



NSIP Centre of Excellence Conference

17 June 2026, The Hold



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Influence Insight Impact

Opportunities for local authorities to engage with impact in nationally significant infrastructure projects

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RTPI President



Why this matters now

The context is changing fast



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- Nationally Significant Infrastructure planning reform is accelerating
- Government wants faster consenting and delivery
- But local legitimacy and local confidence matter more, not less
- Local authorities and elected members need to be engaged earlier, well informed, sharper and more strategic

“Faster process should not mean thinner place intelligence. In fact, if timescales tighten, local authority and local place and people insight becomes more valuable.”

Where local authorities really matter

The role is wider than many people assume



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- Pre-application: shape the proposal
- Acceptance / examination: formal evidence and scrutiny
- Post-consent: discharge, monitor, enforce, explain
- Communication and Community trust runs through the whole lifecycle

Opportunity to transition

from: “we respond when asked and react.”

to: “we are place-shaping with responsibilities before, during and after consent to deliver good outcomes for all”

The three opportunities

Influence

shape the scheme before positions harden –
co-design and maintain dialogue

Insight

bring local insight and evidence no one else
can

Impact

secure better outcomes through delivery,
mitigation and accountability



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Opportunity 1: Influence

Influence is greatest before the application is fixed



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- Engage early and systematically – bring all disciplines together – Cost recovery (8 June 2026)
- Enable and build capacity in communities affected
- Use local knowledge to shape the proposal
- Get governance and delegation sorted early
- Focus on issues that matter later in delivery

“By examination, positions are argued and can become entrenched, and change is costly and challenging.

In pre-application, outcomes can still be shaped.”

Opportunity 2: Insight

Local authorities bring the knowledge and evidence base that makes national decisions locally intelligent



- Local Impact Report (must have regard to Secretary of State Guidance) is only one part of the story
- Relevant and Written Representations, Statements of Common Ground, Principal Areas of Disagreement, response to Written Questions – Preparation key
- Local authorities hold the best place-based intelligence – use it to agree where possible
- Environmental health, highways, design, cumulative effects, social effects
- Understand the Development Consent Order and National Policy (it is not a planning permission!)
- Insight makes mitigation more focussed and effective and delivery more realistic

“The best local authority contribution is not simply to describe or assert impact. It is to make impact legible, evidenced and manageable and maintain dialogue.”

Opportunity 3: Impact

The real test is what communities experience after consent during construction and operation



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- DCO granted \neq job done!
- Delivery stage is where confidence is won or lost
- Councils are central to monitoring, discharge and enforcement - Resources
- Community communication and trust is a strategic asset

“Communities do not live in the development consent order and critical nationally significant infrastructure is not delivered by consent alone.

Communities live with the construction traffic, the noise, the uncertainty but also the benefits and outcomes secured.”

Reform

Risk or Opportunity for local authorities?



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What the latest changes mean:

- Less statutory pre-application consultation is coming very soon
- Better more meaningful and effective engagement is still expected
- Guidance, not box-ticking, will matter more
- Local authority capability and capacity becomes even more important

“You have less guaranteed process leverage, so the quality of your engagement matters more.”

Five practical moves for local authorities

A local authority playbook



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Start early



Organise internally
and build capacity
and shared
knowledge



Be evidence-led and
focus on the things
that can be
influenced



Focus on
deliverability and
outcomes



Treat community
communication and
trust as critical
infrastructure –
including elected
representatives



A stronger local role makes a strong national system



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Projects of National Significance involve tension between national need and local impact

local authorities are uniquely placed to make that tension **productive rather than destructive**.
Bringing democratic legitimacy, local knowledge and evidence, delivery realism and community communication and trust

In a faster, more reform-driven infrastructure planning environment, those assets become more important, not less

Opportunity for local authorities is clear:



**‘Nationally
significant’
should never mean
locally invisible!**

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Department for
Energy Security
& Net Zero

DENSZ Post Consent Unit

David Wagstaff OBE

*Deputy Director, Energy Infrastructure Planning Delivery,
Department for Energy Security and Net Zero*

The Nuclear Task Force Review

FEBRUARY 2025

Taskforce announced

The Prime Minister announces the Nuclear Regulatory Taskforce to reform civil and defence nuclear regulation — targeting faster delivery and better value for money.

NOVEMBER 2025

Review published

The Regulatory Review is published with 47 recommendations, including Recommendation 30: DESNZ (and MOD) to establish a unit that discharges DCO requirements.

MARCH 2026

Government response

The Government publishes its formal response — accepting Recommendation 30 and committing DESNZ to stand up a dedicated post-consent delivery unit to cover Nuclear and Electricity Networks.

RECOMMENDATION 30 ACCEPTED

Establish a unit to discharge Development Consent Order (DCO) requirements

DESNZ will establish a new unit within its Infrastructure Planning Delivery team to consolidate and deliver post-consent discharge functions in consultation with Local Authority Planning Departments. This will speed up decisions on the meeting of post-consent requirements. This will be focussed initially on nuclear power and electricity networks projects, with a view to extending this to other types of energy projects if evaluation of its effectiveness supports its expansion.

Background

What is the Post Consent Unit

- A team within DESNZ's Planning Delivery service
- It will discharge most post-consent conditions for network and nuclear DCOs
- It will comprise of planners, environmental managers and technical advisors
- It aims to be operational by Autumn 2026
- A post consent unit has already been established in the Department for Transport

Background

What are the advantages of having a Post Consent Unit?

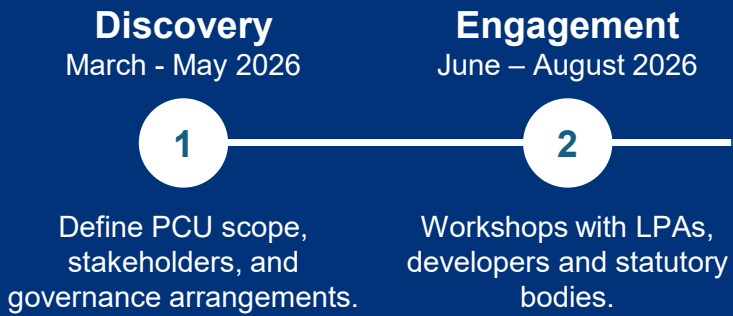
- Many network DCOs cross multiple local planning authority boundaries and are likely to have many post consent requirements to fulfil
- To discharge these efficiently will require co-ordination
- Discharge processes are currently not standardised - there is opportunity to standardise procedures and create certainty and transparency for all parties
- The volume of network DCOs is increasing: whilst just 2 have been decided since 2020, there are 15 DCO applications expected between 2026-29
- The resource demands of discharging post-consent requirements will therefore increase - centralised discharging supports efficient use of resources and supports the drive for new critical energy infrastructure
- DESNZ already discharge some post-consent conditions for DCOs, and will build on this experience

