



The Planning  
Inspectorate

# Planning Process for Nationally Significant Infrastructure Projects (NSIP)

Roundtable Meeting – 28 April 2014

Internal Power Generation Enhancement for Port Talbot Steelworks  
Project

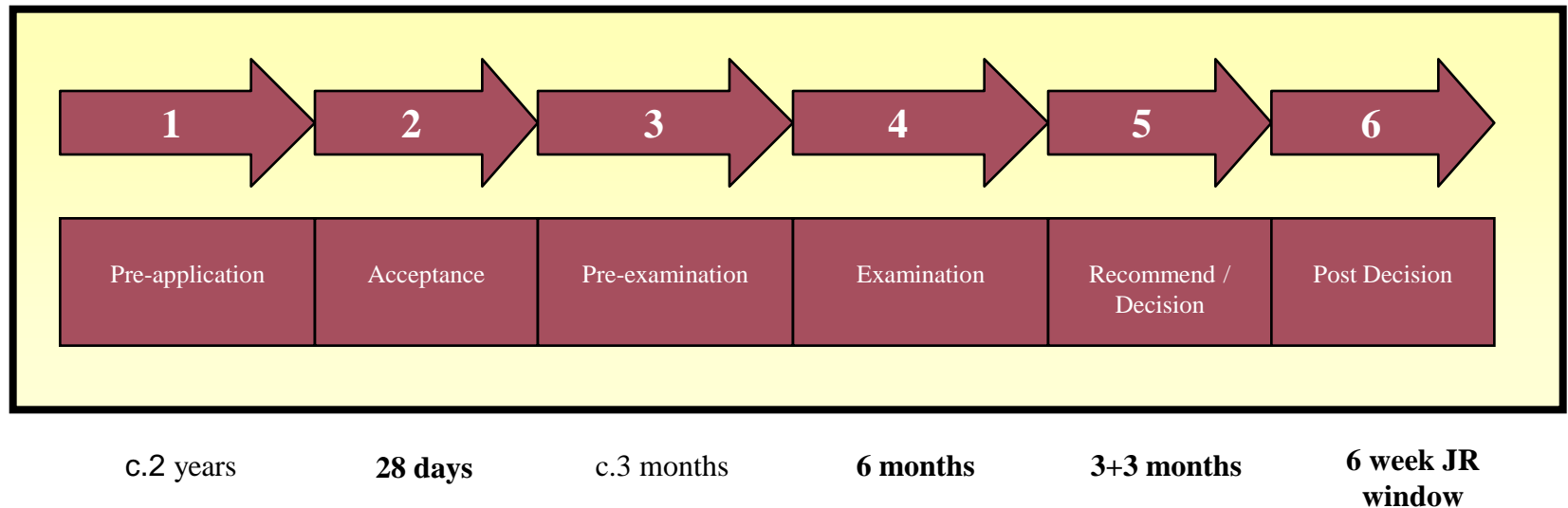


# The Planning Inspectorate (PINS)

- PINS Project Team:
  - provide advice to communities, applicants, local authorities and others about how to take part in the process;
  - support the Examining Authority (ExA) running the examination.
- ExA:
  - examines the application;
  - makes a recommendation to the Secretary of State.



