Nationally Significant Infrastructure Projects (NSIPs)

Overview of the Development Consent Order Regime in England

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What are NSIPs

- Large-scale infrastructure developments of national importance. Sectors include energy, transport, water, wastewater and waste. Determined nationally through the **Planning Act 2008 regime**. Consent is granted via a Development Consent Order (DCO).

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Why the NSIP Regime Exists

- Single consenting process
- Greater certainty and fixed timetables
- Delivery of nationally important infrastructure
- Ability to include compulsory acquisition and other powers within a Development Consent Order (DCO)

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Who Decides a DCO application

- Applications are examined by the **Planning Inspectorate**, which makes a recommendation to the relevant Secretary of State. The final decision is made by the Secretary of State responsible for the infrastructure sector involved (for example, energy projects are generally determined by the Secretary of State for Energy Security and Net Zero)

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The DCO Process

- 1. Pre-application
- 2. Acceptance
- 3. Pre-examination
- 4. Examination (up to 6 months)
- 5. Recommendation
- 6. Secretary of State Decision
- 7. Post-decision / challenge period

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What Can a DCO Include

- Grant development consent for the project
- Authorise compulsory acquisition of land or rights
- Include powers to stop up highways, divert public rights of way, and undertake associated works
- Incorporate various consents and approvals that would otherwise need to be obtained separately
- Has the force of law as a statutory instrument

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Rochdale Envelope Principle

A planning and Environmental Impact Assessment (EIA) concept that allows a developer to seek consent for a project where some details are not yet fixed, provided that the application defines the maximum and minimum parameters within which the development can be built. The environmental effects of the entire range of possibilities must then be assessed before consent is granted.

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Role of Local Authorities

- Statutory Consultee – as Host Authority or Adjoining Authority
- Participation in Pre-Application Process
- Relevant Representation
- Local Impact Report
- Written Representation
- Negotiation of requirements and obligations
- Examination participation
- Monitoring and discharge of requirements

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Focus for Local Planning Authorities

- Early engagement to influence design, assessment and mitigation
- Allocate resources for examinations
- Coordinate technical responses
- Monitor Statements of Common Ground
- Focus on local impacts

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Able to Object Whilst Engaging Constructively

- The Council may maintain an objection whilst continuing to engage constructively
- Can advocate for additional protections and requirements
- Seeking to secure best possible outcome should DCO be granted

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Currently Proposed Schemes in our Borough or directly affecting our Borough

- The Droves Solar Farm
- National Grid – Eastern Gren Link 3 and Eastern Green Link 4
- National Grid – Grimsby to Walpole
- Anglian Water – Fens Reservoir
- Redmere Wind Farm
- Longmarsh Solar Farm and Data Centre
- Medworth Energy from Waste

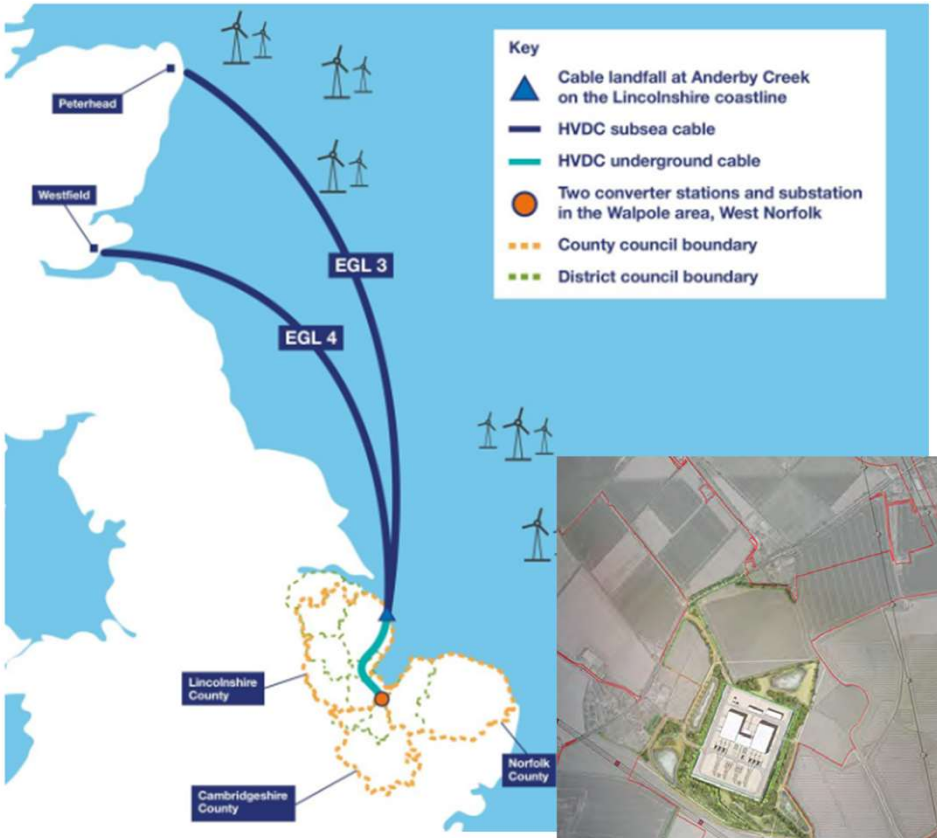
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The Droves Solar Farm- Recommendation