Background

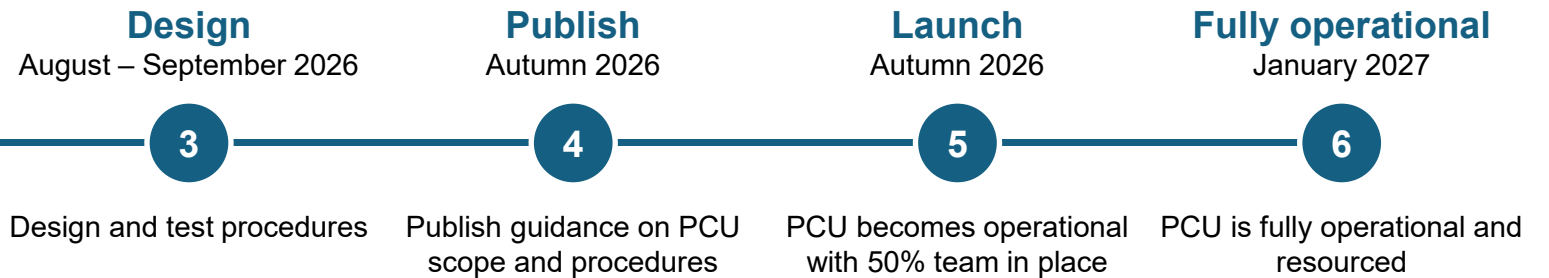
How will the Post Consent Unit operate?

- DESNZ will engage and consult with local planning authorities. It is not intended to replace the provision of local specialist knowledge
- Operating procedures will be influenced and informed via stakeholder workshops ahead of implementation
- The PCU will have transparent procedures and publish guidance on them
- DESNZ is developing a funding model to introduce full cost recovery for energy infrastructure planning delivery and consenting work, to be in place FY 2027/28

Roadmap



Post Consent Unit



Engagement

Who are we talking to?

- Local Planning Authorities who have discharged post consent conditions for energy DCOs since 2018
- Developers who have been granted energy DCOs since 2018
- Statutory bodies
- Department for Transport

Q&A

SHARPE PRITCHARD

NSIPs: a legal update

Emyr Thomas
Partner & Parliamentary Agent

17 June 2026



Contents

- Mandatory BNG for NSIPs
- Pre-application consultation / engagement
- Streamlining judicial review procedures
- Other changes

Mandatory BNG for NSIPs

From **2 November 2026**, every DCO application will be required to deliver a **10% uplift** in biodiversity value over the pre-development baseline.

Introduced by s.99 and Sch.15 of the Environment Act 2021, inserting a new Schedule 2A into the Planning Act 2008 and creating the framework for sector-specific **Biodiversity Gain Statements (BGSs)** and the biodiversity gain objective.

Primary provisions commenced on **7 May 2026** (SI 2026/492); BGSs for all NSIP types laid before Parliament in **June 2026** and carry NPS-equivalent policy weight.

Further secondary legislation and DEFRA guidance (procedure, phased plans, exemptions, discharging authority) **due over summer 2026** ahead of go-live.

Trigger is the date of submission – earlier DCO applications and changes to existing DCOs are unaffected.

How the regime operates

Stage 1 – Pre-application & application. Applicant calculates baseline and post-development values using the statutory metric, engages LPAs, and submits an Outline Biodiversity Gain Plan (OBGP) and draft DCO Requirements with the application.

Stage 2 – Examination. ExA tests the OBGP against the relevant BGS; under ss.104–105 PA 2008 the Secretary of State cannot grant consent unless satisfied the biodiversity gain objective is met i.e. to achieve a 10% biodiversity net gain in accordance with the BGS. Requirements to ensure BNG secured.

Stage 3 – Post-consent. Before commencement (or each phase), an updated/phased biodiversity gain plan must be approved by the discharging authority – usually the host LPA.

Delivery hierarchy. On-site gains and registered off-site units used in the first instance; statutory biodiversity credits available only as a last resort.

Long-term Maintenance. Significant on-site gains must be secured and maintained for **30 years** from completion of habitat works – via DCO requirements, planning obligations or conservation covenants. Registered off-site gains are secured via separate legal agreements with LPAs or ‘responsible bodies’ for the off-site area concerned. After 30 years, ongoing habitat maintenance of NSIP’s lifetime.

NSIP BNG vs TCPA BNG

The Government's consultation outcome, published in April 2026, confirmed a number of key differences between the DCO BNG regime and the legislative framework for BNG which has applied to TCPA development since 2024:

- **BNG boundary, not red line.** Unimpacted habitats within the DCO order limits do not have to be in the baseline; the 10% applies to a narrower “BNG Boundary”.
- **On-site and off-site on equal footing.** Under NSIP BNG hierarchy, registered off-site units can be used in the first instance alongside on-site gains; statutory credits remain a last resort.
- **Longer window for temporary impacts.** Some habitats which are temporarily disturbed and then restored to their previous type and condition can be treated as “retained” (so do not count as a loss). The window to reinstate is extended from 2 years (TCPA) to 5 years for low and very low distinctiveness habitats on NSIPs.
- **Non-Significant Gains:** Other retained habitats will not count as “significant gains” – meaning the duty to manage and maintain the land for 30 years after the restoration of the habitat will not apply to such areas.
- **Spatial risk multiplier relaxed.** Disapplied for area-based off-site units across any LPA area, national character area or Marine Plan Area the BNG boundary sits in (retained for watercourses) – meaning developers will not be penalised in the statutory BNG metric when using registered units from further afield.

Pre-application consultation / engagement (1)

Planning & Infrastructure Act 2025: Royal Assent – 18 December 2025.

Section 5 removes the statutory requirement in the Planning Act 2008 for applicants to consult local authorities, statutory bodies, landowners and communities before submitting their application –

- 5 **Applications for development consent: removal of certain pre-application requirements**
- Omit the following sections of the Planning Act 2008—
- (a) section 42 (duty to consult);
 - (b) section 43 (local authorities for purposes of section 42(1)(b));
 - (c) section 44 (categories for purposes of section 42(1)(d));
 - (d) section 45 (timetable for consultation under section 42);
 - (e) section 47 (duty to consult local community);
 - (f) section 49 (duty to take account of responses to consultation and publicity).

Pre-application consultation / engagement (2)

Planning & Infrastructure Act 2025: section 6(5) amends s.46 of the Planning Act 2008 –

- (1A) The applicant must supply to each host local authority—
- (a) the information specified in subsection (1C), and
 - (b) such further information as may be prescribed.

- (1C) The information referred to in subsections (1)(a), (1A)(a) and (1B)(a) is as follows—
- (a) the applicant's name and address,
 - (b) a statement that the applicant intends to apply for an order granting development consent,
 - (c) a statement about why development consent is required for the proposed development, specifying the relevant provision of Part 3 (or referring to a direction that has been given under section 35), and
 - (d) a summary of the proposed application, specifying the location or route of the proposed development.”;

Pre-application consultation / engagement (3)

Planning & Infrastructure Act 2025: section 6(7) places a new guidance-issuing duty on the Secretary of State –

(7) For section 50 substitute—

***50 Guidance about pre-application steps**

- (1) Applicants must have regard to any guidance issued by the Secretary of State to assist them in complying with section 48.
- (2) The Secretary of State must issue guidance to assist applicants, setting out what the Secretary of State considers to be best practice in terms of the steps they might take in relation to a proposed application in readiness for submitting an actual application.”