# The Planning Act 2008



Times in **bold** are statutory



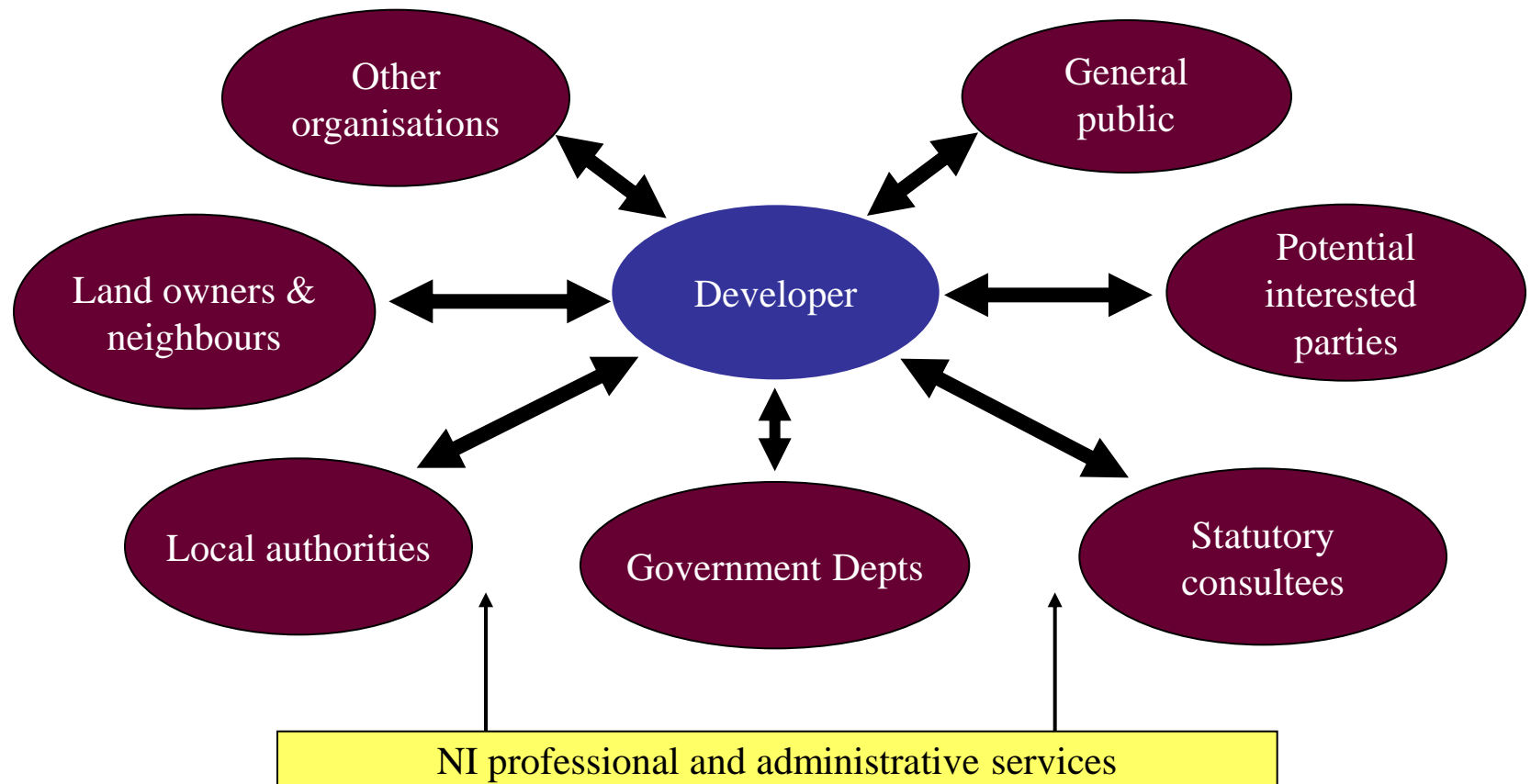
# The Role of local authorities

- Statutory Consultee (Scoping Opinion and s42 consultation)
- Represent the community
- Providing objective technical evidence
- Discharge requirements (on land)
- Enforcement





# Pre-application: The Developer in the lead





# Pre-application work for Developers

- Total application: No shocks, no surprises!
- Environmental screening and scoping, PEI and ES
- Consultation with prescribed bodies (s42) and landowners (s44)
- Consultation with the community (SoCC and s47)
- Draft Development Consent Order
- Limited scope for amending applications post submission





# Pre-application: Matters to consider

- Adequacy of Consultation (AoC)
- Statements of Common Ground (SoCG)
- Discharge DCO requirements
- Comments on DCO
- Local Impact Reports (LIR)
- Delegations
- EIA / HRA
- Compulsory Acquisition
- Outstanding matters?



# Acceptance stage

- 28 days
- Full application
- Main tests:
  - Consultation Report – has the Applicant fulfilled their duties
  - **Adequacy of Consultation** – Any issues raised by LAs
  - Full suite of documents
  - Ensure all Plans are correct
- If an issue is identified
- PINS publish decision







# Pre-Examination stage

- Begins once the application has been accepted
- **Relevant Representations (28 days):**
  - summary of comments on application documents
  - notify ExA of Principal Issues
  - focus on certain documents (eg DCO / ES mitigation)
  - LAs could helpfully consult Community Councils
- Examining Authority appointed



# Pre-Examination cont'd

- **Rule 6 letter** (comments appreciated):
  - draft examination timetable
  - Initial Assessment of Principal Issues (importance of RR)
- **Preliminary Meeting:**
  - purpose: discuss how the case will be examined
  - procedural only, merits of scheme not discussed
  - LAs/Stat bodies: Could highlight any difficult deadlines to meet
  - Venue / local interest in attending?
  - Opposition groups?



