

**So, you have learned an NSIP is
coming your way?**

7 October 2025 – online 10:00 am

Welcome

- Meet the team
- This is the first of two online events exploring
 - What qualifies as an NSIP
 - How the NSIP regime differs from local planning
 - What this means for you & local authority roles
- Been to a PAS event before?
 - Frank, friendly and open
 - Honest – we work together for the good of the sector
 - Interactive – please ask questions / share thoughts (log into Slido)

Housekeeping

- Please keep mic on mute until invited to speak
- It is always nice to see people
- Use SLIDO to ask questions and answer polls:
<https://app.sli.do/event/jSpor7cPQkcf1B2urs3Pky>
(code: 3090905)
- The chat function is open and monitored
- It is impossible to cover everything today - but we do want to stay in contact (info at end)

Note - we will be recording the meeting for the presentations only



Agenda

- **Welcome and Introduction**
 - a couple of Slido polls – your role and projects
- **Understanding NSIPs & local authority roles**
 - some nuts and bolts, Garreth
 - local experience in Babergh & Mid Suffolk, Bron
- **Maximising opportunities**
 - leveraging NSIPs for local gain, Mark
- **Questions and discussions**
- **Close**
 - further support and info available
 - a few wrap up polls as you leave

First polls

About you.....

- What is your role
- Are you currently working on an NSIP application (or several)?



NSIP – some nuts and bolts

Garreth Bruff, PAS

- What are NSIPs?
- Why are they different?
- What does that mean for planning and why are they important?



Parallel planning systems

	Local Planning	National Infrastructure Planning
Legislation	Town and Country Planning Acts	Planning Act 2008
Responsibilities for managing the planning process	Local Planners	Developer led with Planning Inspectorate
Decision maker	Local Councillors at Planning Committee	Secretary of State
Policy context	Local Plan and NPPF	National Policy Statements
Process and steps to consent	Planning Permission: <ul style="list-style-type: none"> • Pre-app is optional • Validation of application • Public consultation • Scrutiny by planning officers • Recommendation by officers • Decision by planning committee • Discharge of planning conditions 	Development Consent Order: <ul style="list-style-type: none"> • Pre-app is statutory (for now) • Acceptance of DCO • Pre-examination • Examination • Ex A recommendation • SoS decision • Discharge of requirements

Defining an NSIP

- Legally defined in **Planning Act 2008**
- “Infrastructure” = one of five types
 - **Energy** (power stations, solar & wind farms, pylons & pipelines)
 - **Transport** (airports, seaports, highways and railways)
 - **Water** (dams & reservoirs & pipelines)
 - **Waste water** (WWTW, sewerage systems and storage)
 - **Waste** (Hazardous waste facilities, incinerators)
- “Nationally significant” = BIG
 - Energy generating station is 50+ MW onshore (rising to 100+ MW)
 - Electric lines are 132KV+ and/or over 2km long
 - Highways have an area of development over 15 Ha

Consenting an NSIP

- Permission through **Development Consent Orders (DCO)**
 - Decision by relevant Secretary of State – DfT, DESNZ, Defra
 - Advised by PINs, who form an Ex A
 - Host and neighbouring LAs are statutory consultees
- DCOs are Statutory Instruments with a range a powers:
 - Planning permission
 - Compulsory purchase
 - Work on highways and streets
 - Listed building consents
 - Tree felling/lopping
 - Power to enter land and survey

Super permission - one stop shop providing all the powers or authority for a scheme, but environmental permits & marine licences

Policy Framework

- National Policy Statements (NPS):
 - Overarching need for infrastructure
 - How applications are assessed
 - How impacts and mitigations are judged
- Policy for all categories of NSIPs:
 - Energy produced by DESNZ (6)
 - Transport produced by DfT (3)
 - Water, waste-water and waste produced by Defra (4)

Where NPS are up to date, the PA2008 generally **removes the right to question the need for a NSIP**, ie need has been established by Ministers

The DCO Process



Avg 1–2 years	Max. 28 days	Circa 3 month	Max. 6 months	Max. 3 months	Max 3 months (plus 6 wks)
1. Pre-application	2. Acceptance	3. Pre-examination	4. Examination	5. Recomm'd'n	6. Decision (& window for JR)
Duty on applicant to consult on proposals, work begins on detailing impacts	Applicant applies to PINS who decide if to accept Key docs: DCO, Planning Statement, Explanatory Memorandum	ExA appointed, Persons register as an Interested Party & make Relevant Reps Prelim meeting held	A written process – ie IP Make WR (views in writing), local authorities thru LIR, SoCG, responding to questions, tight deadlines!	ExA must prepare a report and make a recommend'n to SoS	SoS decides whether to grant or refuse and after this there is a 6 week period for any challenges in High Court