Pre-application consultation / engagement (4)

Consultation on streamlining infra structure planning (1 September – 27 October 2025)

11. Our objectives are to **reduce the amount of time projects spend in pre-application**, while retaining well-developed applications moving through the NSIP regime. We aim to achieve this by reforming the pre-application stage to:

- **focus on the outcome of delivering well-developed applications supported by a more meaningful approach to engagement**, rather than focusing on the operation of statutory processes and requirements
- increase flexibility for applicants and those they engage to balance their engagement on an application based on the individual nature of the project, as opposed to a one-size-fits-all approach.

14. In taking the above approach, **guidance would not establish step-by-step, detailed expectations of practice, but assist applicants with practical advice** on how applicants might choose to consult and engage, while being clear that it is for applicants to judge how best to approach particular projects.

Pre-application consultation / engagement (5)

Consultation on streamlining infra structure planning (1 September – 27 October 2025)

Factors for applicants to consider in preparing applications ... could include –

- Prioritise front-loading, so applications are well-developed by the time they are submitted
- Proportionate, so that applicants can identify and understand issues that must be explored, addressed and decided during the NSIP process to enable the application for consent to be determined ... While informal, light-touch engagement may be sensible, multiple rounds of non-statutory consultation should be avoided. [para 16]

18. Guidance could recognise that undertaking engagement and consultation could increase the likelihood of a smooth examination process, and help to ensure that potential impacts of projects can be understood, mitigated and, where possible, resolved in advance and support final consenting decisions.

Pre-application consultation / engagement (6)

Consultation on streamlining infra structure planning (1 September – 27 October 2025)

31. ...Local authorities can use [their expertise of the local community, businesses and other interests, as well as responsibility for the development of their local area] to support applicants in developing proposals, ensuring local issues are understood and taken into account.

32. ... Guidance could ... remind applicants that it is useful to engage with local authorities at the pre-application stage so that they can develop a shared understanding of the potential impacts of their proposed development, how these may be raised during examination, and how they might be addressed before submission, **including through proposed requirements**. This will help to deliver a robust and informed application and help make post-consent smoother and more efficient.

33. ... local authorities have a political and leadership role, which can support applicants to understand likely community views. We understand that this political function can sometimes impact the ability of local authorities to provide technical advice to applicants. To address this, **guidance could make clear that local authorities should still engage fully with applicants on technical matters, and that this will not later prejudice any views expressed by the authority about the merits of the project** [during the examination].

Pre-application consultation / engagement (7)

Streamlining infrastructure planning: implementation plan (23 March 2026)

“In order to comply with the new requirement under section 50 of the Planning Act to issue best practice guidance about the steps applicants might take as they prepare DCO applications, we plan to replace existing guidance with new guidance on pre-application, acceptance, and content of a DCO application. Given the importance of this guidance to support the removal of the statutory requirement to consult at the pre-application stage, ***we plan to publish this guidance before it comes into effect, prior to broader guidance being updated and the legislative changes currently due to be made in summer. Revised guidance should not be relied on until the Planning Act amendments and secondary legislation come into effect, and this will be made clear when the guidance is published***”.

Streamlining judicial review procedures (1)

Section 118(1) of the Planning Act 2008 permits a challenge to the grant of a DCO to be made by JR if the claim form is filed before the end of the period of 6 weeks beginning with the day after the DCO is published

...

Lord Banner KC's review of challenges to NSIPs –

“...there should be two opportunities to obtain permission: one in the High Court and one in the Court of Appeal.”

...The Civil Procedure Rules Committee ... should be invited to introduce amendments to the CPR to provide that, **in judicial review cases challenging a DCO, the question of whether permission should be granted shall proceed in the High Court straight to a hearing with no prior written stage.** The target timescale for the oral hearing in the High Court should be within 4 weeks of the deadline for the Defendant and any Interested Parties to file their Acknowledgment of Service. The target timescale for the Court of Appeal's determination of an application for permission to appeal against the refusal of permission to apply for judicial review should also be 4 weeks.”

Footnote 88: **“There are likely to be other knock-on adjustments (for DCO cases) to the various deadlines for the submission of documents by the parties in Court of Appeal proceedings.”**

Streamlining judicial review procedures (2)

Section 13 of the Planning & Infrastructure Act 2025 (in force: 18/2/26) –

13 Planning Act 2008: legal challenges

- (1) In the Senior Courts Act 1981, in subsection (1) of section 18 (restrictions on appeals to Court of Appeal), after paragraph (c) insert—
 - “(ca) from a refusal of permission to apply for judicial review in a case within section 13 or 118 of the Planning Act 2008 (proceedings relating to national policy statements or development consent), if the High Court decides that the application for permission to apply for judicial review is totally without merit;”.
- (2) The power to make Civil Procedure Rules must be exercised so as to secure that Civil Procedure Rules include—
 - (a) provision requiring an application for permission to apply for judicial review in a case within section 13 or 118 of the Planning Act 2008 (proceedings relating to national policy statements or development consent) to be decided at an oral hearing;
 - (b) provision that the court may, at the oral hearing of such an application, decide that the application is totally without merit.

Streamlining judicial review procedures (3)

Stonestreet Green Solar project JR

Aldington and Bonnington Parish Council applied for judicial review of the Stonestreet Green Solar DCO.

First example of s.13 Planning and Infrastructure Act 2025 being used.

Application considered at an oral permission hearing on 23 April 2026 and there was no paper stage. (Follows new paragraph 3.7 in Practice Director 54D).

Challenge concerned (i) heritage matters, (ii) consistency with an appeal decision for another solar farm, and (iii) the reasons given by the ExA and SoS.

Judge held that the application was **totally without merit**, engaging s.13 and the new restriction on appeal to the Court of Appeal.

Streamlining judicial review procedures (4)

R (Luton and District Association for the Control of Aircraft Noise) v Secretary of State for Transport (Court of Appeal, 21 May 2026)

CPR 52.12 – lays down the time limit for applying to CoA for permission to appeal.

Often 21 days, with particular time limits in Practice Direction 52D.

Paragraph 17.3 of PD 52D –

“(1) The target timescale for determining an application for permission to appeal in a nationally significant infrastructure project appeal is four weeks from the filing of an appellant’s notice. (2) Where permission to appeal is sought in a nationally significant infrastructure project appeal— (a) the appellant’s notice is to be filed within seven days of the decision being appealed; ...”