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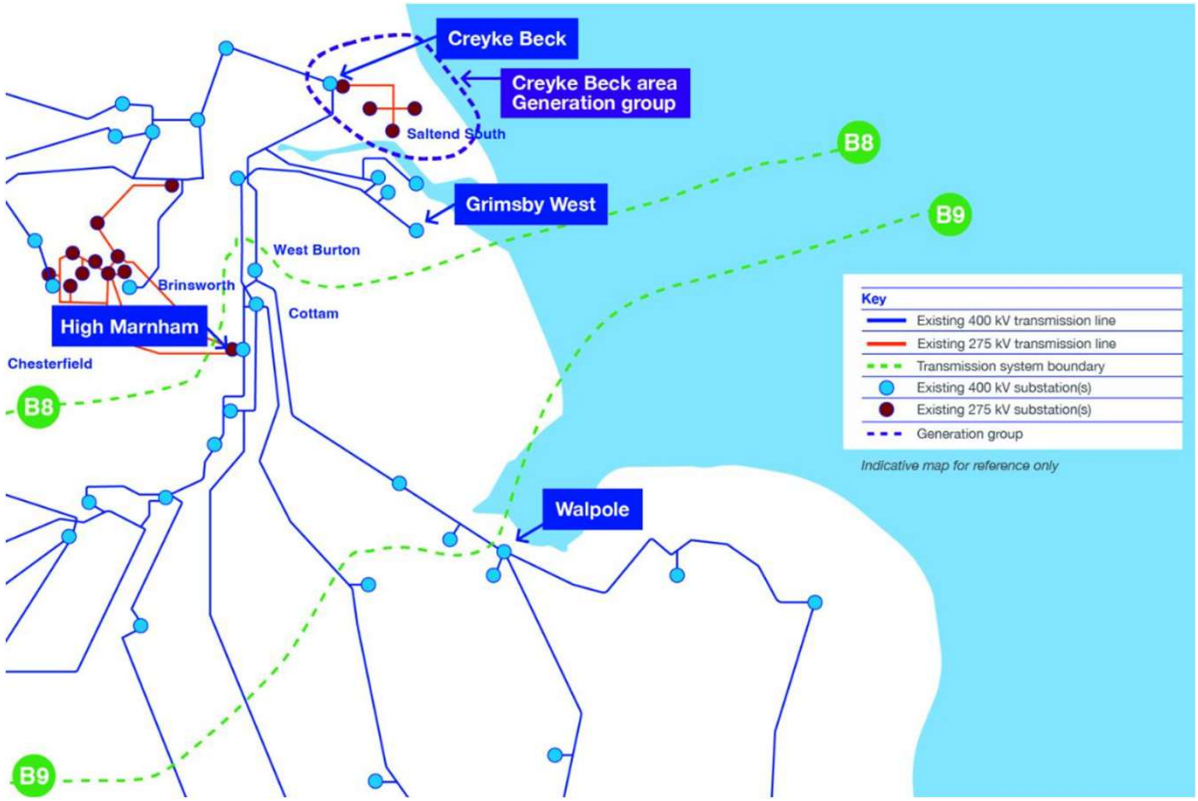
National Grid EGL 3 & 4 – Submission