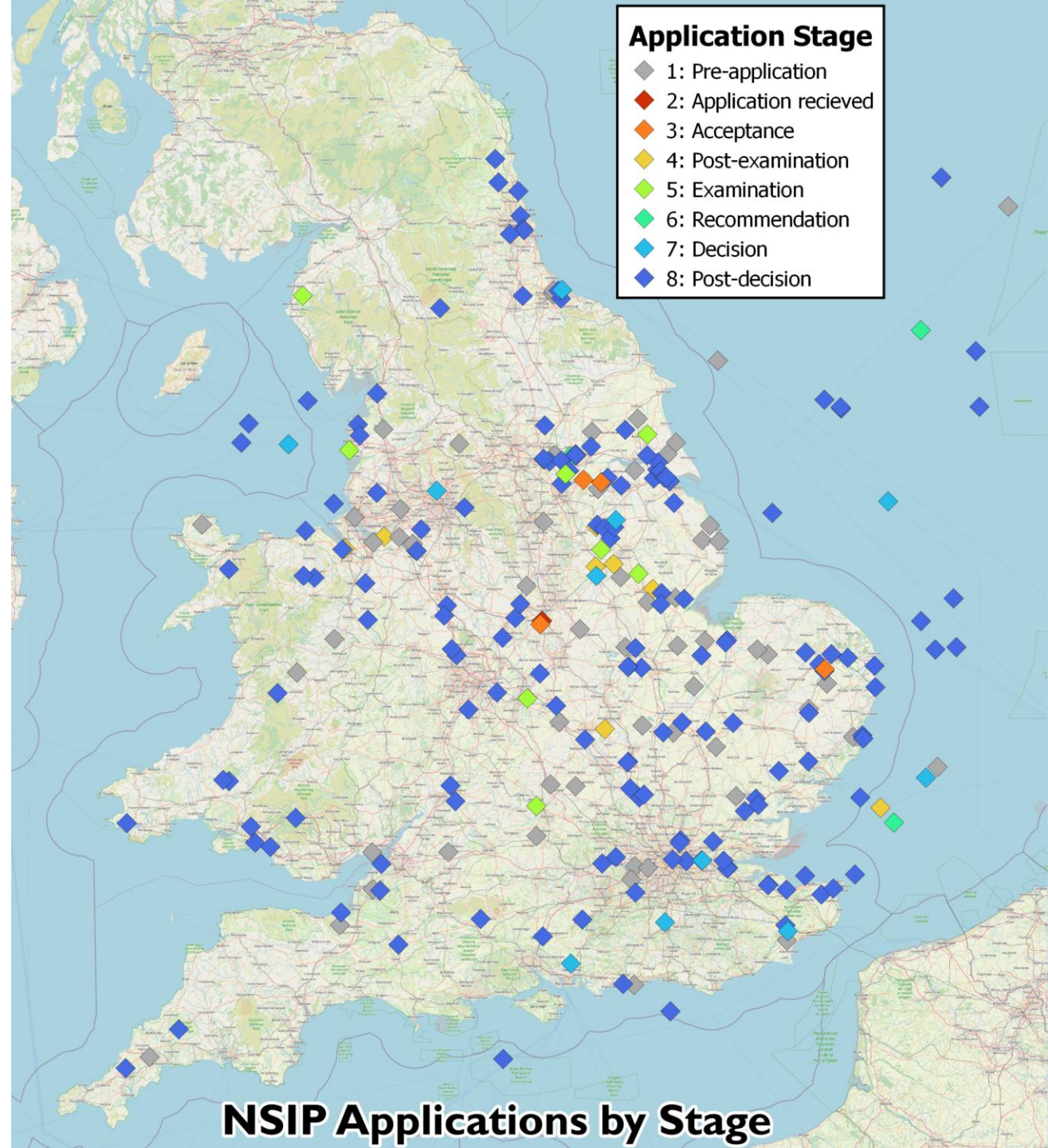
Some anomalies/complications

- **On-shore wind** – removed (2016) but are returning at 100 MW threshold
- **Housing** – can be consented where it relates to an NSIP (2017)
- **Section 35 of PA 2008** – Secretary of State can define a project as nationally significant, including business and commercial projects (2013)
- Decision based on whether projects has:
 - significant economic impact, driving growth in the economy
 - impact across an area wider than a single local authority area
 - physical size
 - helps delivery of another NSIP
- Plans **for data centres, gigafactories, and laboratories** to be capable of being directed into the NSIP consenting regime
- PROJECTS FOLLOW THE SAME PROCESS AS ANY OTHER NSIP