Streamlining judicial review procedures (5)

R (Luton and District Association for the Control of Aircraft Noise) v Secretary of State for Transport

JR challenge dismissed – 8 Dec. 2025; Time limit for appeal expired – 15 Dec. 2025

Appellant Notice filed – 24 Dec. 2025; Application for extension of time made – 22 Jan. 2026

“... It is ... pertinent to take into account that the very purpose of the 2008 Act (and the procedural changes made by both section 13 of the Planning and Infrastructure Act 2025 and the changes to the CPR and the Practice Direction) **was the speeding up of delivery of NSIPs free from legal challenge.** Second, it is well-established that overlooking a deadline is not a good reason for a failure to comply with the rule. Nor is ignorance of the time limit, let alone ignorance of the time limit by a specialist legal team ... [para 17]

I consider that this court must send out a clear message that delays in an appeal involving NSIPs are unacceptable [para 26]

Streamlining judicial review procedures (6)

Getting Britain Building: Reforming judicial review for infrastructure (HM Treasury, 20 May 2026)

“We are ... proposing to introduce two optional mechanisms to the current process for consenting NSIPs – subject to detailed design and the passage of underpinning legislation – which would allow for proportionate protection from judicial review:

a. a parliamentary authorisation mechanism, which would be intended to provide the greatest degree of legal certainty for a narrow category of the most critical energy projects identified on a case-by-case basis by the Energy Secretary, and where Members of Parliament then judged this appropriate; and

b. a challenge window mechanism, which would allow Secretaries of State to respond in a more agile fashion to potential issues before finalising a planning consent, and limit the ability to raise other issues after the final consent was published.”

Streamlining judicial review procedures (7)

Proposal 1 –

“The normal process for submission and examination of the [DCO] would then continue – but with the final decision put before the House of Commons again at the end of the process, and a further vote held. If approved, the DCO would be afforded a distinct statutory status specified in the underpinning legislation, akin to an Act of Parliament. As a result, the DCO would be protected from judicial review on issues other than human rights grounds.”

Proposal 2 –

the “relevant Secretary of State would publish their draft decision, and as now a fixed window would then open during which any judicial reviews must be lodged. The Secretary of State would then have a period in which they could consider and address these issues before amending a final DCO. As a consequence, where any judicial reviews on the same grounds were subsequently pursued, the courts would have a clearer basis to refuse permission or relief – making use of the provisions already introduced via the Planning and Infrastructure Act on meritless claims. The law would also be changed such that the courts would refuse permission for a judicial review to proceed on any issues not brought up during the consent process or challenge window.”

Other changes

- Mandatory 5-year National Policy Statement updates
- New provisions for “opting out” of the NSIP regime
- Return of onshore wind into NSIP fold
- Increased solar NSIP threshold from 50 MW to 100 MW
- Increased importance of ExA’s IAPI
- Process for NSIP promoter to access land for surveys to be simplified



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Experience of a Local Authority Engaging with a Reservoir Scheme

George Gurney: NSIP Principal Planner,
Oxfordshire County Council





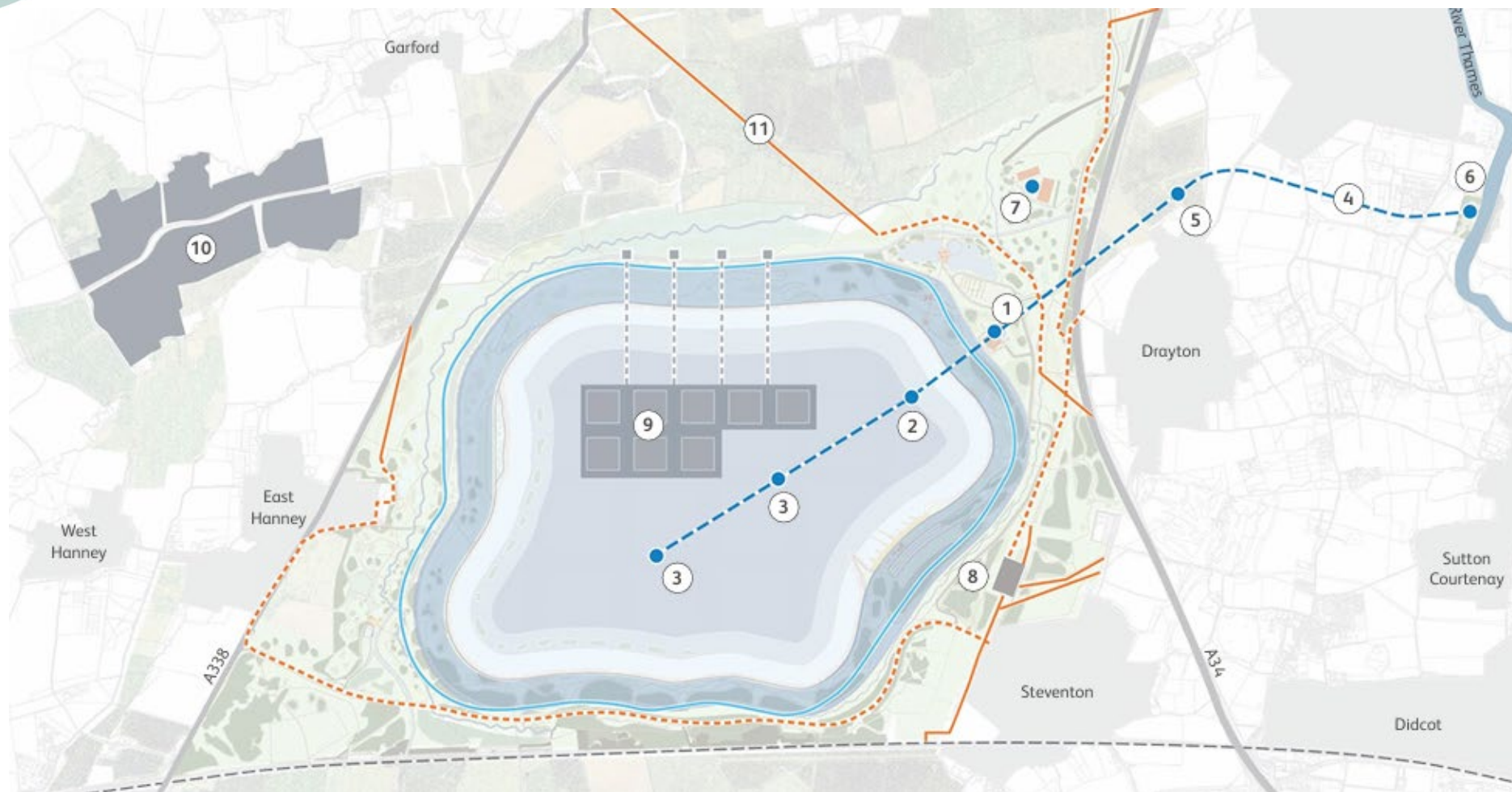
White Horse Reservoir- Overview

- Reservoir volume of 150 million metres cubed
- C.4km at its widest point
- C.14km circumference
- Fully bunded with bund height between 20-25m tall





