and the financial benefit for private developers.

7.2 Product

The product is a result of a year-long period of intensive researching, writing, concluding, and reflecting. As mentioned in the previous sub-chapter, the result links several parts of literature, as well as contributing to it from a practical and scientific perspective. The most important achievement of this research are two things: Gaining insight into the impact of certain costs of the financial result of a project, as well as learning and drawing conclusions from the differences in perspectives between developers and participants. These different experiences offer the possibility to learn from and reflect upon by linking it to literature. As mentioned before, the experiences from the side of the participants gave the most insight, as these provide the basis to improve the public participation process organised by the developer, giving the developer a higher chance of setting up a process in an inclusive way and to achieve the desired results.

In terms of case selection for the financial analysis, a broader view is necessary. In this analysis, an extreme-case selection is used, meaning that cases must differentiate to give an average in the financial results. This is done because of the explorative nature of this research. Going more in depth on the financial analysis is also one of the most important recommendations for further research. This financial analysis is already providing some knowledge, but it challenges to explore it further with different categories of case selection. Similar-case selection would be more useful to have a more accurate representative financial analysis.

The recommendations for the project developer are focussed on practicality and integration in the development process, with research at its foundation. By formulating the recommendations this way, the application of the gained knowledge can be applied in practice and put to good use. Furthermore, the recommendations are based on research from two perspectives, not only from the perspective of the developer. Thus, the recommendations are based not on a one-sided story. This helps accurately formulating the lessons and recommendations for the integration in the development process. This is primarily done not only to focus on the benefit for the developer, but for the participating public as well. After all, public participation is also an element that strengthens the democratic process by giving the public a stronger voice, and this is not to be underestimated.

However, this topic goes beyond practical recommendations for the developer. Zooming out and looking at the results is necessary. As mentioned in the introduction, an interdependent triangle of stakeholders exists in the developer, the municipality, and the participants. This triangle of interdependency became ever clearer during this research, as all three play a vital role in urban development. After all, public participation initiated by the developer is not only an activity that takes place between the developer and the public, but with the municipality as well. This makes it more complex, even so because the municipality can sometimes be a complex participant as well.

This interdependency mainly consists in the process of zoning plan changes and permit application. The municipality is in this process responsible for agreeing on a proposed zoning plan change or building permit, but it must take several stakes into account. These are partly protecting their citizens, but they also must keep an eye on the wider social perspective, where we currently have a housing crisis. Protecting existing residents to developments from developments cannot be done by simply blocking these and preventing development. Municipalities often have a stake in developments as well, as developments do mean income over time through for instance sale of land, or tax which has to be paid. As seen in this research, zoning plan changes must go through certain procedures as well, which are at least as important as the developer proposing a plan to fill it in.

This links back to the 'participation-paradox'. Clarity is probably the most important element in the development process, and without it, mistrust will be a likely consequence. Without clarity and assurance, a developer might take a more risk-averse approach and be less invested in the project, leading to potential mistrust from the public or municipality as they might think the developer does not take the project serious. The same goes for the public, as they are usually only triggered if concrete plans are presented, and not only 'vague' zoning plans. The municipality must deal with this uncertainty as well, as it has to follow through certain procedures to assure clarity, but it requires a foundation to do so. This makes for a difficult iterative cycle, which needs to be resolved somehow,

The balance between all three parties is therefore of high importance in a development process. Without each party, no matter if they are in favour of development or not, the process cannot be followed through, and development will not happen. While this might be the objective of some residents, it is not in favour of the public, municipality, and developers. After all, ground exploitation forms an important source of income for most municipalities, and developers have to have a constant flow of projects to keep their people at work. In addition to this, the housing shortage is something to keep in the back of the mind, and blocking development because surrounding residents simply disagree, can have a devastating long-term effect on the housing market and therefore the construction industry in general. Thus, public participation can be an asset, but it is ought not to be forgotten that people can and will misuse the given power in their personal interest.

When looking back at the eight reasons defined by Verheul et al. (2021) why a developer might take the initiative in development, one important statement can be made. The different reasons are clearly split up in two categories: Why developers should take initiative in public participation, and why municipalities should stimulate it. However, although these eight reasons have good a foundation as described in the essay, whilst conducting this research it was often stated by both the developer(s) and participant(s) that the municipality and developer should work together when dealing with the public, and not only pretend to live on their own safe little islands in the sometimes rough sea of urban development.

7.3 Personal

To start this personal part of this reflection: I think the process of acquiring the topic is not a typical one for a graduation project. At least, that is what I feel like. As I was in the rare (and fortunate) position to work as a research assistant, finding a topic was a bit more straight forward than it seemed at first. Before I started the role of research assistant, I never knew about the density and possibilities of this topic within in the world of real estate. This research (my own, and the one of the research team) has amazed me as well, contributing to my enthusiasm about the topic.

As I said, my interest in this topic has grown immensely. Especially the wide range of possibilities, and its sudden obligatory requirement of the new environmental law makes it a relevant topic for the industry as well. As I am rounding off this research, I hope to contribute a piece of knowledge to those who need or want it, to use it for the better. In this case, better means for the initiating developers, but for the public as well. After all, participation is part of the democratic process, one way or another.

However, as mentioned before, pinpointing the topic proved to be very difficult. I feel like a kid in a candy store, knowing that there is relatively not a lot of knowledge on my research topic, and especially its application. For this, I am glad that I was in the position to conduct several semi-structured explorative interviews. A kind word should go to my tutoring team as well, as they stimulated to do so. But again, arranging these interviews were at my own responsibility and depend on my own assertiveness. Luckily, around the time I needed the interviews, we organised the second business tour of the year with BOSS (the study association of MBE, of which I was a board member of year 2020-2021). Although being digital, taking the first step and just writing to people on LinkedIn proved to be helpful, and within no time seven interviews were scheduled.

The literature review and explorative interviews combined confirmed my 'kid in a candy store' feelings. Although participation is a widely researched topic, as well as stakeholder management and strategic decision making, the application for economic gain for developers is still relatively new. The literature review is used for term definition, and together with the scope definition and the interviews, the exact topic is chosen. The interviews helped to accurately determine the eventual proposal. As this research aims to help project developers in their development process, it is good to gain insight in what these parties need or want. By doing this, it helps to clarify the necessity of this research, and create a bridge to the literature. This also exemplifies the gap in literature, which this research (partly) aims to resolve.

The result is a thesis which focusses on two key elements and the link between them: Gaining insight into the four key categories of development costs, as well as the impact of public participation on these costs. An important addition is that lessons learned from this research are formulated as recommendations for the developer to achieve their goals, but also strengthen the democratic process. Keeping developments commercially attractive for developers and preventing exorbitant costs due to delay causes by legal procedures is a part of this. A balance between these two is vital: A development might take more development costs up front, as public participation needs to be invested in, however it might be 'safer' and get through the permit-application phase quicker, and thus be sellable or lettable earlier in time and prevent the costs of delay. Both elements are individually researched by using in-depth interviews and cases and focus groups, before balancing them out and drawing conclusions.

Of course, this research must be placed in a broader context. This topic, and especially privately organised participation by project developers and initiators in complex urban projects is new. As Verheul et al. elaborated on in their essay, there are various reasons as to why a market party or project developer might want to initiate a participation process regarding their development. This research will focus on the market party side, and not on the public party. This research will be the start of gaining insight in the budgeting of participation and its (indirect) consequences, and how it might benefit project developers in the real estate world. However, this is only a small part in a web of interrelated people, parties, and problems within the topic of public participation that are required to be researched.

