National Infrastructure Planning Association
Consultation Response
Planning Reform Working Paper: Streamlining Infrastructure Planning

Consultation Response to the Ministry of Housing, Communities and Local Government Planning Reform Working Paper: Streamlining Infrastructure Planning

Introduction

The National Infrastructure Planning Association (NIPA) was established in 2010 with the aim of bringing together individuals and organisations involved in the planning and authorisation of major infrastructure projects. Our principal focus is the planning and authorisation regime for nationally significant infrastructure projects (NSIPs) introduced by the Planning Act 2008, however, our members work across all consenting regimes and we act as a forum and community for anyone with an interest in the challenge of driving better national infrastructure planning.

In summary, we:

- advocate and promote an effective, accountable, efficient, fair and inclusive system for the planning and authorisation of national infrastructure projects and act as a single voice for those involved in national infrastructure planning and authorisation;
- participate in debate on the practice and the future of national infrastructure planning and act as a consultee on proposed changes to national infrastructure planning and authorisation regimes, and other relevant consultations; and
- develop, share and champion best practice, and improve knowledge, skills, understanding and engagement by providing opportunities for learning and debate about national infrastructure planning.

On Sunday 26 January 2025, the Ministry of Housing, Communities and Local Government (MHCLG) published a Planning Reform Working Paper (the Working Paper) entitled 'Streamlining Infrastructure Planning': Planning Reform Working Paper: Streamlining Infrastructure Planning - GOV.UK.

NIPA welcomes the opportunity to provide views on the proposals set out in the Working Paper to help inform and shape the next stage of policy development. We held a *NIPA Matters* discussion led by the Board Chair with members of the NIPA Board and Council on Monday 3 February 2025, to understand the thoughts and comments of members on the Working Paper, at which MHCLG representatives also attended in an observation capacity. Relevant points from the *NIPA Matters* discussion have helped shape and inform this response.

Overarching comments on the proposals set out in the Working Paper

The Working Paper invites views on the further action that Government could take through the planning system to streamline the development of critical infrastructure, in particular NSIPs, across England. It focuses specifically on potential legislative changes, principally to the Planning Act 2008. The Working Paper explains that the Planning and Infrastructure Bill would be used to implement the legislative reforms outlined in the Working Paper.

We welcome the intent of what the proposals in the Working Paper is seeking to achieve:

a. better, clearer and stronger NPSs to create a more certain system;

b. faster decisions under the NSIP system; and

c. related improvements to transport specific consenting regimes.

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The NSIP system under the Planning Act 2008 has been a largely successful regime, but it is right to review it, and it is welcomed that MHCLG is seeking views on the proposals to streamline the development of critical infrastructure. The Working Paper is well written, and it covers a comprehensive and wide range of relevant topics: policy; consultation; post consent; DCO corrections and changes; alternative consenting routes; flexibility to adapt; strengthening Statutory Guidance; and transport consenting regimes.

The context and reasons for the proposals, in paragraphs 1 to 3, are broadly summarised as being: real world costs to working people's lives; the longer time taken for a project to secure development consent; documentation getting longer; uncertainty that statutory timescales will be met; and increased litigation. We support the sentiment expressed in paragraph 8 that 'the process requires evolution, not revolution'. It is essential that proposals do not increase delays and uncertainties in the process and that unintended consequences are avoided as far as practicable, for example by adding over-elaborate or simply unnecessary processes or by increasing opportunities for legal challenges.

We agree that while there is 'no silver bullet for improving the system' and that 'decisive action is required on several fronts', it is essential that any changes proposed to address the issues identified are well thought through, and that they align with and complement the work that has been undertaken to date such as the NSIP Action Plan, and the work underway, and subject to separate working papers on, namely, the 10-year Infrastructure Strategy and Development & Nature Recovery; as well as the independent review of judicial review challenges against NSIPs; and wider Government strategies such as the forthcoming sectoral spatial infrastructure plans, e.g. the Strategic Spatial Energy Plan. To that end, we note and support that 'more strategic' has been added as an additional pillar of NSIP reform beyond what was included in the NSIP Action Plan.