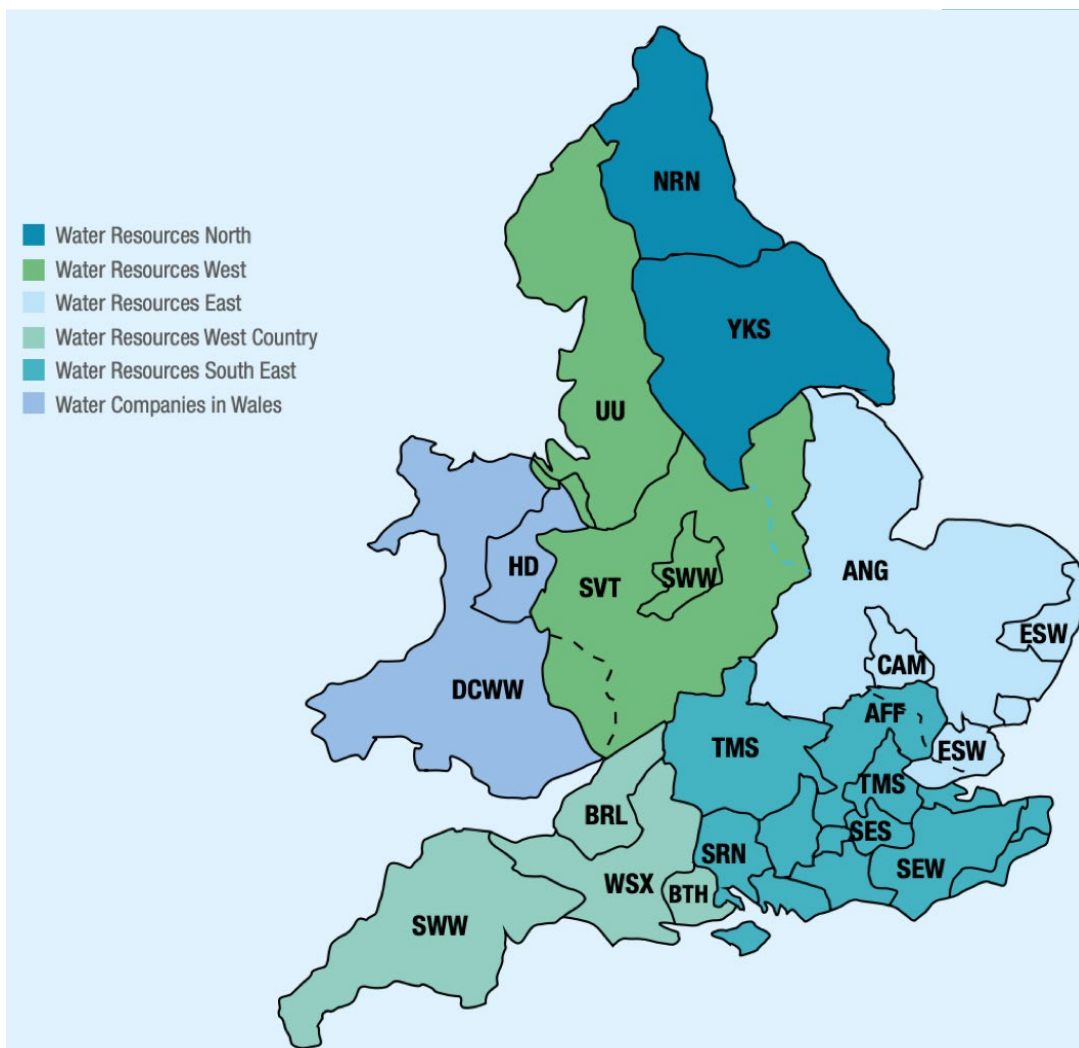
White Horse Reservoir- Infrastructure



- 1 Pumping station
 - 2 Primary reservoir tower
 - 3 Secondary reservoir towers
 - 4 River tunnel
 - 5 River tunnel intermediate shaft
 - 6 Intake/outfall
 - 7 Water treatment works
 - 8 Existing substation
 - 9 Floating solar
 - 10 Replacement solar farm
 - 11 Impacted existing utilities
-
- Operational infrastructure
 - Solar cabling (Buried)
 - Existing utilities
 - Proposed utilities diversions
 - Toe drain/maintenance track



Challenges: Regulatory Framework



- Water Resources Management Plans (WRMPS):
 - Water companies required to produce WRMPs under Water Industry Act 1991
 - Strategic plans secure the supply of water for customers
 - Minimum plan period 25 years, reviewed every five years.
 - Approved by Secretary of State
- Regional Water Resources Management Plans:
 - Introduced in 2020- approved in 2024
 - Larger strategic plans produced by groups of water companies.



Challenges: Regulatory Framework

- Paragraph 1.4.5 *'For nationally significant infrastructure projects included in a published final water resources management plan, the 'need' for that scheme has been demonstrated in line with government policy. The applicable statutory requirements, for water resources management planning and 'need' will not be revisited as part of the application for development consent.'*
- Paragraph 3.5.2- *'Information from the water resources management plan options appraisal process (and associated statutory assessments) will be relevant to demonstrate how alternative options have been considered'*



Department
for Environment,
Food & Rural Affairs

National Policy Statement for water resources infrastructure

July 2025



**OXFORDSHIRE
COUNTY COUNCIL**



Challenges: Regulatory Framework

Solutions in the RAPID programme

Solid line = water transfers
Dotted line = connection
Circle = source

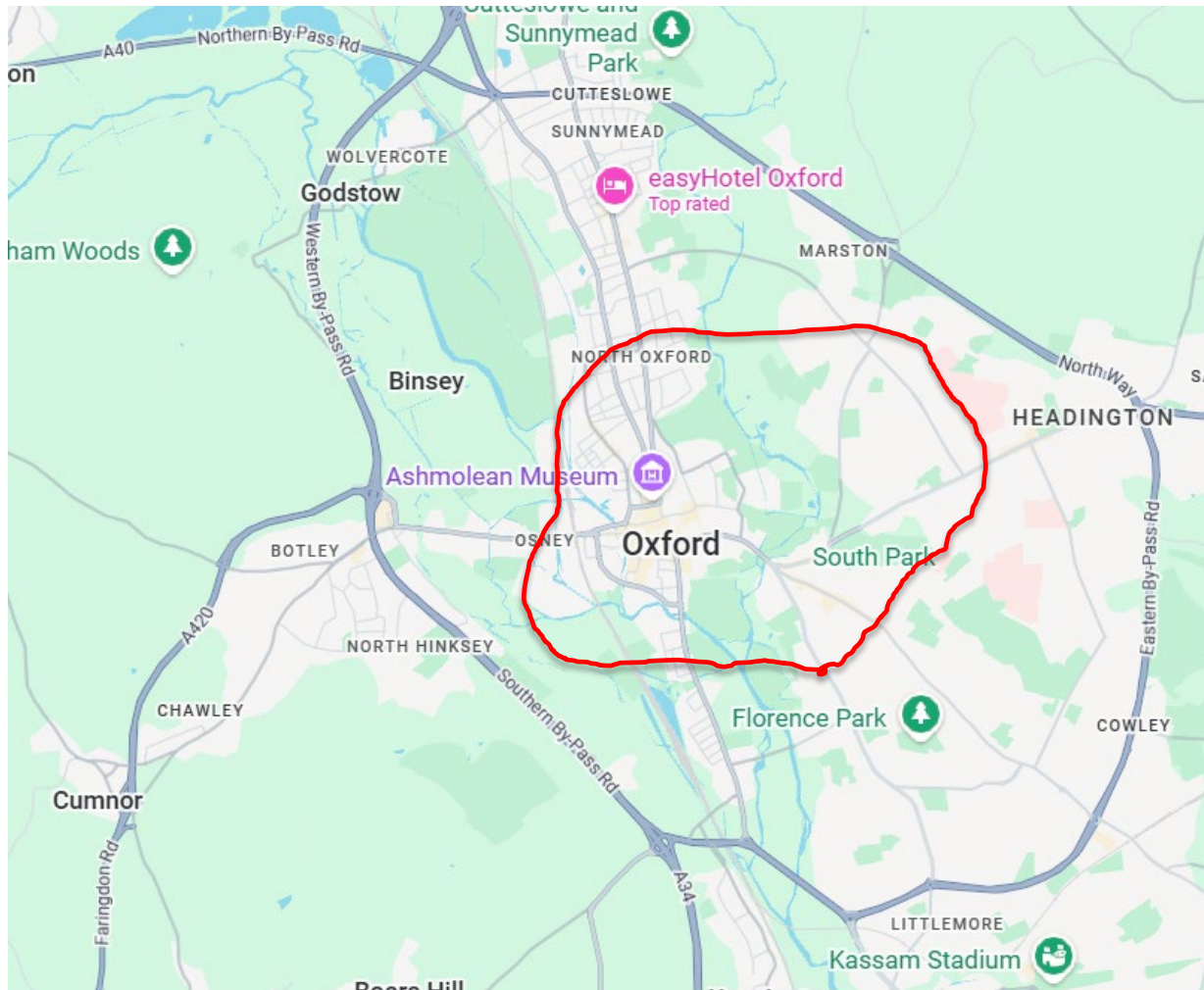
- Cheddar 2 reservoir and transfer
- Broad Oak reservoir
- Fens reservoir
- Lincolnshire reservoir
- Mendip Quarry reservoir
- New Arlington reservoir
- North Suffolk reservoir
- Rudyard reservoir and transfer
- South East Strategic Reservoir Option
- West Midlands raw water storage reservoir
- Bacton desalination
- Mablethorpe desalination
- London water recycling (Teddington DRA and Beckton)
- Hampshire transfer and water recycling
- Minworth water recycling
- Poole water recycling and transfer
- Severn Trent sources and transfer
- Grand Union Canal transfer
- Kielder SRO transfer
- Lower Thames to West London Reservoirs transfer
- Peterborough to Grafham transfer
- Severn to Thames transfer
- South Yorkshire sources and transfer
- Thames to Affinity transfer
- Thames to Southern transfer
- North West source and transfer
- Nottinghamshire mine water treatment and transfer
- Aylesford and Ford water recycling
- Sandown water recycling
- Colchester water recycling
- Lowestoft water recycling
- Sittingbourne water recycling