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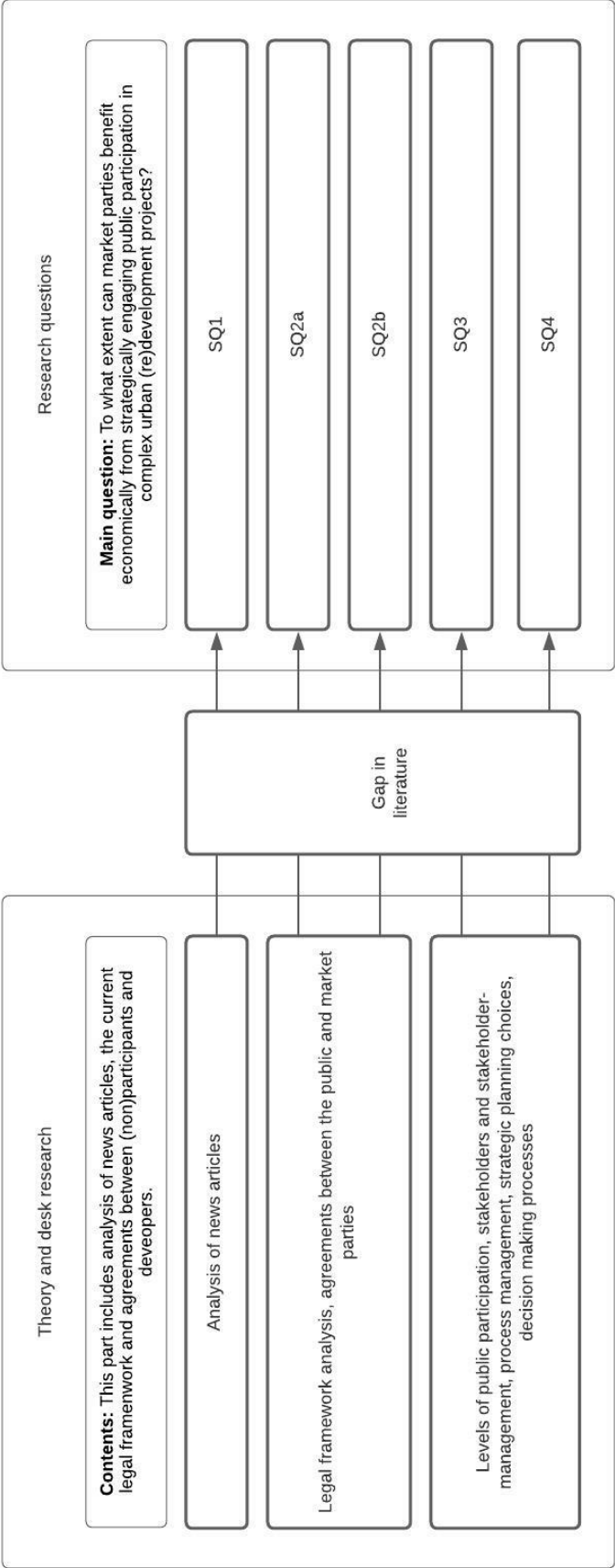
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Appendix A – List of interviews and noted conversations

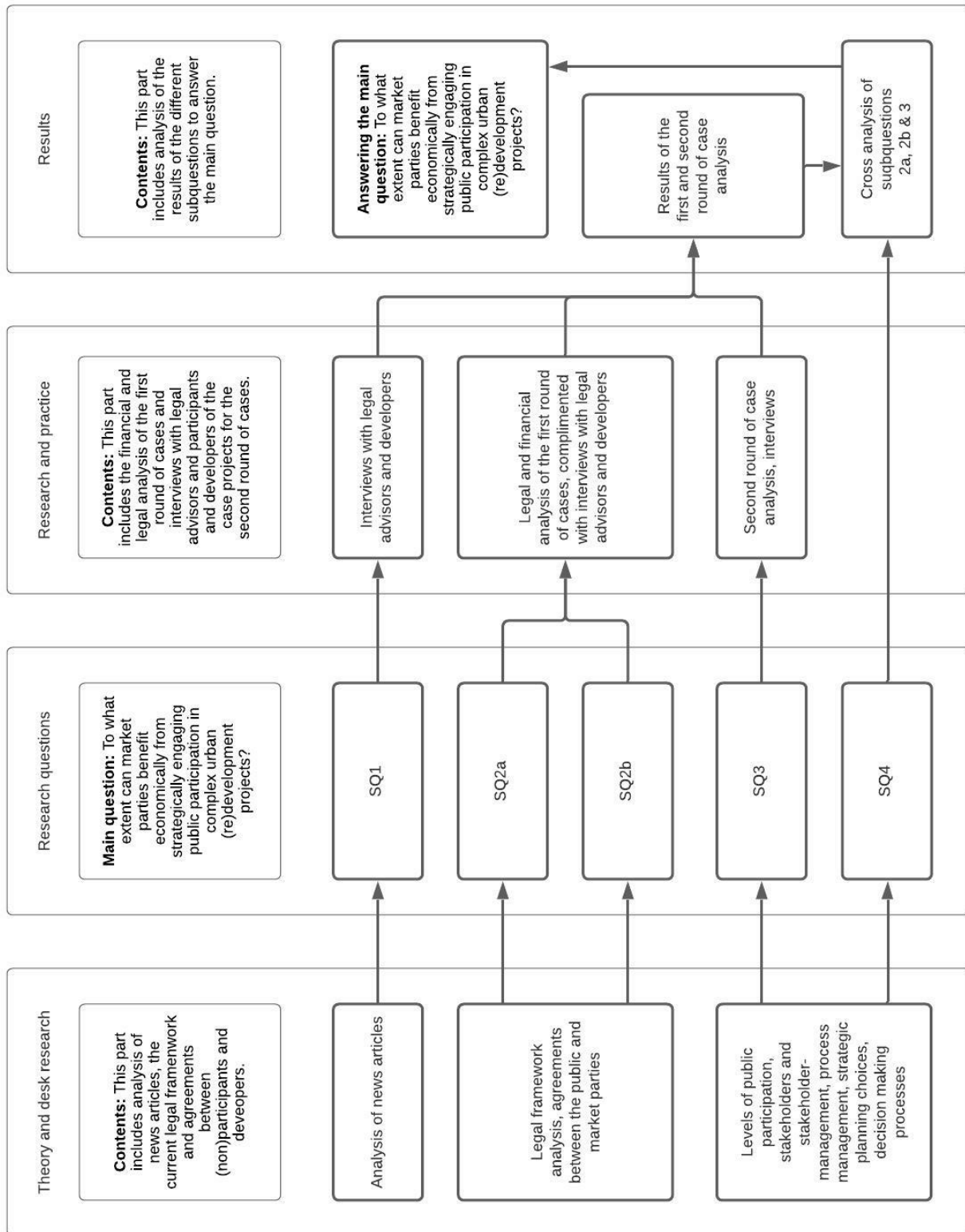
Code	Name	Involvement, goal	Relation	Profession	Company	Date of interview	Location
01	EG	Feedback	-	Professor	TU Delft	09-03-21	Zoom
02	WJV	Feedback	1st mentor	Professor	TU Delft	09-03-21	Email
03	CH	Feedback	2nd mentor	Professor	TU Delft	09-03-21	Zoom
04	WJV, CH	Feedback	Mentors	Professors	TU Delft	23-03-21	Zoom
05	WJV, CH	Feedback P1	Mentors	Professors	TU Delft	01-01-21	Zoom
06	JdW	Explorative interview	Interviewee	Business Relationship manager	ING Real Estate Finance	12-04-21	PingProperties office
07	RR	Explorative interview	Interviewee	Project developer	Boelens de Gruyter	19-04-21	Telephone
08	WJV	Feedback	1st mentor	Professor	TU Delft	21-04-21	Rotterdam
09	AA	Explorative interview	Interviewee	Concept developer	Being Development	30-04-21	Telephone
10	BvdZ	Explorative interview	Interviewee	Concept developer	VORM Development	04-05-21	Telephone
11	CH	Feedback	2nd mentor	Professor	TU Delft	05-05-21	Zoom
12	RvdZ	Explorative interview	Interviewee	Senior advisor areadevelopment	Deloitte	05-05-21	Telephone
13	BH	Explorative interview	Interviewee, colleague	(Re)development manager	PingProperties	05-05-21	Telephone
14	WJV	Feedback	1st mentor	Professor	TU Delft	12-05-21	Telephone
15	SvB	Explorative interview	Interviewee	Ontwikkelings- manager	RHO Adviseurs	17-05-21	Telephone
16	CH	Feedback	2nd mentor	Professor	TU Delft	25-05-21	Zoom
17	CH	Feedback	2nd mentor	Professor	TU Delft	02-06-21	Email
18	WJV	Feedback draft P2	1st mentor	Professor	TU Delft	03-06-21	Zoom
19	WJV, CH, EG	Feedback P2	Mentors, delegate	Professors	TU Delft	17-06-21	Zoom
20	JH, AG	Brainstorm	Company mentors	Head of market research, placemaker	AM Geb. ontw.	01-09-21	Zoom
21	JH, AG	Meetup	Company mentors	Head of market research, placemaker	AM Geb. ontw.,	09-09-21	AM Huis
22	JH, AG	Meetup	Company mentor	Head of market research, placemaker	AM Geb. ontw.	15-09-21	AM Huis
23	WJV, FH	Feedback empirical direction	Mentors	Professors	TU Delft	17-09-21	TU Delft, MBE department
24	WJV, JH	Feedback empirical direction	1st mentor, company mentor	Professor, head of market research	TU Delft, AM Geb. ontw.	23-09-21	AM Huis, Zoom
25	AJ	Case selection	Company mentor	Placemaker	AM Geb. ontw.	29-09-21	Zoom
26	RvW	Case selection	Interviewee,	Legal director	AM Geb. ontw.	07-10-21	AM Huis
27	MC	Zalmhaven	Interviewee	Project developer	AM Geb. ontw.	19-10-21	Teams
28	DA	Babel, Stack	Interviewee	Project developer	AM Geb. ontw.	25-10-21	Teams
29	SvB, FS	Op Enka, H5 & Zouterij	Interviewees	Sales manager, project director	AM Geb. ontw.	29-10-21	Teams
30	GK	Wickevoort & Overveen	Interviewee	Project developer	AM Geb. ontw.	01-11-21	Wickevoort project loc.
31	SG	Schoemaker-plantage	Interviewee	Marketing manager	Firma De Stek	04-11-21	Teams
32	HvS	Schoemaker-plantage	Interviewee	Project director	AM Geb. ontw.	19-07-21	Report after interview
33	JvW	Schoemaker-plantage	Interviewee	Participant	N.v.t.	16-11-21	Teams
34	KH	Schoemaker-plantage	Interviewee	Participant	N.v.t.	16-11-21	Phone
35	IG	Schoemaker-plantage	Interviewee	Participant	N.v.t.	16-11-21	Phone

