



The Planning  
Inspectorate

# The Planning Act 2008 process

**Susannah Guest**

Operations Lead: National Infrastructure and Transport

**Richard Hunt**

Operations Lead: Environmental Services Team



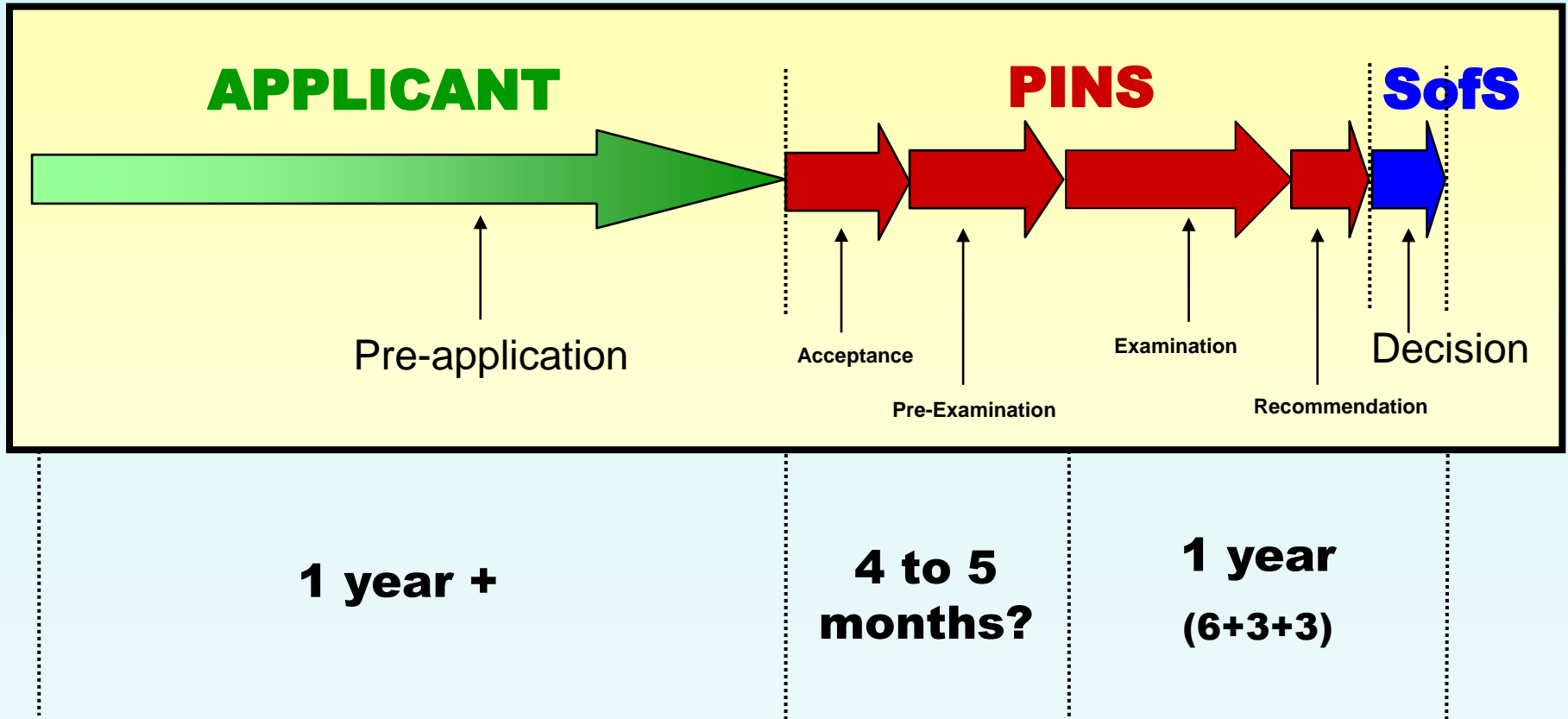
# Principles



- Single consents regime
- Statutory timescales
- National policy statements
- Frontloaded
- Written process
- Inquisitorial



# The PA2008 process





# Pre-application: Applicant's role

~~UNPREPARED~~



- Design evolution (mitigation)
- Assemble order lands
- **Statutory consultation**
  - Prescribed consultees, LAs, PILs
  - Community consultation (SoCC)
  - 'have regard to' (s49)
- Total application: No shocks!