Regulatory Alliance for Progressing Infrastructure Development (RAPID)

- Partnership between– Ofwat, the Environment Agency (EA) and the Drinking Water Inspectorate (DWI)
- Strategic Resource Options are progressed through 4 gates.
- At each gate further funding is released to develop the solution.



Challenges: Scale and form



- Visualising the scale and resulting impacts
- Form results in unique issues:
 - Reservoir footprint results in total loss of environmental and socio-economic assets.
 - Ground water impacts
 - Major accidents and disasters
 - Scale of aggregates requirements and waste arising
 - Construction time and process
 - Operational leisure and tourism impacts
- Lack of recent precedent- both consent and construction
- Community benefits- is operational leisure opportunity sufficient?



Challenges: Engaging the public

- Local Members and Cabinet
 - Under significant pressure from residents to oppose development of this scale
 - Need to be informed on both the planning and regulatory issues
- Local Residents
 - Concerned about lack of certainty of impacts
 - Lack of clarity on the needs case and siting of the reservoir



Lessons learnt

- Engage with the Water Resources Management Plans and other regulatory processes
- Don't underestimate resourcing needs:
 - Agree a PPA early or think of other cost recovery mechanisms
 - Think about specialist that will be required- ground water, emergency planning ect
- Consider the impacts on displaced residents and businesses early:
 - Relocation Strategy
- Ensure Members are briefed by both the developer and officers
- Understand the Applicant's programme:
 - Regulatory system puts huge pressure on the applicant to maintain programme.

Opportunities



- Reservoirs can provide opportunities for:
 - Enhancing place
 - Economic Growth
 - Public health benefits
 - Green and blue infrastructure
 - Increased connectivity



Questions



Ministry of Housing,
Communities &
Local Government

NSIP Reform Implementation: and what this means for local authorities

Anna Payne and Aimee Smith—MHCLG



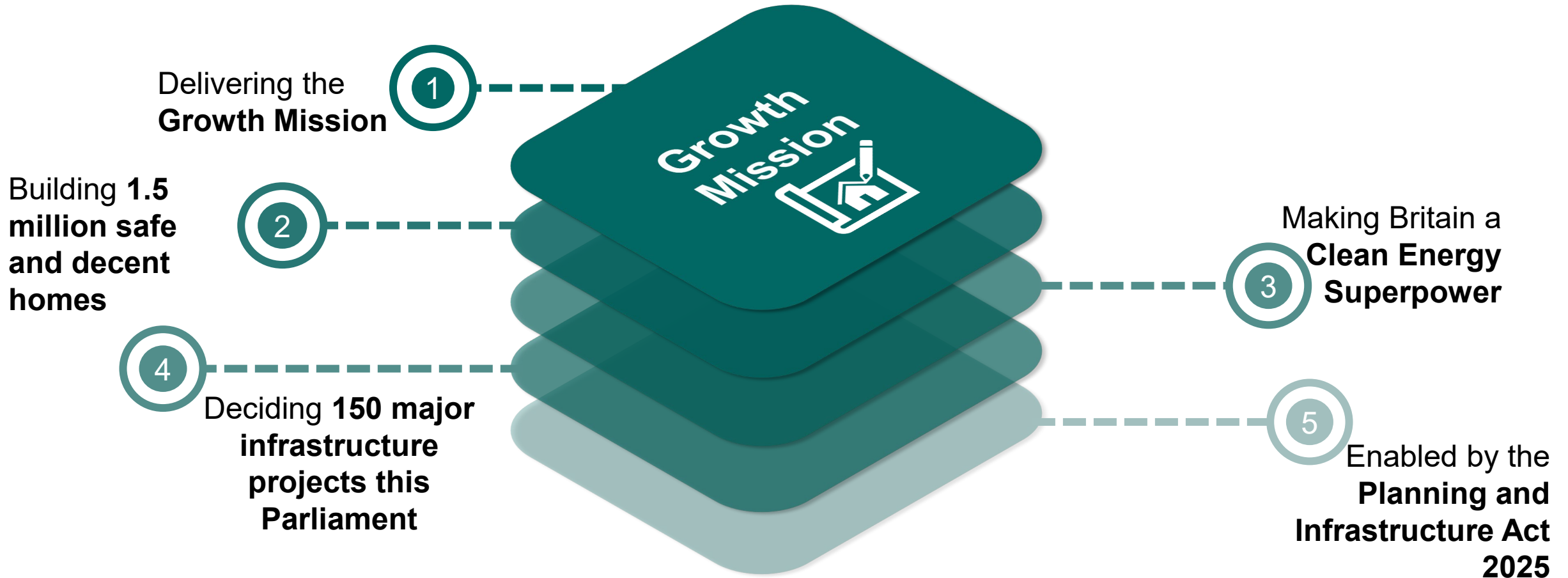
Why reform was needed

- The NSIP regime was delivering, but **too slowly and unpredictably**
- Policy was not sufficiently clear, and **pre-application times had doubled**
- Processes were **not proportionate or flexible**, and there was duplication and inefficiency
- Reform was essential to support **growth, clean power and infrastructure delivery at scale and pace**