Code	Name	Involvement, goal	Relation	Profession	Company	Date of interview	Location
36	JDK	Schoemaker-plantage	Interviewee	Participant	N.v.t.	16-11-21	Phone
37	SN	Schoemaker-plantage	Interviewee	Participant	N.v.t.	16-11-21	Phone
38	JJ	Schoemaker-plantage	Interviewee	Participant	N.v.t.	16-11-21	Phone
39	MJ	Schoemaker-plantage	Interviewee	Participant	N.v.t.	16-11-21	Phone
40	HR	Schoemaker-plantage	Interviewee	Participant	N.v.t.	16-11-21	Phone
41	AJ, EG	AM colleagues	Interviewee	Placemaker, developer	AM Geb. Ontw.	17-11-21	AM Huis
42	RW	Schoemaker-plantage	Interviewee	Participant	N.v.t.	29-11-21	Phone
43	HdV, PN	Schoemaker-plantage	Interviewees	Representatives	TU Noord	07-12-21	Teams
44	EG, RL	AM colleagues	Interviewees	Area developer, project developer	AM Geb. Ontw.	15-12-21	Bajeskwartier, Amsterdam

Appendix B – Theoretical framework



Appendix C - Empirical framework



Appendix D – Financial case analysis model results

Costs per square metre (residential)	Absolute amount	Per square metre	Percentage per sqm
1. Primary public participation	€ 333.303,49	€ 1,62	0,04 %
2. Secondary public participation	€ 90.000,00	€ 0,44	0,01 %
3. Primary legal	€ 467.621,93	€ 2,27	0,06 %
4. Secondary legal	€ 5.682.657,26	€ 27,55	0,72 %

Costs per square metre (commercial)	Absolute amount	Per square metre	Percentage per sqm
1. Primary public participation	€ 0,00	€ 0,00	0,00 %
2. Secondary public participation	€ 0,00	€ 0,00	0,00 %
3. Primary legal	€ 26.842,68	€ 5,65	0,00 %
4. Secondary legal	€ 0,00	€ 0,00	0,00 %

Costs per square metre (other)	Absolute amount	Per square metre	Percentage per sqm
1. Primary public participation	€ -	€ -	0,00 %
2. Secondary public participation	€ -	€ -	0,00 %
3. Primary legal	€ -	€ -	0,00 %
4. Secondary legal	€ -	€ -	0,00 %

Costs per square metre (parking)	Absolute amount	Per square metre	Percentage per sqm
1. Primary public participation	€ 1.696,51	€ 0,04	0,00 %
2. Secondary public participation	€ 0,00	€ 0,00	0,00 %
3. Primary legal	€ 20.535,39	€ 0,50	0,00 %
4. Secondary legal	€ 95.713,50	€ 2,32	0,01 %

Cumulative cost increase	Percentage per sqm
1. Primary public participation	0,04 %
2. Secondary public participation	0,01 %
3. Primary legal	0,07 %
4. Secondary legal	0,73 %
Total	0,85 %

Appendix E – Schoemaker participation survey questions

Koptekst:

Hartelijk dank voor uw tijd voor het invullen van deze enquête. Deze enquête is onderdeel van een onderzoek naar omgevingsparticipatie en inspraak van omwonenden in gebiedsontwikkeling. Namens de TU Delft voert onderzoeker Robin Meijer dit onderzoek uit voor AM Gebiedsontwikkeling, de projectontwikkelaar van de Schoemakerplantage. Uw mening over participatie en inspraak bij dit project is dus van belang voor ons om van te leren voor projecten in de toekomst. Uiteindelijk is een goede buur belangrijker dan een verre vriend!

Deze enquête is volledig anoniem en uw antwoorden zullen niet met derden gedeeld worden, geheel volgens de richtlijnen van de Privacywet. Dit is een onafhankelijk onderzoek waarbij elk antwoord goed is, en kritische antwoorden en reële ervaringen zijn van harte welkom. Bij de meeste vragen heeft u de mogelijkheid voor het geven van een korte toelichting. Dit is niet verplicht, maar wel welkom.

Vragen:

De enquête duurt ongeveer 5 minuten. Er is de mogelijkheid om aan het einde van de enquête enkele opmerkingen achter te laten. Mocht u in gesprek willen gaan met het team ter toelichting van uw antwoorden, is er de mogelijkheid om aan het onderaan de enquête uw contactgegevens achter te laten.

1. Was/bent u een omwonende van de Schoemakerplantage of inwoner van de buurt Wippolder tijdens de ontwikkeling? (ja/nee + toelichtingsvak)
2. Wat zijn de eerste vier cijfers van uw postcode? (open vraag)
3. Was u ervan op de hoogte dat u kon participeren bij het nieuwe project van de Schoemakerplantage? (ja/nee)
 - a. Zo ja, hoe bent u geïnformeerd? (A. via mijn burens, B. via de ontwikkelaar, C. via internet, D. via de gemeente, E. anders, namelijk: ...)
4. Heeft u deelgenomen aan deze participatie- en inspraakmomenten*? (ja/nee + toelichtingsvak)

*Met participatie- inspraakmomenten bedoelen we momenten dat u als omwonende uw zorgen, mening en opmerkingen over het nieuwe plan kon delen en input kon leveren. Bij deze momenten is een medewerker van AM aanwezig geweest.

Bij 'ja' op vraag 3, de volgende vragenreeks:

5. Waarom heeft u wel deelgenomen aan deze participatie- en inspraakmomenten?
 - a. A., Ik had het idee dat ik invloed kon uitoefenen en meebeslissen, B. Ik was benieuwd naar de plannen, C. Ik was het niet eens met de plannen, D. Ik wilde meer informatie inwinnen om in protest te gaan, E. Anders, namelijk:
6. Heeft u het gevoel dat er tijdens deze sessies naar u geluisterd werd? (ja/nee + toelichtingsvak)
7. Heeft u het idee dat uw input is meegenomen bij de uitwerking van het project? (ja/nee + toelichtingsvak)
8. Heeft u met burens of andere inwoners van uw wijk gesproken om samen eventueel juridische stappen te ondernemen tegen (delen van) het plan? (ja/nee + toelichtingsvak)
9. Hebben de participatiemomenten ervoor gezorgd dat u meer of minder geneigd was om deze stap te nemen? (veel meer, meer, ongewijzigd, minder, veel minder + toelichtingsvak)

Bij 'nee' op vraag 3, de volgende vragenreeks:

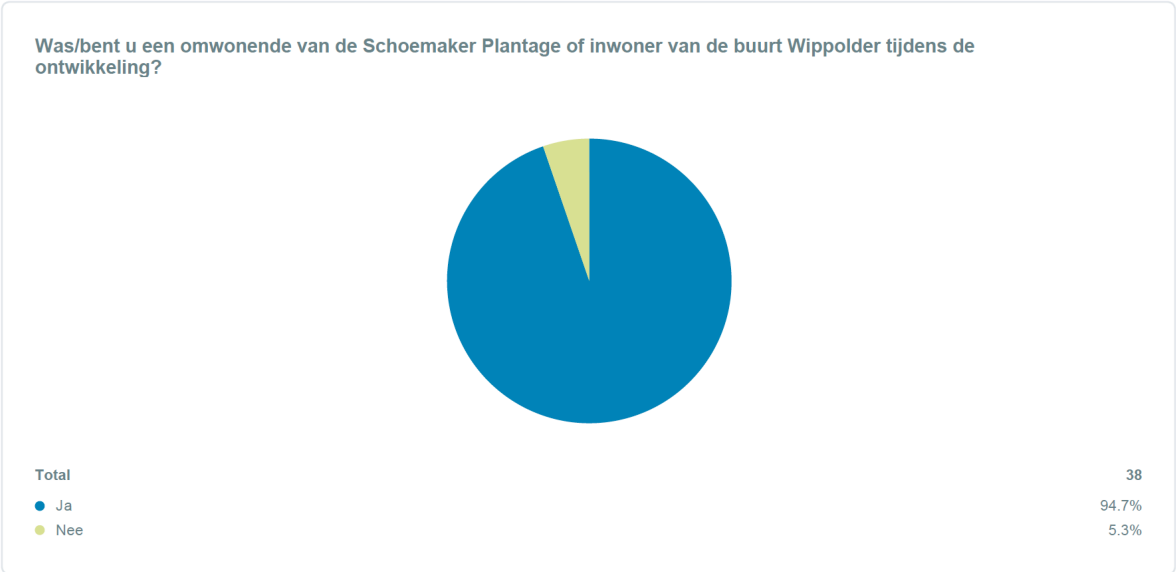
10. Waarom heeft u niet deelgenomen aan deze participatie- en inspraakmomenten?
 - a. A. Ik had het idee dat ik geen invloed kon uitoefenen of meebeslissen, B. Ik was niet geïnteresseerd in het plan, C. Ik ben niet in staat geweest deel te nemen, hoewel ik dit wel graag wilde, D. Ik wilde sowieso in protest gaan tegen de plannen, wat de uitkomst ook is, E. Anders, namelijk:
11. Heeft u overwogen om in protest te gaan (een juridische procedure te starten) tegen dit project? (ja/nee)
12. Zo ja, waarom heeft u die overweging gemaakt? (open vraag)
13. Bent u er van overtuigd dat uw belangen beter behartigd kunnen worden via een juridisch proces of via een participatieproces? A. Juridisch proces, B. Participatie- en inspraakproces, C. Anders, namelijk:
14. Bent u alleen of samen met uw medebewoners van u buurt een juridische procedure gestart tegen het project of onderdelen daarvan? (ja/nee + toelichtingsvak)
15. Zo ja, wat was voor u de belangrijkste reden om dit te doen? (open vraag)