NSIPs now

- **Business & Commercial - 2**
- **Energy – 186**
- **Transport – 73**
- **Water – 7**
- **Waste & hazardous waste – 3**
- **Waste Water – 2**

September 2025



NSIPs in the future

- **Mission led Government**
 - Clean energy superpower
 - Fast track 150 NSIP decisions
- **Broaden the regime**
 - Data centres, gigafactories and laboratories
 - Onshore wind
- **Raise thresholds**
 - 50MW to 100MW
- **Energy system planning**
 - Strategic Spatial Energy Plans
 - Regional Energy Strategic Plans

The failure of the planning regime has not just left us without the homes we need. Britain also lacks other key infrastructure ... such as transport and energy, or gigafactories and data centres needed for industries of the future.

HM Government Plan for Change, December 2024

Learning from experience: a local authority journey

**Bron Curtis, Babergh DC
& Mid Suffolk DC**



Where we started

- Slow moving projects, one at a time over long periods.
- Ad hoc working, around usual DM workload.
- Different officers.
- Highly reactive.
- Learning on the job.
- Inconsistent files and recording.



Challenges

- Rapid increase in projects
- New process and system needs
- Lack of experience
- Time and resources
- Meeting PPA commitments
- Political dynamics
- Changing needs and priorities



What we're doing

- NSIP lead officer
- Collaborative working – LPA meetings.
- Co-authored/commissioned work – Waveney Valley study
- Joint submissions (change requests, LIR, etc.)
- Shared technical resource
- Shared support and project management
- Joint support for Parish Councils
- Lessons learned reflections



Benefits

- Strengthened and new relationships
- Knowledge sharing and learning
- Testing and refinement of procedures and practice
- Improved service resilience
- Cost recovery opportunities
- Growth and development of team



How we're growing

- Training more staff
- Allowing space / time for ongoing reflection
- Regularly inviting feedback from stakeholders
- Seeking learning and sharing opportunities
- Testing and evolving systems and processes
- Regular review of service quality and need to refresh business case



Opportunities

- Skills and resource gaps identified
- Learning and development opportunities
- Application to other / new NSIP work
- Evolving systems and processes
- Fostering relationships with communities and councillors
- Network of contacts to call on



Leveraging NSIPs for local gain

Mark Woodger, Essex County Council



Essex County Council



Setting the Scene at ECC:



Growth and Development Team in place since Q4 2018



Team put in place to primarily deal with large developments in Essex including Garden Communities; this was in the policy formulation stage and there was virtually no NSIP activity



Focus was on developing our single response letter on major planning applications



We had a single NSIP, M25 J28

Since 2018 what DCO's do we have:

M25 J28

Bradwell B
Nuclear Power
Station

Lower Thames
Crossing

Bramford to
Twinstead

A12 to A120
highways
works

Longfield Solar
Farm

Five Estuaries
Offshore
Windfarm

North Falls
Offshore
Windfarm

Rivenhall
IWMF

Norwich to
Tilbury

NSIP Team Now



How has the service developed?

Developed a specialism in dealing with NSIPs

Raised the profile of the Team within ECC and partnership Authorities

Publish our policy online in how we deal with NSIPs and what we expect them to include

Negotiate proactively to ensure that ECC's costs are re-imbursed by the applicants Team as engagement on NSIPs is discretionary

Recruited numerous staff to deal with increased workloads from a variety of specialisms

Develop tools to ensure we record and respond to submissions on time

Published a policy on Highways and Transportation impacts

What we have achieved:

Proven track record of dealing with NSIPs on time and within budget.

Ability to successfully negotiate on PPAs.

Have experienced staff in place to support huge upturn in workloads

Forged good working relationships with PINS, PAS and neighbouring Authorities

Commissioned report on Social Value & Community Benefits

Published report on Viability of asking for 20% BNG for NSIPs

A dark, misty forest path with tall trees and a bright light at the end of the path. The scene is dimly lit, with a soft glow emanating from the end of the path, creating a sense of mystery and depth. The trees are tall and thin, their trunks forming a vertical rhythm. The ground is covered in a layer of brown leaves and moss, suggesting a quiet, undisturbed natural space.