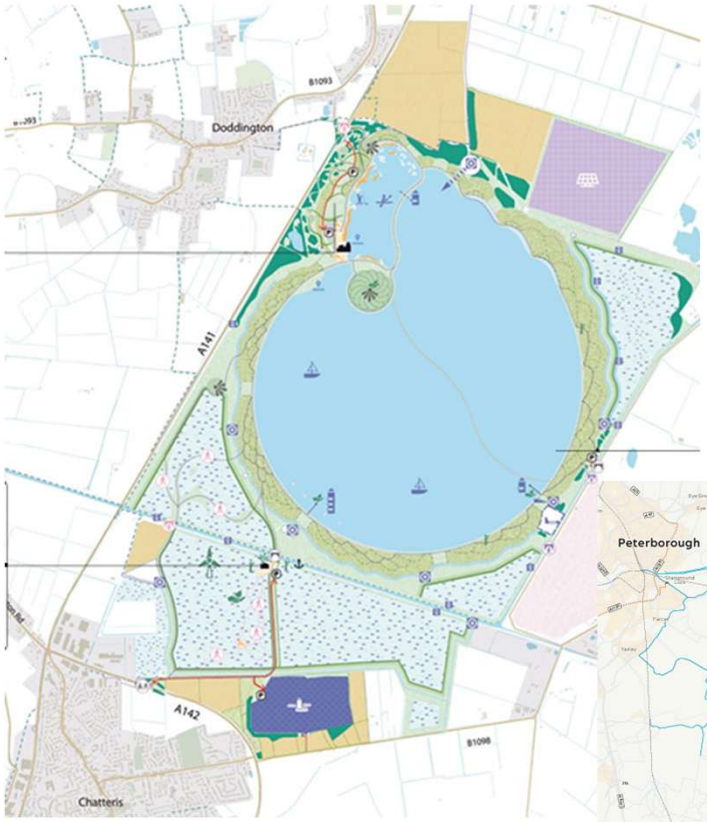
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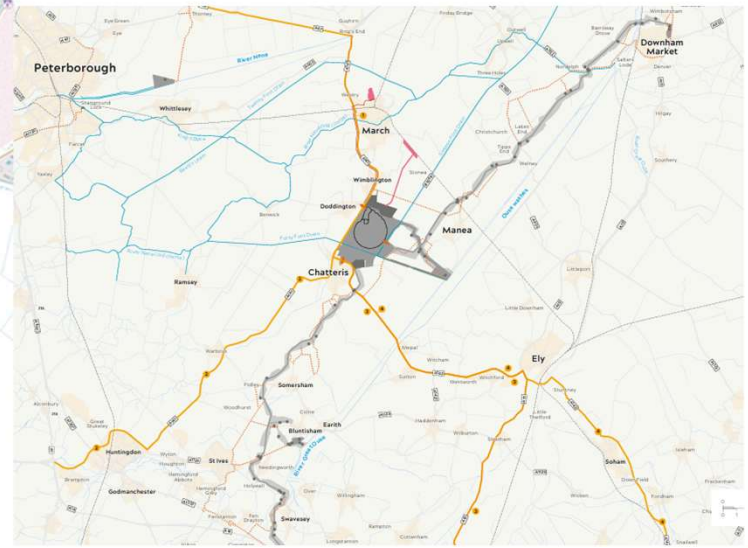
National Grid Grimsby to Walpole – Pre-application



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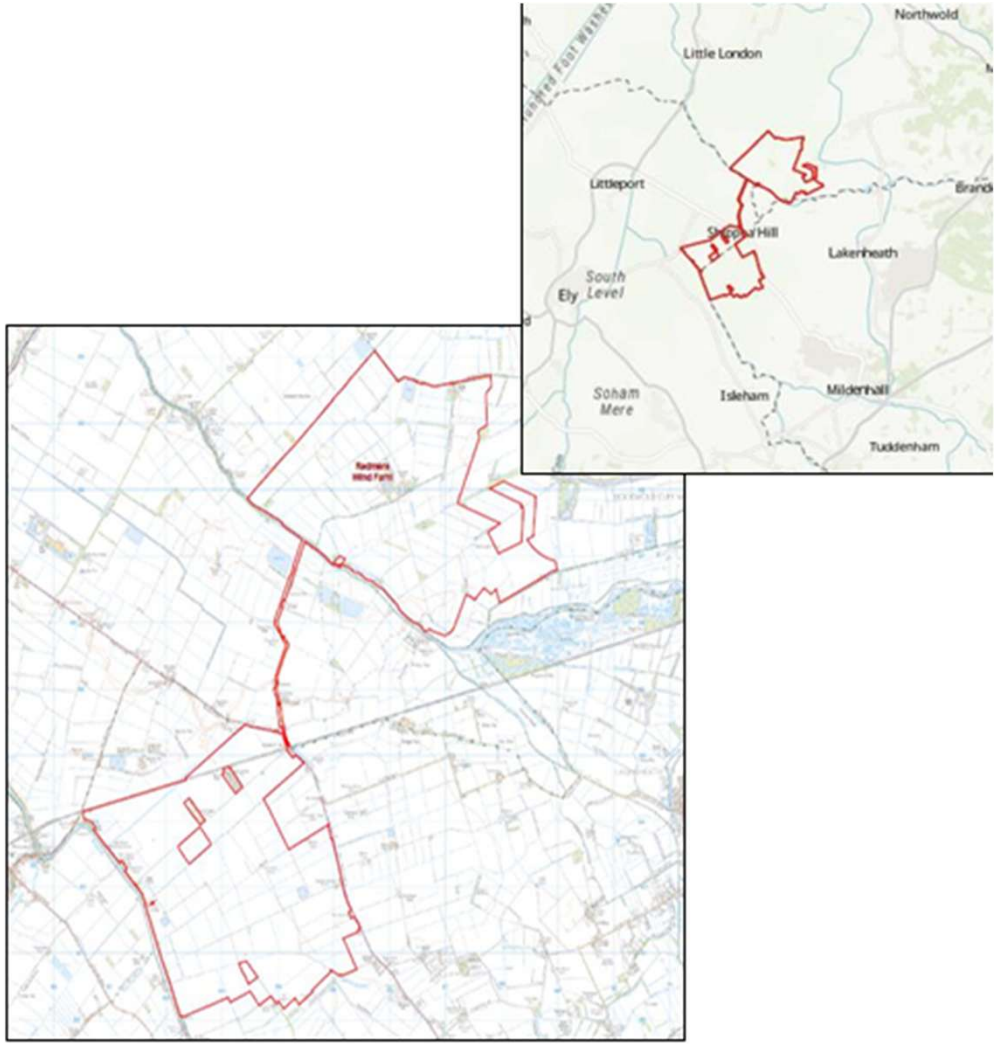
AWA Fens Reservoir – Pre-application