Vanaf dit punt volgt het algemene gedeelte van de enquête (ongeacht antwoord op vraag 3):

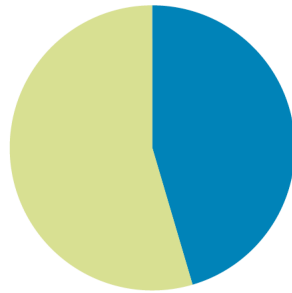
16. Bent u van mening dat er met uw belangen rekening is gehouden bij het uiteindelijke resultaat? (ja/nee + toelichtingsvak)
17. Heeft u nog verdere opmerkingen of suggesties?
18. Staat u open voor een kort vervolgesprek met een onderzoeker van het team? Dit kan persoonlijk, digitaal of per telefoon. Als u hiervoor open staat, kunt u hieronder uw telefoonnummer of emailadres achterlaten. Als u meedoet, staat er natuurlijk een kleine beloning tegenover!

Appendix F – Schoemaker participation survey results

Algemeen

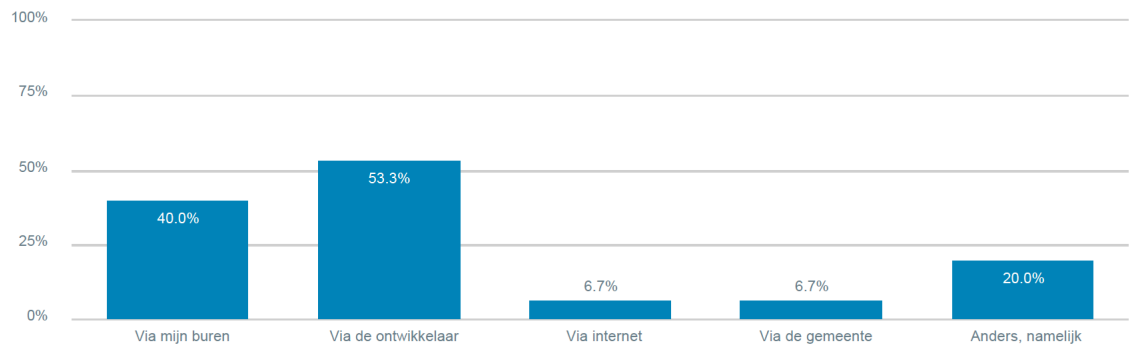


Was u ervan op de hoogte dat u kon participeren bij het nieuwe project van de Schoemakerplantage?



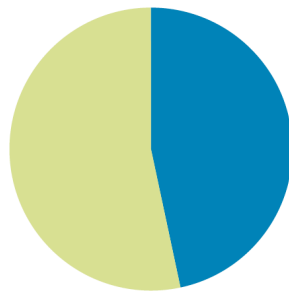
Total	33
● Ja	45.5%
● Nee	54.5%

Hoe bent u geïnformeerd?



Total	15
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Heeft u deelgenomen aan deze participatie- en inspraakmomenten*?



Total

● Ja

● Nee

15

46.7%

53.3%

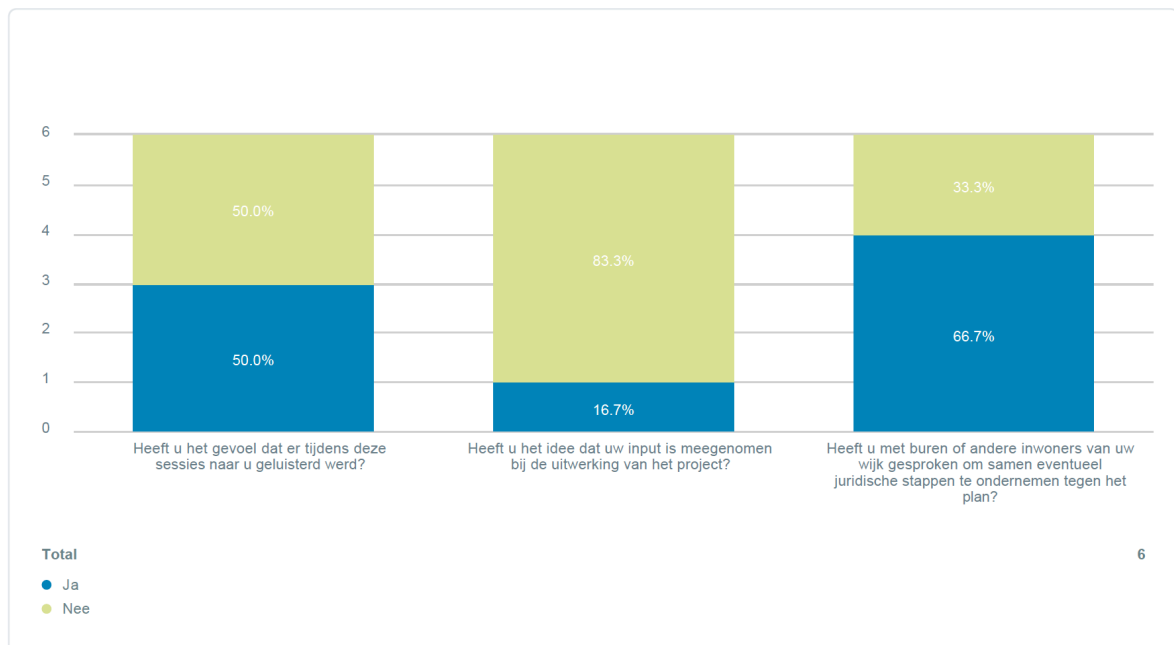
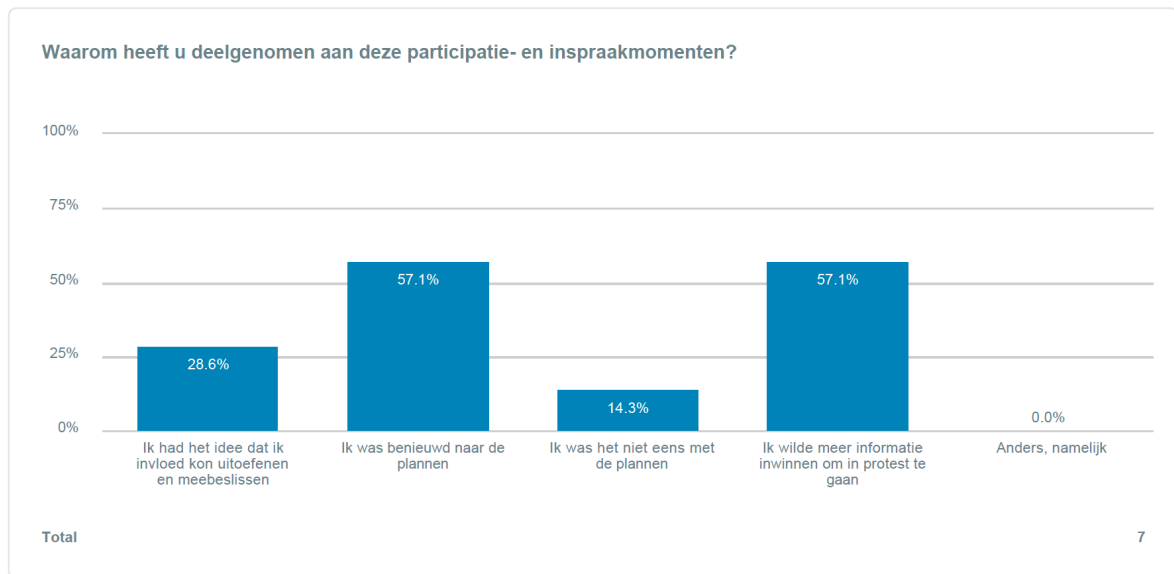
Kunt u dit kort toelichten? (niet verplicht)