**Welcome to the world of
Community Benefits**


What are Community Benefits?

Community benefits are tangible, lasting advantages offered to local communities. These benefits, ranging from monetary funds to skills training and shared ownership, and they aim to increase community acceptance and support for these often large and disruptive projects. NSIP reform efforts focus on making community benefits more consistent, transparent, and potentially mandatory to ensure communities benefit fairly from hosting new infrastructure.




What can they do?

- Community benefits can significantly increase local support for infrastructure projects.
 - Higher community acceptance can lead to a smoother and faster consenting process.
 - Fosters better engagement and more positive, lasting relationships between developers and communities.
 - Aims to provide a consistent and transparent framework for communities to understand and receive benefits, creating a level playing field.
 - The consultation document in May 2025 sets out the direction of travel whereby Community Benefits packages are being developed
- 



However,
there are
some
problems:

- Currently Government provides advice that Community Benefits are necessary but are not mandatory
 - There is a groundswell of opinion that communities see this as they are being bought off
 - There has been much made in the press of the value of Community Benefit packages, but host communities do not know what this means
- 

What ECC has done so far:



Negotiated a CB package on a solar farm.



Set up a relationship with the Essex Community Foundation.




Starting to discuss CB packages with 2 offshore wind proposals, and an electricity transmission NSIP.



Working with local communities to set out what could be achieved.



Lessons to be taken forward:

- ECC, similar to North Kesteven who have a policy in place, is currently in the process of receiving a commissioned report on Community Benefits, which will set up our own in-house policy which we will publish on the web
 - Setting Community Benefits packages as mandatory rather than discretionary will help massively
 - PINS are showing an interest now in Community Benefit packages
- 



Lessons to be taken forward:

- Ensure you have committed and resourced staff in place
- Provide training for staff
- Take Members along for the ride
- Celebrate and publicise wins achieved on Community Benefit packages, make planning good news
- Keep your relationship with scheme promoters close
- If Community Benefit packages are mandatory, then make these material planning considerations which can be discussed at Hearing if not agreed as part of a Statement of Common Ground



Importantly:



Lastly:



Statistically 95% of all DCO receive Consent, so get over it and focus on what wins you can achieve.



Such wins can have a generational change to the communities that host NSIPs and make a significant contribution to their wellbeing.



Be open in your discussions with community groups, Parish Councils and the like.



Use Basecamp as a resource, whatever your query is ask, someone will have an answer

Questions and discussion via Slido

Useful sources of Information

- The [NSIP Hub](#) hosted by Planning Inspectorate
- Planning Inspectorate [advice for local authorities](#)
- PAS [project on NSIPs](#) and network for local authorities
- [NSIP Centre of Excellence](#) hosted by Suffolk
- Full list of current [National Policy Statements](#)

Email pas@local.gov.uk

Web www.local.gov.uk/pas

Finally thank you for joining



Please fill out feedback polls in Slido

1. Have you found today's event helpful?
2. Have you attended a PAS event before?
3. To what extent do you agree that *The content presented during this session improved my understanding of the topic and provided insights I can apply or share with my team*



- SPARE SLIDES

Pre-application Stage

- Importance of early engagement – frontloaded process
- Is the LPA a Host Authority or Neighbouring Authority (PA2008 Section 43)?
- Agree a Planning Performance Agreement (PPA)
- LPA engagement – input from LPA specialists / SoCG / PADSS
- Statement of Community Consultation (SoCC)
- EIA Scoping consultation – led by PINs
- Preliminary Environmental Information Report
- Start the Local Impact Report
- End of Pre-App Stage – DCO submitted for acceptance

Roles of a local authority

Minimum statutory role, but many significant potential roles:

- Preparing a Local Impact Report (LIR)
 - highways, landscape, environment, noise, construction phase
- Supporting community engagement and communication
 - commenting on adequacy of consultation (Gunning Principles)
- Identifying and negotiating Community Benefits
- Pre-examination & examination
 - Attending meetings
 - Making written representation, responding to ExA questions
 - Developing and agreeing SoCG and PADSS
 - **Intense period of effort, document heavy with and tight deadlines**
- Post decision - discharge of requirements and more