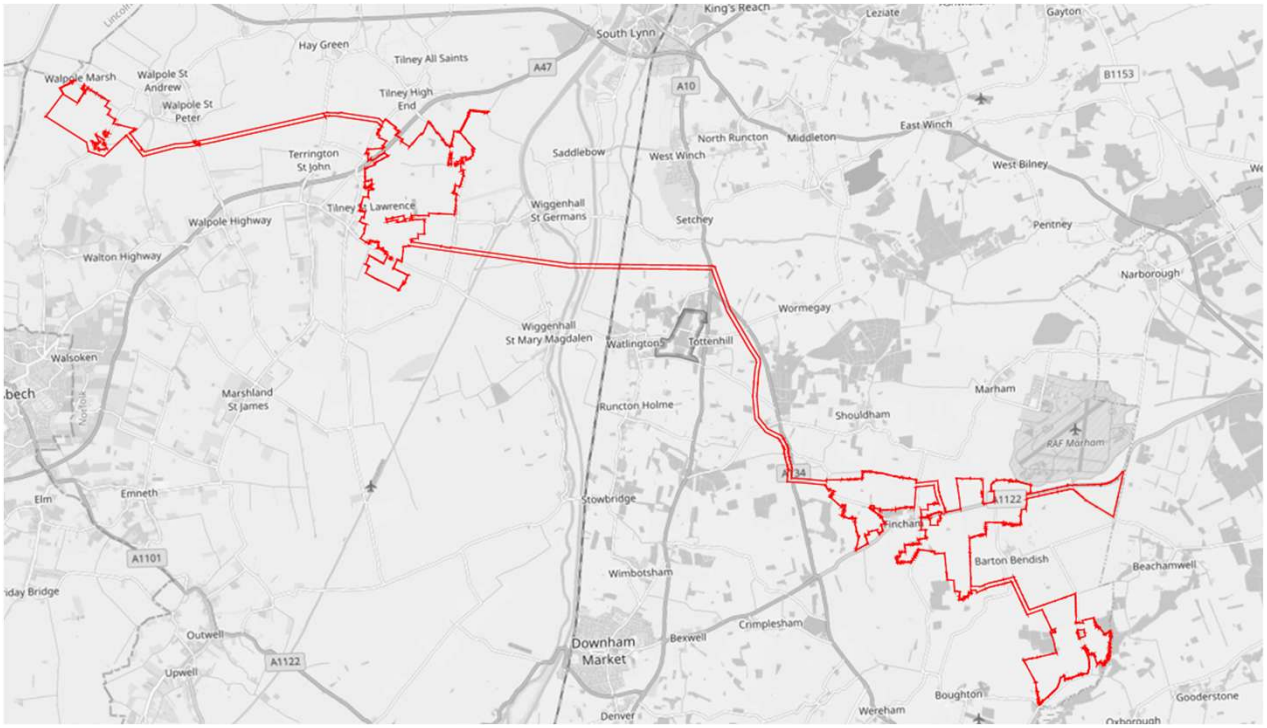
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Redmere Wind Farm - Scoping



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Longmarsh Solar and Data Centre - Scoping



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Medworth Energy from Waste – Post-consent



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