Total

10

Deelgenomen aan de sessies



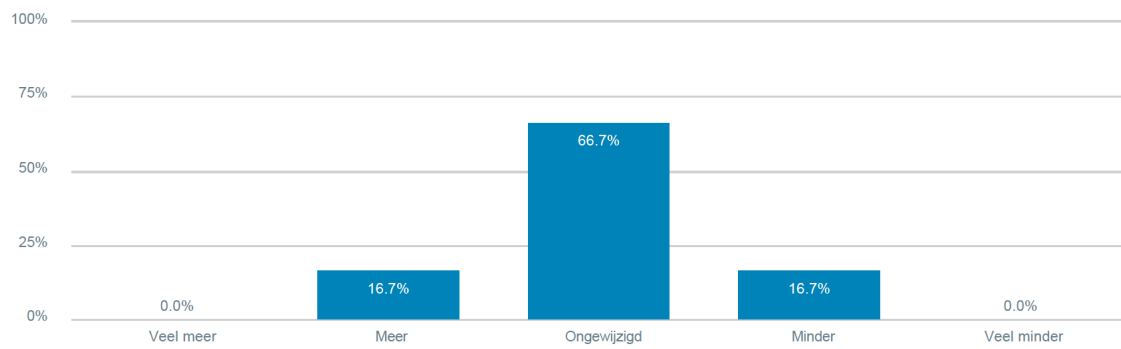
Kunt u dit kort toelichten? (niet verplicht)



Total

3

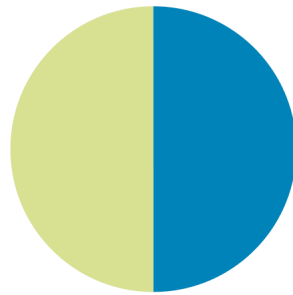
Hebben de participatiemomenten ervoor gezorgd dat u meer of minder geneigd was om een juridische stap te nemen?



Total

6

Bent u van mening dat er met uw belangen rekening is gehouden bij het uiteindelijke resultaat?



Total

- Ja
- Nee

6

50.0%
50.0%

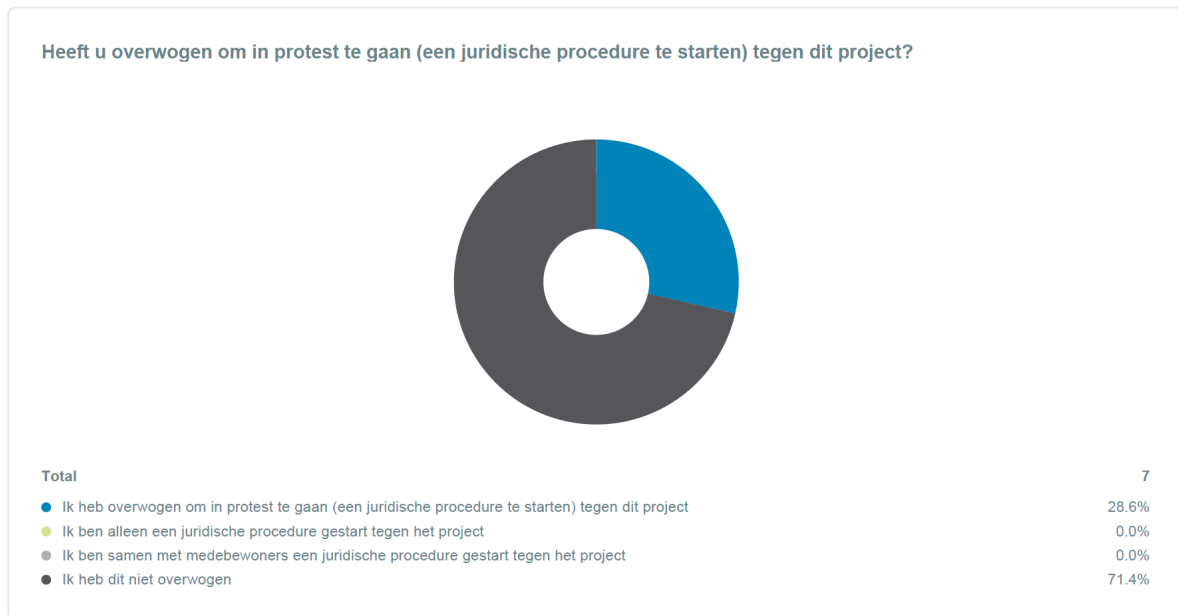
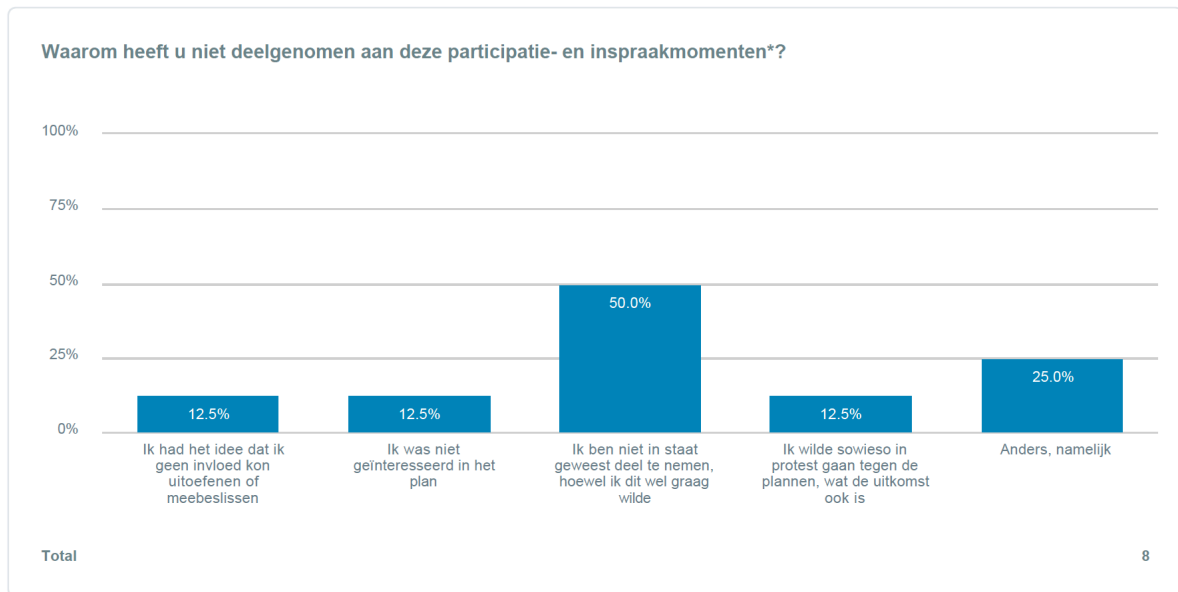
Kunt u dit kort toelichten? (niet verplicht)



Total

2

Niet deelgenomen aan de sessies



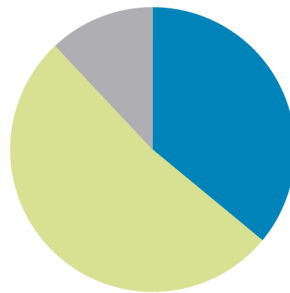
Kunt u dit kort toelichten? (niet verplicht)



Total

3

Via welk proces worden volgens u uw belangen beter behartigd?



Total

25

● Juridisch proces

36.0%

● Participatie- en inspraakproces

52.0%

● Anders, namelijk

12.0%

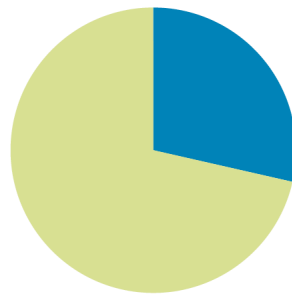
Kunt u dit kort toelichten? (niet verplicht)



Total

7

Bent u van mening dat er met uw belangen rekening is gehouden bij het uiteindelijke resultaat?



Total

7

● Ja
● Nee

28.6%
71.4%

Kunt u dit kort toelichten? (niet verplicht)



Total

3

Appendix G – Interview protocol

Naam van de interviewer: Robin Meijer
Functie van de interviewer: Student, onderzoeker

Naam interviewee: Voornaam, achternaam
Functie en/of rol interviewee: ...
Bedrijf (indien van toepassing): ...
Relation tot de caus: ...
Interview categorie (A/B/C): ...