# Examination stage – practical matters

- 6 months – **tight timescales**
  - Quick turnaround of documents
  - Prepare draft documents now/Pre-Exam stage
  - Resource appropriately
- Primarily **written process** (supplemented by hearings)
- PINS **project website**
- **Types of questions** that may arise (see other NSIPs)



# Examination cont'd

- **Rule 8 letter**
  - Timetable / ExA questions / Deadline for LIRs,WRs
- **Written Representations (28 days)**
  - Expansion of RR
- Respond to **ExA questions (and SoCG)**
- Submit Local Impact Report (**LIR**) (AN-1)
  - Factual: Economic / Environmental / Social issues
  - Joint LIR
- Attend **site visits**



# Examination - hearings

- **Hearings** may be held to supplement written process:
  - Open Floor (OFH)
  - Issue Specific (ISH)
  - Compulsory Acquisition (CAH)
- Style: Inquisitorial, not adversarial
- Attendees
- Order: DCO / ISH; CPA; OFH / DCO
- Be familiar with DCO requirements should Q's arise
- Represent yourselves – inquisitorial elaborating on existing material

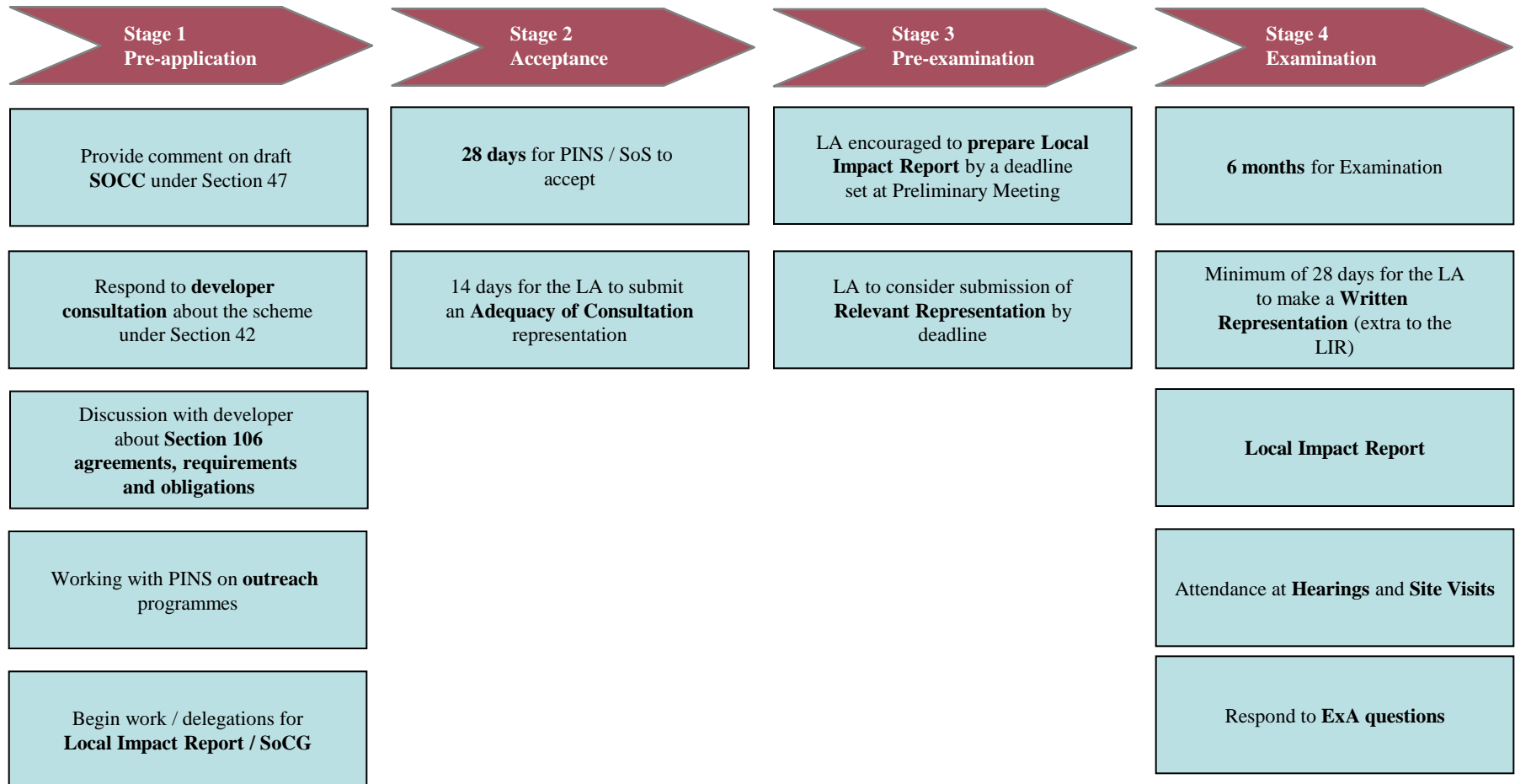


# Recommendation / Decision

- ExA recommendation within 3 months
- Secretary of State decision within 3 months
- You will be informed of the decision by the Planning Inspectorate