# Pre-application: local authorities' role

~~UNPREPARED~~

- Statutory consultee
- 'Community Champions' (SoCC)
- Objective technical evidence (LIRs)
- Discharge of Requirements\*
- Enforcement\*

\* early and on-going dialogue: No shocks, no surprises!



# Pre-application: Environment

- Environmental Impact Assessment
  - Secretary of State EIA Scoping Opinion
  - Evidence Plan
- Habitats Regulations Assessment
- Preliminary Environmental Information (PEIR)
- Interest/ Access to Land (s52 & s53)
- Licences and permits
- National Infrastructure Advice Notes

<https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/>



# Acceptance stage

- 28 calendar days to decide
- Principal considerations:
  - Full suite of documents
  - NSIP
  - Ensure all plans are correct
  - Consultation Report
  - **Adequacy of Consultation**
  - Satisfactory standard





# Pre-examination

- Application accepted
- **Relevant Representations**
- Examining Authority appointed
- Initial Assessment of Principal Issues
- Preliminary Meeting







# Environmental matters

- Environmental Statement, HRA Report and associated documents
- Flexibility
- Securing mitigation by Requirement
- Management/monitoring plans
- Report on Implications for European sites



# Examination stage

- Six months
- Written process
- (Virtual) events
  - Compulsory acquisition hearings
  - Issue specific hearings
  - Open floor hearings
- Relevant and important



# Recommendation stage

- ExA has three months to prepare and submit to SoS Recommendation Report taking account of:
  - National Policy Statement(s)
  - Local Impact Report(s)
  - Important and relevant matters
  - International obligations
- Recommended DCO included



# Decision stage

- Relevant SoS has three months to take decision taking account of:
  - National Policy Statement(s)
  - Local Impact Report(s)
  - Important and relevant matters
  - International obligations
- Judicial review





# Advice and guidance

## National Infrastructure Planning

[Cymraeg](#) [FAQs](#) [Contact](#) [Sitemap](#)

Enquiries: 0303 444 5000

Home [Projects](#) [Application process](#) [Legislation and advice](#) [Help](#)



### Coronavirus (COVID-19) - Planning Inspectorate guidance

In response to the spread of [Coronavirus \(COVID-19\)](#), The Planning Inspectorate has published guidance on site visits, hearings, inquiries and events.

### Welcome to National Infrastructure Planning

Here you can find out about proposed Nationally Significant Infrastructure Projects (NSIPs) within England and Wales.

This site is managed by the Planning Inspectorate, the government agency responsible for examining applications for NSIPs.

[More about the Planning Inspectorate's remit](#)

Content provided by: The Planning Inspectorate

Visit the Planning Inspectorate's: [Other casework](#) | [Corporate information](#)

### How the application process works

The Planning Act 2008 process was introduced to streamline the decision-making process for major infrastructure projects, making it fairer and faster for communities and applicants alike.

### Projects

[View all projects](#)

Search all Nationally Significant Infrastructure Project applications that the Planning Inspectorate is aware are planned to be submitted; those which are under examination; and those which have been decided.

### Latest projects accepted for examination

- [Boston Alternative Energy Facility \(BAEF\)](#)
- [A47 North Tuddenham to Easton](#)
- [A428 Black Cat to Caxton Gibbet Road Improvement scheme](#)
- [The London Resort](#)
- [A47 Blofield to North Burlingham](#)
- [Little Crow Solar Park](#)
- [A1 in Northumberland - Morpeth to Ellingham](#)
- [The Sizewell C Project](#)