Datum van het interview: dd/mm/yyyy

Voorbereiding: Bij het maken van de interviewafspraken ligt de onderzoeker per mail of telefoon toe waar het onderzoek over gaat, en waar de interviewee zich op kan voorbereiden. Het interview zal geen vaste vragenlijst betreffen, enkel een semi-gestructureerd gesprek.

- start van het interview -

Introductie: Om te beginnen met praktische zaken. De interviewer zal notulen maken tijdens het interview, en met toestemming van de interviewee zal het gesprek ook worden opgenomen voor nabeschouwing. Deze opnames zullen indien nodig getranscribeerd worden. De opnames, notulen en transcriptie zullen na de door de TU Delft vastgestelde termijn verwijderd worden. De opnames zullen niet extern of met AM worden gedeeld, enkel met de eerste mentor vanuit de TU Delft. U kunt aangeven of u de notulen wilt inzien ter controle.

- start opname en notulen -

Het doel van het interview: Het doel van het interview, en dit onderzoek in het algemeen, is om inzicht te krijgen in wat voor effect een traject van omgevingsparticipatie heeft op het financiële eindresultaat van een project. Dit interview is een onderdeel van het onderzoek om te begrijpen of omgevingsparticipatie kan bijdragen aan een soepeler proces waarbij de (non)participant minder geneigd is stappen te maken via de rechtzaal. Bij deze specifieke ontwikkeling, de Schoemakerplantage, zullen er naast participanten ook ontwikkelaars en andere betrokkenen geïnterviewd worden om zo een goed beeld te schetsen van het doorlopen proces, en hiervan te leren.

Introductie van het onderwerp: Omgevingsparticipatie is een breed onderzocht onderwerp, maar hoe dit effect heeft op de financiële uitkomst van projecten is nog relatief onbekend. Ervaringen van zowel participant als ontwikkelaar kunnen bijdragen aan deze kennis. Uw ervaringen zijn daarbij van belang, en het is de bedoeling dat deze ervaringen worden geanalyseerd en omgezet naar belangrijke lessen om omgevingsparticipatie beter te laten verlopen.

Interviewvragen voor projectontwikkelaars (categorie A):

Vraag:	Input voor subvraag:
Wat zijn de elementen of karakteristieken van een project welke vaak ter discussie staan bij onderhandelingen of gespreksrondes bij een project?	1
Hoe zou u de primaire en secundaire kosten van omgevingsparticipatie omschrijven, en waar komen deze het vaakst vandaan?	2a
Hoe zou u de primaire en secundaire kosten van verdragende juridische procedures omschrijven, en waar komen deze het vaakst vandaan?	2b
Was het merkbaar, en zo ja, in welke mate het inzetten van omgevingsparticipatie heeft bijgedragen aan een soepeler proces en afname in kans dat participanten overgingen naar een juridische procedure?	3

Interview vragen voor juridische adviseurs (categorie B):

Vraag:	Input voor subvraag:
Wat zijn de meest voorkomende redenen dat (non)participanten een juridische procedure starten tegen een ontwikkeling?	1
Hoe zou u de primaire en secundaire kosten van omgevingsparticipatie omschrijven, en waar komen deze het vaakst vandaan?	2a
Hoe zou u de primaire en secundaire kosten van vertragende juridische procedures omschrijven, en waar komen deze het vaakst vandaan?	2b
Was het merkbaar, en zo ja, in welke mate het het inzetten van omgevingsparticipatie heeft bijgedragen aan een soepeler proces en afname in kans dat participanten overgingen naar een juridische procedure?	3

Interview vragen voor (non)participanten rondom de Schoemakerplantage (categorie C):

Vraag:	Input voor subvraag:
Heeft u geparticipeerd in het project van de Schoemakerplantage? Zo ja/nee, waarom?	Algemeen
Kunt u uw ervaringen van het participatieproces en de uitkomst hiervan kort beschrijven?	Algemeen
Gezien het project van de Schoemakerplantage, wat zijn uw grootste zorgen en discussiepunten met de ontwikkelaar?	1
Bent u een (juridisch) proces gestart tegen de ontwikkelaar? Zo ja, waarom? En wat was hier de uitkomst van?	Algemeen
Bent u tevreden met de uitkomst van de gesprekken en procedures?	Algemeen
Voelt u zich gehoord tijdens het ontwikkelproces van de Schoemakerplantage	Algemeen
Bent u van mening dat omgevingsparticipatie de kans kleiner heeft gemaakt dat u of uw buurtbewoners geopponereerd hebben tegen het project?	3

Afronden van het gesprek: Nog een laatste vraag, is er nog iets wat u wilt toevoegen aan het gesprek, of mee wilt geven aan AM of de onderzoeker/interviewer? In dat geval, hartelijk bedankt voor uw tijd en energie, uw bijdrage wordt enorm gewaardeerd. Nogmaals, de opname en notulen zullen niet extern gedeeld worden. U kan de notulen of transcriptie inzien ter controle om misvattingen te voorkomen. De opname zal nu worden gestopt.

- Einde gesprek met mogelijkheid tot nabespreken -

Appendix H – AM panel public participation survey questions

Koptekst:

Hartelijk dank voor uw tijd voor het invullen van deze enquête. Deze enquête is onderdeel van een onderzoek naar omgevingsparticipatie en inspraak van omwonenden in gebiedsontwikkeling. Namens de TU Delft voert onderzoeker Robin Meijer dit onderzoek uit voor AM Gebiedsontwikkeling. Uw mening over participatie en inspraak bij projecten is dus belang voor ons om van te leren voor projecten in de toekomst.

Deze enquête is volledig anoniem en uw antwoorden zullen niet met derden gedeeld worden, geheel volgens de richtlijnen van de Privacywet. Dit is een onafhankelijk onderzoek waarbij elk antwoord goed is, en kritische antwoorden en reële ervaringen zijn van harte welkom. Bij de meeste vragen heeft u de mogelijkheid voor het geven van een korte toelichting. Dit is niet verplicht, maar wel welkom.

Vragen:

De enquête duurt ongeveer 5 minuten. Er is de mogelijkheid om aan het einde van de enquête enkele opmerkingen achter te laten. Mocht u in gesprek willen gaan met het team ter toelichting van uw antwoorden, is er de mogelijkheid om aan het onderaan de enquête uw contactgegevens achter te laten. Een nader gesprek stellen wij zeer op prijs.

1. Was/bent u een omwonende van een nieuwbouwproject in uw omgeving? (ja/nee + toelichtingsvak)
2. Heeft de ontwikkelaar hiervoor participatie- en inspraakmomenten opgezet? (ja/nee)
 - a. Zo ja, hoe bent u hierover geïnformeerd? (A. via mijn burens, B. via de ontwikkelaar, C. via internet, D. via de gemeente, E. anders, namelijk: ...)
3. Heeft u deelgenomen aan deze participatie- en inspraakmomenten*? (ja/nee + toelichtingsvak)

*Met participatie- inspraakmomenten bedoelen we momenten dat u als omwonende uw zorgen, mening en opmerkingen over het nieuwe plan kon delen en input kon leveren. Bij deze momenten is een mederwerker van AM aanwezig geweest.

- Als er wel participatiemomenten waren, op basis van het antwoord in vraag 3 één van de volgende twee reeksen opstellen -

Bij 'ja' op vraag 3, de volgende vragenreeks:

4. Waarom heeft u wel deelgenomen aan deze participatie- en inspraakmomenten?
 - a. A., Ik had het idee dat ik invloed kon uitoefenen en meebeslissen, B. Ik was benieuwd naar de plannen, C. Ik was het niet eens met de plannen, D. Ik wilde meer informatie inwinnen om in protest te gaan, E. Anders, namelijk:
5. Heeft u het gevoel dat er tijdens deze sessies naar u geluisterd werd? (ja/nee + toelichtingsvak)
6. Heeft u het idee dat uw input is meegenomen bij de uitwerking van het project? (ja/nee + toelichtingsvak)
7. Heeft u met burens of andere inwoners van uw wijk gesproken om samen eventueel juridische stappen te ondernemen tegen (een onderdeel van) het plan? (ja/nee + toelichtingsvak)
8. Hebben de participatiemomenten ervoor gezorgd dat u meer of minder geneigd was om deze stap te nemen? (veel meer, meer, ongewijzigd, minder, veel minder + toelichtingsvak)

Bij 'nee' op vraag 3, de volgende vragenreeks:

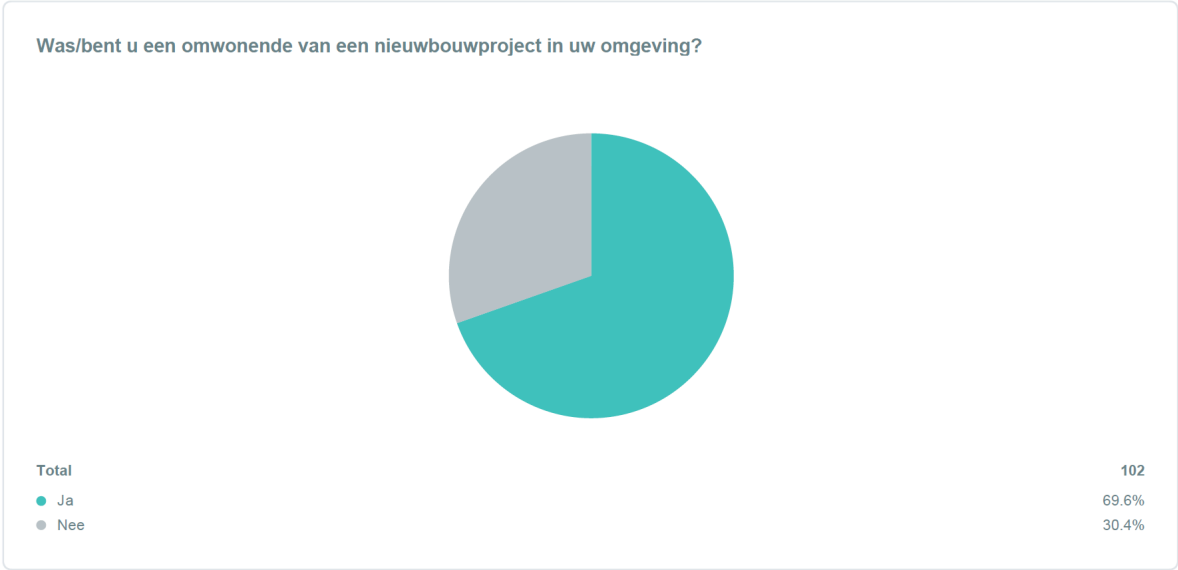
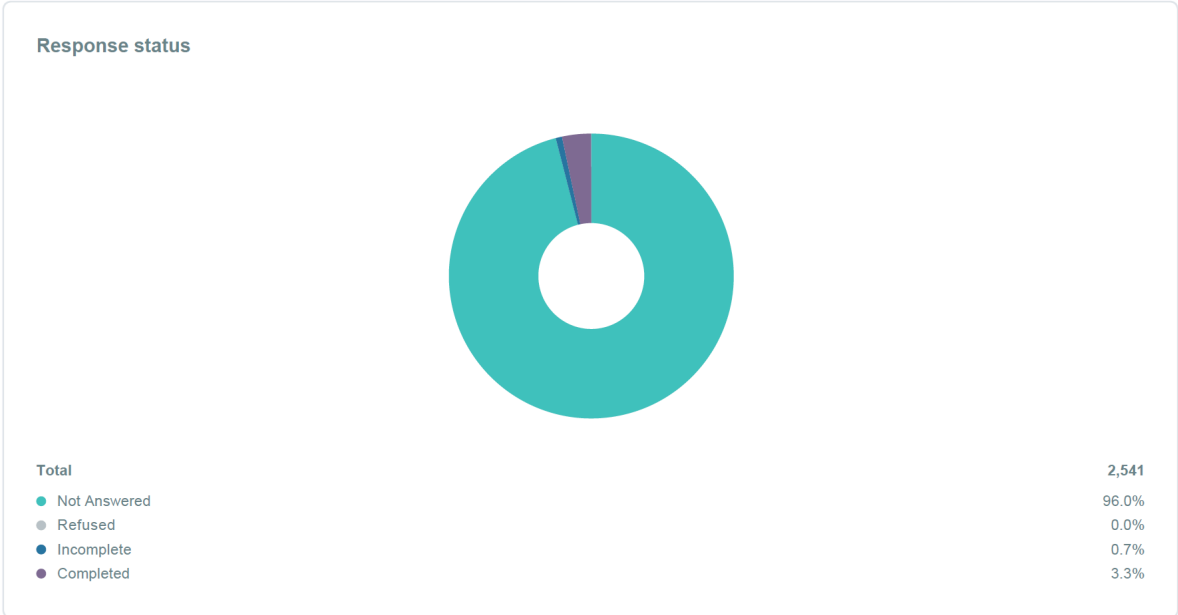
9. Waarom heeft u niet deelgenomen aan deze participatie- en inspraakmomenten?
 - a. A. Ik had het idee dat ik geen invloed kon uitoefenen of meebeslissen, B. Ik was niet geïnteresseerd in het plan, C. Ik ben niet in staat geweest deel te nemen, hoewel ik dit wel graag wilde, D. Ik wilde sowieso in protest gaan tegen de plannen, wat de uitkomst ook is, E. Anders, namelijk:
10. Heeft u overwogen om in protest te gaan (een juridische procedure te starten) tegen dit project? (ja/nee)
11. Zo ja, waarom heeft u deze overweging gemaakt? (open vraag)
12. Bent u er van overtuigd dat uw belangen beter behartigd kunnen worden via een juridisch proces of via een participatie- en inspraakproces? A. Juridisch proces, B. Participatie- en inspraakproces, C. Anders, namelijk:
13. Bent u alleen of samen met uw medebewoners van u buurt een juridische procedure gestart tegen het project of onderdelen daarvan? (ja/nee + toelichtingsvak)
14. Zo ja, wat was voor u de belangrijkste reden om dit te doen? (open vraag)

Vanaf dit punt volgt het algemene gedeelte van de enquête (ongeacht antwoord op vraag 3):

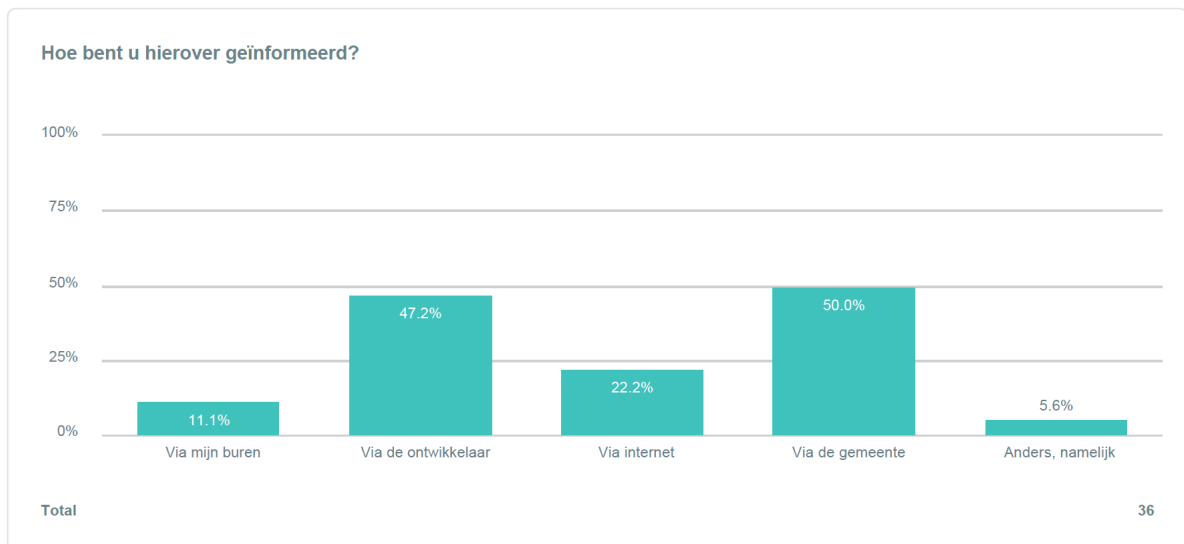
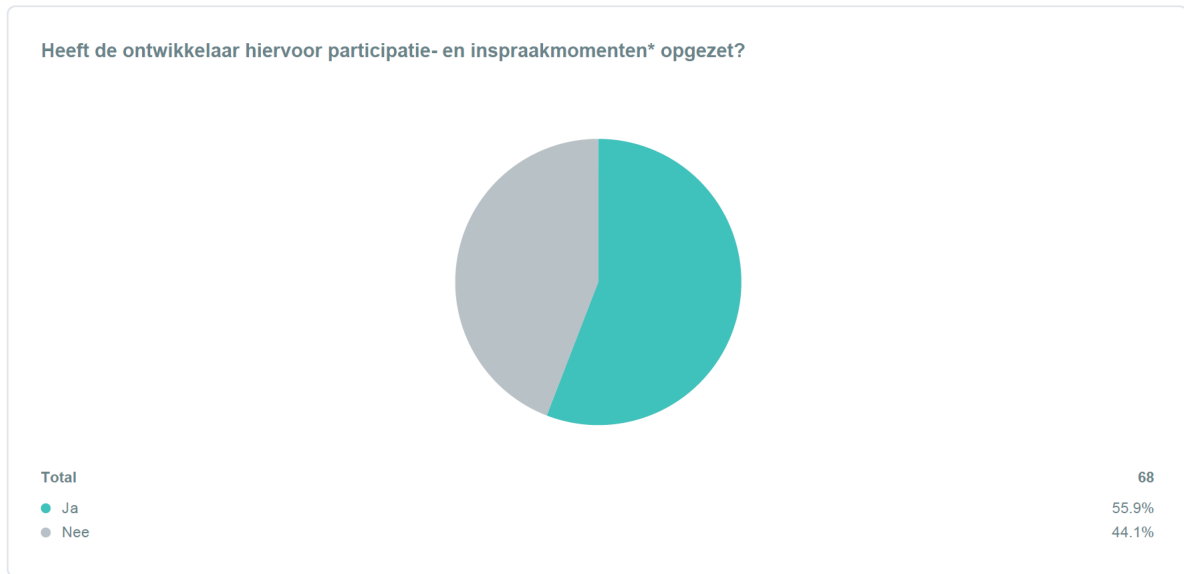
15. Bent u van mening dat er met uw belangen rekening is gehouden bij het uiteindelijke resultaat? (ja/nee + toelichtingsvak)
16. Heeft u nog verdere opmerkingen of suggesties?