Ministry of Housing,
Communities &
Local Government

NSIP reform at the heart of this government's Plan For Change

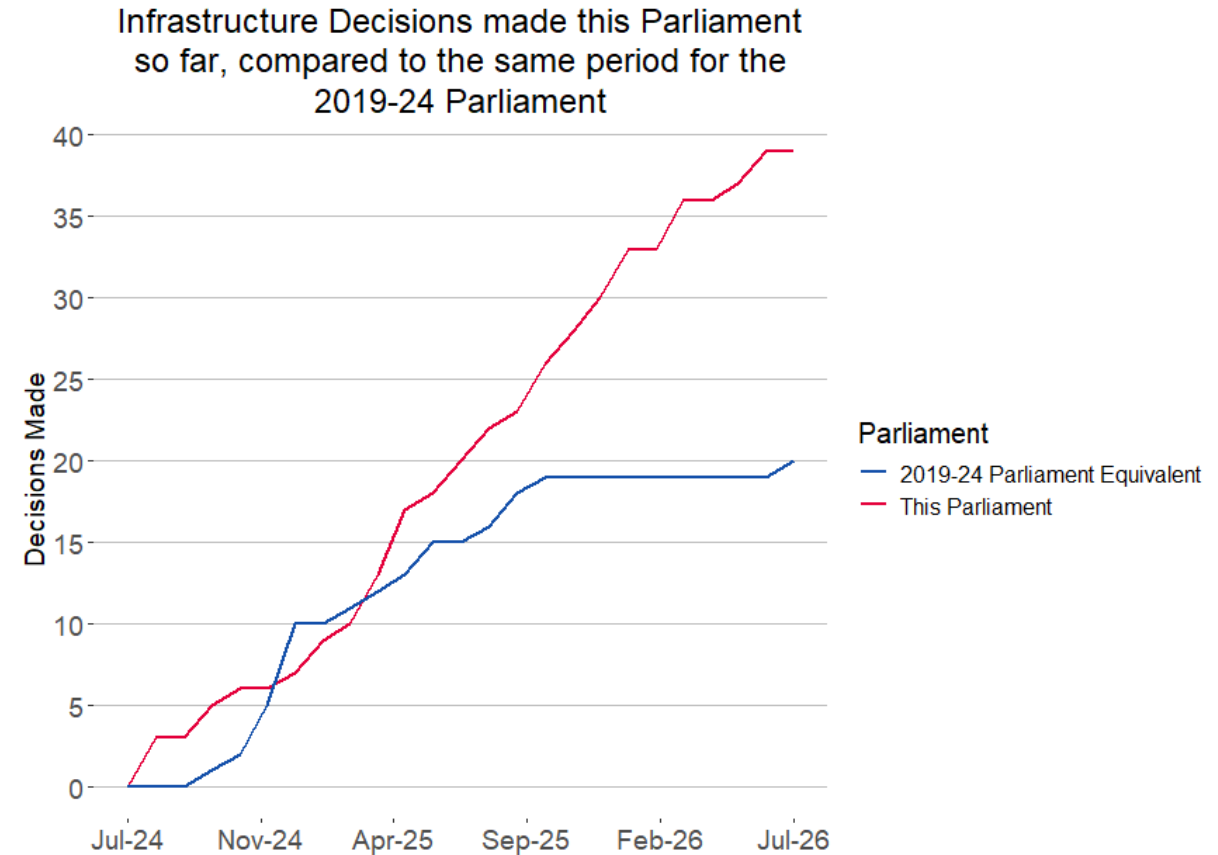




Decision-making in this Parliament

39 decisions made this Parliament

- Acceleration compared to 2019-2024
- Strong pipeline of projects already progressing
- Further increases expected as reforms take effect
- But this depends on changes across the system





From reform to delivery

The Planning and Infrastructure Act 2025 has established a **clear and stable framework for delivery:**

- Changes to **keep national policy statements updated**
- **Removal of statutory consultation** in pre-application
- Increased scope of notifications
- Creating a fit for purpose and transparent acceptance test
- **A stronger legislative basis to focus examinations** on key issues
- **A new redirection power**
- Streamlined access to land for surveys
- Judicial Review changes to tackle meritless claims
- A new single legislative framework for post-consent changes



Ministry of Housing,
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Local Government

Implementation underway: from legislation to operation



February 2026: PIA measures began to be commenced

Spring 2026: Cost recovery introduced for Local Authorities

Summer 2026: Government consultation response published & revised regulations and guidance commenced

Summer 2026 onwards: Implementation, stakeholder engagement, pilots at PINs

2027: New process for post-consent changes & new model provisions guidance

Ongoing: Monitoring, evaluation, learning and further ambition



Streamlining the NSIP process – engagement and consultation

Outcome: A system that supports proportionate and meaningful engagement and well-developed applications

- **Removal of the statutory requirement** for pre-application consultation and updated acceptance test
- Expanded **notification** requirements
- **Revised guidance and new services** from the Planning Inspectorate
- **Work beginning with PAS**, Local Authorities, NIPA, and PINs to support local authorities in their role in the new framework.



Streamlining the NSIP process – examination and decisions

Outcome: A more flexible and efficient system that supports proportionate process and faster, more predictable decisions

- Power to **direct projects out of the NSIP regime** where an alternative consenting regime exists, for example TCPA
- Strengthened 'IAPI' - so that examinations are more efficient, and **focus** on interrogating **key issues** and supporting **clear conclusions**
- **Simplified access to land** for surveys
- **New decision guidance**, setting out the process involved in making decisions on NSIP applications, and providing clarity on the judicial review process.



Making it work in practice

Keeping National Policy Statements fit for purpose

Outcome: No NPS will be more than 5 years old by the end of this Parliament

- Each NPS must be **reviewed and updated at least every 5 years**
- New **Reflective Amendment Procedure** will ensure the procedure for updating NPSs is proportionate
- Transitional procedure - NPSs more than 5 years old must be reviewed and updated by **February 2028**
- **NPSs identify the need case for nationally significant infrastructure**, providing a strong foundation for applications and early engagement with all stakeholders and interest groups.



Cost Recovery for local authorities

Strengthening the NSIP process – local authority funding

Outcome: A system with better resourced local authorities, supporting faster, higher quality and more predictable NSIP decision-making

- New regulations enable host local authorities to recover costs from applicants for relevant services provided in relation to NSIPs
- Came into force on 8th June 2026
- A host local authorities is one in whose area the land for the proposed development is situated
- Aim to set out clear expectations for authorities and applicants for the duration of the planning process
- Supporting earlier, more effective engagement and use of local expertise



Innovation and Capacity Fund

Supporting local authorities to prepare for and implement cost recovery

Outcome: Local authorities equipped with the capability and systems needed to implement cost recovery effectively

- Round 3 of the Innovation and Capacity Fund launched on 8th June alongside the regulations coming into force
- £1m fund for host authorities involved in NSIPs
- Provides transitional support to build systems, processes and capability
- Supports development of fee schedules, operating models and resourcing approaches
- Targeted at authorities preparing to introduce statutory cost recovery
- Deadline for submissions is **12 pm 29th June 2026**



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What this means for infrastructure delivery and local authorities

An NSIP regime designed to support growth and delivery at pace, which incentivises meaningful engagement and collaboration.