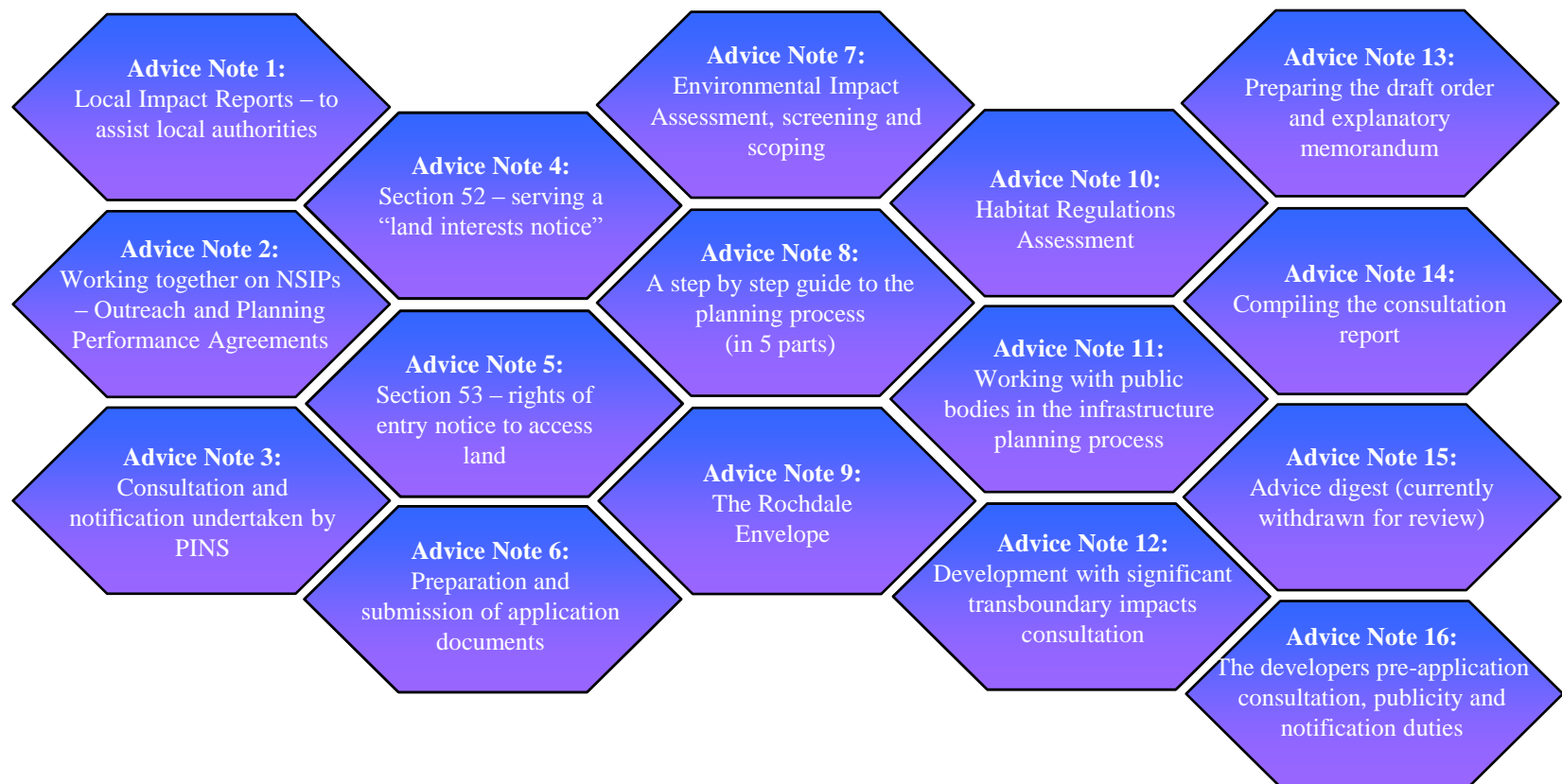


# The Role of local authorities





# PINS Advice Note Series







The Planning  
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# Contact us / AOB

Advice available to all parties

**Helpline:** 0303 444 5000

**Email:** [enquiries@infrastructure.gsi.gov.uk](mailto:enquiries@infrastructure.gsi.gov.uk)

**Website:** <http://infrastructure.planningportal.gov.uk>

## **AOB**

- Any outstanding matters?
- Queries?