Appendix I – AM panel public participation survey results

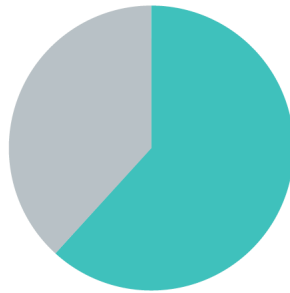
Algemeen



Bij antwoord 'ja' op de vraag of er nieuwbouwprojecten in de directie omgeving zijn



Heeft u deelgenomen aan deze participatie- en inspraakmomenten*?



Total

- Ja
- Nee

34

61.8%
38.2%

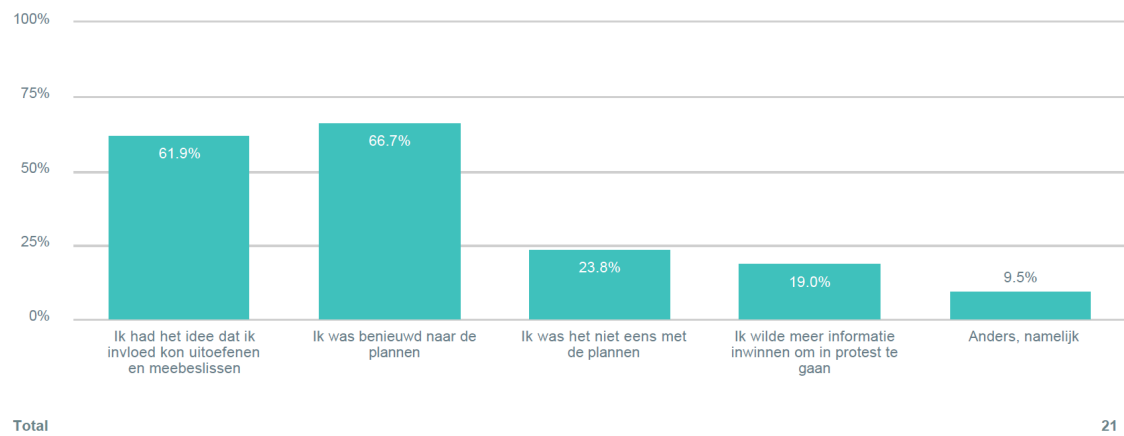
Kunt u dit kort toelichten? (niet verplicht)



Total

22

Waarom heeft u deelgenomen aan deze participatie- en inspraakmomenten?



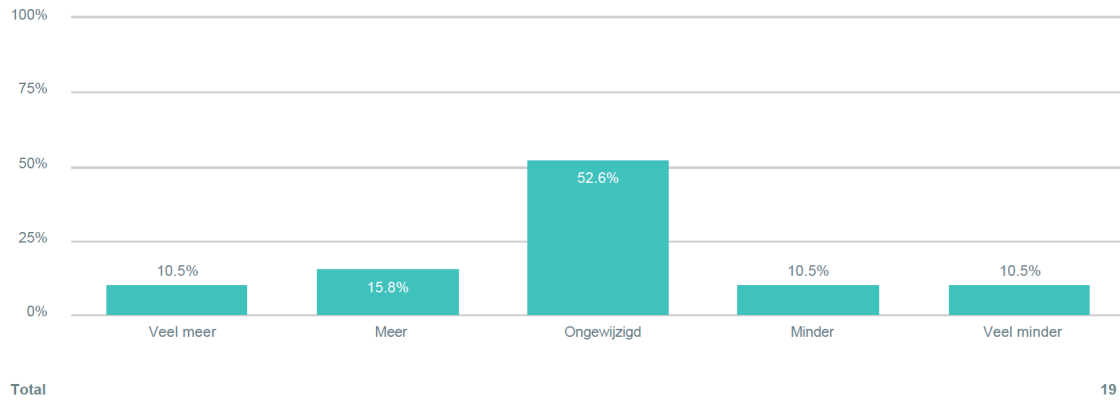
Kunt u dit kort toelichten? (niet verplicht)



Total

10

Hebben de participatiemomenten ervoor gezorgd dat u meer of minder geneigd was om een juridische stap te nemen?



Bent u van mening dat er met uw belangen rekening is gehouden bij het uiteindelijke resultaat?



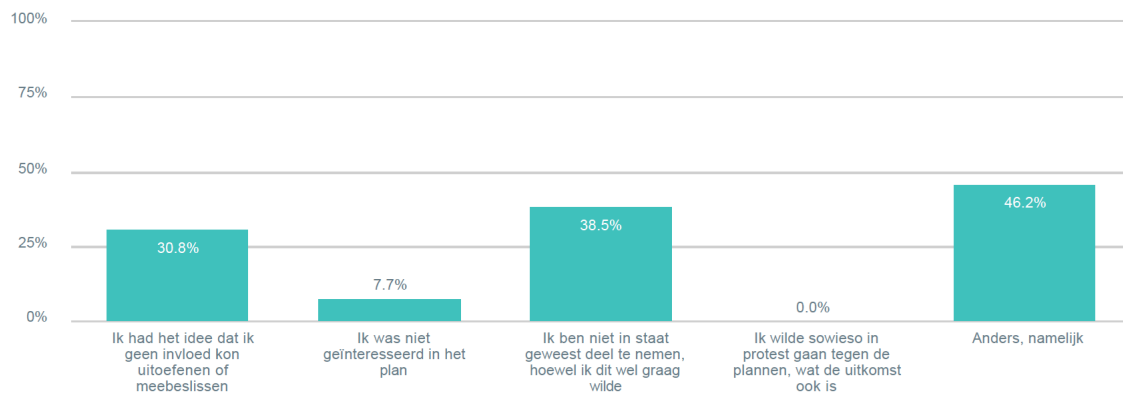
Kunt u dit kort toelichten? (niet verplicht)



Total

10

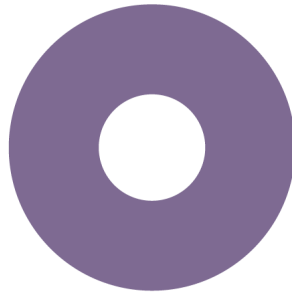
Waarom heeft u niet deelgenomen aan deze participatie- en inspraakmomenten?



Total

13

Heeft u overwogen om in protest te gaan (een juridische procedure te starten) tegen dit project?



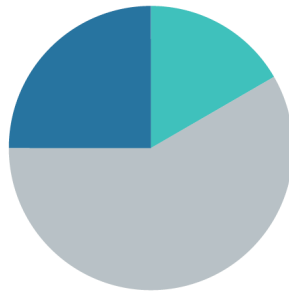
Total	13
● Ik heb overwogen om in protest te gaan (een juridische procedure te starten) tegen dit project	0.0%
● Ik ben alleen een juridische procedure gestart tegen het project	0.0%
● Ik ben samen met medebewoners een juridische procedure gestart tegen het project	0.0%
● Ik heb dit niet overwogen	100.0%

Kunt u dit kort toelichten? (niet verplicht)



Total	3
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Via welk proces worden volgens u uw belangen beter behartigd?



Total

- Juridisch proces
- Participatie- en inspraakproces
- Anders, namelijk

12

16.7%
58.3%
25.0%

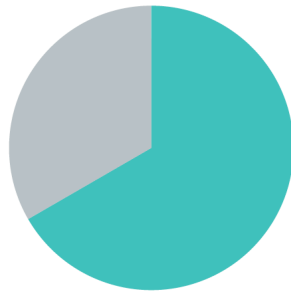
Kunt u dit kort toelichten? (niet verplicht)



Total

3

Bent u van mening dat er met uw belangen rekening is gehouden bij het uiteindelijke resultaat?



Total

- Ja
- Nee

12

66.7%
33.3%

Kunt u dit kort toelichten? (niet verplicht)



Total

4

Heeft u nog verdere opmerkingen of suggesties?



Total

27