For applicants: A clearer, more flexible and proportionate process driving a focus on resolving the issues that matter.

For local authorities and statutory bodies: A system that supports new and diverse approaches, allows cost recovery, and encourages meaningful early engagement with applicants.

How can government best support local authorities and others to embed the reforms, and adapt practice?

Be decisive

Balance risk

Communicate internally

Engage externally

Be decisive

Balance risk

Communicate

Engage

Be decisive

Balance risk

Communicate internally

Engage externally



Sizewell C

Local Authority lessons from first 2 years of construction

Michael Moll – Suffolk County Council

Martyn Fulcher – East Suffolk Council

The UK's largest NSIP

10-12 years construction

More than 8,400 workers

£38bn investment
(2025 estimate)

At peak construction, >650
two-way HGV movements per
day to/from site



The UK's largest NSIP

Not just a nuclear power station...

Road Network

More road length (8.3km) than has been built in Suffolk for many decades

Accommodation

Accommodation campus of 2,400 bedspaces

500 bedspace refurbishment of Pontins

Industrial Development

e.g. 1 million+ sq ft Freight Management/ supply chain site

Complexities in governance and funding

Alongside a Development Consent Order, there is a Deed of Obligation, setting out:



£120m mitigation funding for County and District Councils plus third parties

Complex governance – 31 groups, around 100 meetings per year

The Sizewell C Project

8.17/ Deed of Obligation Engrossment Version -
10.4 Front End of Plans

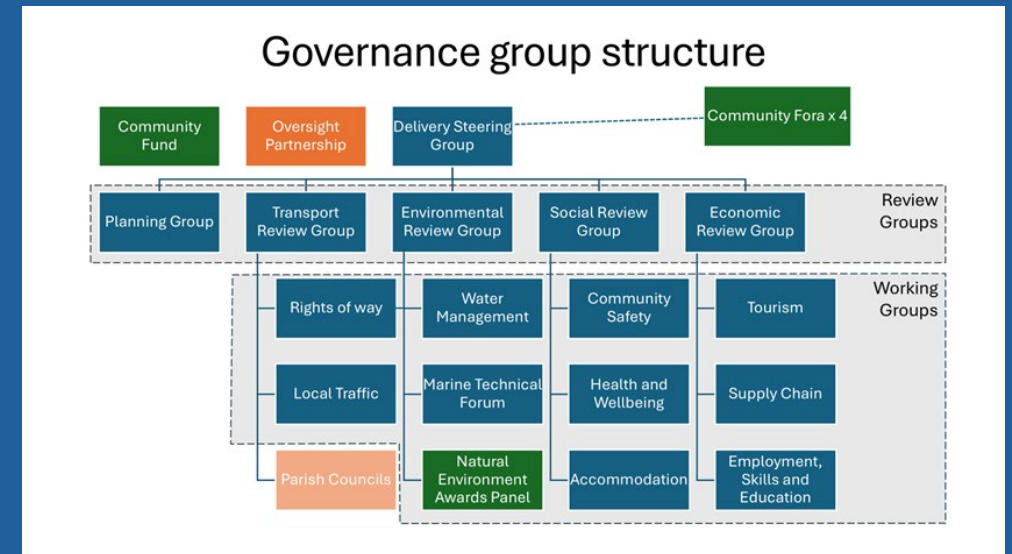
Book 8 Revision: 9.0
Book 10 Revision: 1.0
Applicable Regulation: Regulation 5(2)(q)
PINS Reference Number: EN010012

October 2021

Planning Act 2008
Infrastructure Planning (Applications: Prescribed
Forms and Procedure) Regulations 2009



Wide ranging from housing, transport, skills, tourism, social care and community safety



2021: Examination

2022: Secretary of State Grants DCO

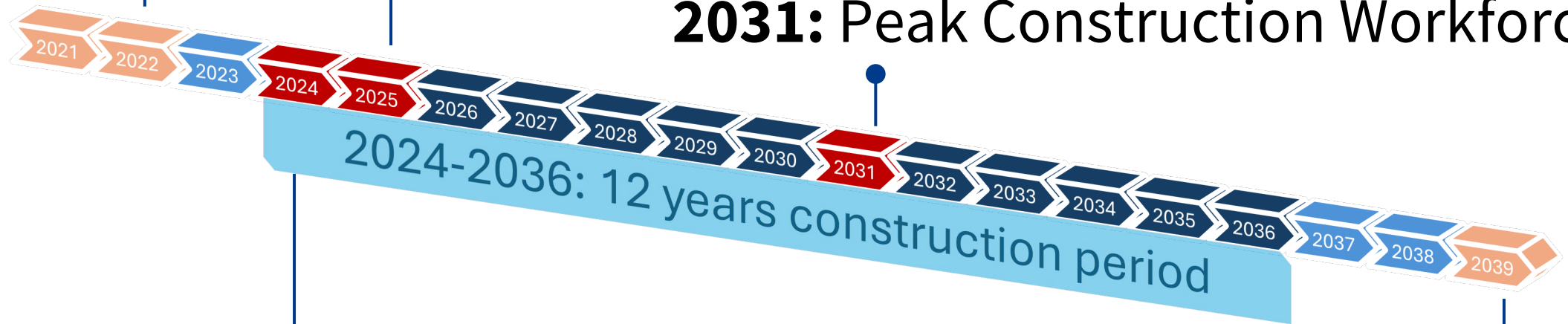
2025: Final Investment Decision

2031: Peak Construction Workforce

2024: Commencement

2039: “Sizewell C fully operational”
(From National Audit Office report – baseline scenario)

SZC Timeline



Challenges for our local authorities

Emphasis shifting from planning to delivery

- › Resulting staffing changes.
- › Impacts on relationships and approaches.
- › Understanding of background to DCO agreements.

Constant changes to DCO plans (amendments and TCPAs)

- › When do they become in total material?

Complexity and scale

- › Impacts wide ranging and interrelated.
- › Sizewell C coordination across all elements of the programme.
- › Network of stakeholder engagement and communication.

Challenges for our local authorities

Satisfying community needs/requests

- › At a reasonable, balanced level.

Monitoring

- › How to obtain accurate and evaluated impact data.
- › How to evidence need for preventative actions.
- › Identifying and dealing with wider impacts outside of DoO/DCO – e.g. impacts on workforce availability

Coordination with other NSIPs

- › Cumulative impact considerations.

Conclusions

While Sizewell C has robust comprehensive mitigation and governance, Local Authority engagement is challenging:

Change is constant (to original DCO plans, and staffing)

Monitoring is very challenging, time consuming and technical

Highly educated community interested in the detail