We have noted that whilst the Working Paper makes a number of proposals with regard to updating procedural aspects of transport consenting regimes – the Highways Act 1980 and Transport and Works Act 1992 – no specific question is asked on this. NIPA represents a wide range of professions and interests who seek to drive better infrastructure planning and outcomes, so the proposals for these transport consenting regimes are broadly welcomed. The addition of statutory timescales will provide welcome clarity for those considering the appropriate and expedient consenting route and delivery programme for transport infrastructure projects. NIPA support in principle proportionate cost recovery to ensure these regimes are properly resourced and the delivery of transport infrastructure schemes is supported, as long as there is a commensurate level of performance and support from those agencies and other bodies benefitting from cost recovery. A wide range of measures is referred to within paragraph 58 (a – b) with limited detail on specific measures. NIPA would welcome the opportunity to provide views on the further details to help shape the development of these measures to support the timely delivery of transport infrastructure projects. NIPA also notes that there is no mention of any reforms to the Harbours Act 1964 consenting regimes, which it recommends Government actively considers at the same time as progressing reforms to the Highways Act 1980 and the Transport and Works Act 1992.

The consultation was framed with a number of questions (a-h) and these are addressed in turn below.

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Responses to Questions

a. Would the package of measures being proposed in this paper support a more streamlined and modernised process? Are there any risks with this package taken as a whole or further legislative measures the Government should consider?

The package of measures proposed would represent improvements to the process, potentially helping to modernise aspects of the regime and potentially tackling some very specific and long-standing issues. We set out areas where we would welcome further detail, clarification and improvement to help form a view on whether these will streamline or risk burdening the process further. We remain keen to work with Government to test how draft wording might play out in practice, drawing on our breadth and depth of membership expertise, so that any legislative measures have maximum positive impact.

b. Are the proposed changes to NPSs the right approach and will this support greater policy certainty?

Yes. The National Infrastructure Commission (NIC) report[1] referenced in the Working Paper, clearly identified that: *"… the government's failure to clearly set out its priorities in up to date National Policy Statements created uncertainty about the overall need for infrastructure, and how to manage trade-offs between national needs and local impacts."*

NIPA support the requirement proposed for National Policy Statements (NPSs) to be reviewed and (if necessary) updated *at least* every five years. We support the proposed use of a 'lighter touch' process for 'reflective amendments' to NPSs, where these include updates responding to legislative changes, policy updates and relevant court decisions, subject to the right checks and balances being in place and the process introduced being proportionate. This should provide the certainty and clarity for critical economic infrastructure projects.

To support greater policy certainty and decision-making, NIPA would welcome further details on how any new legislative provision will ensure continuity of the relevant NPS so that it still 'has effect' for the purposes of section 104 of the Planning Act 2008 until the revised/new NPS has effect as its replacement.

NIPA has previously advocated for an overarching NPS that covers common issues with sector-specific policy alongside this. This could streamline the work required by Government departments in reviewing and updating NPSs and ensure consistency across infrastructure sectors. This is also an approach that has previously been called for by the NIC, The Infrastructure Forum and the RTPI. A stepping stone to this could be through the forthcoming 10-year infrastructure strategy, which could act as the place where Government sets out common policy issues, and then use the proposed reflective amendment procedure to update NPSs accordingly.

NIPA also considers that in the interests of securing greater policy certainty, Government should reflect on the appropriateness and extent of decisions taken by ministers in relation to NPSs approved by Parliament nevertheless still being subject to judicial review. See NIPA's 23 December 2024 response to the Government's Call for Evidence in response to the Banner Review.

[1] National Infrastructure Commission (2024) Cost drivers of major infrastructure projects in the UK

c. Do you think the proposals on consultation strike the right balance between a proportionate process and appropriate engagement with communities?

NIPA agrees with the main issues identified in paragraph 26, however members have a range of views as to what the appropriate ways forward are, and the role that legislation plays here.

NIPA supports early meaningful engagement by all parties and ways to incentivise this without detracting from the ability of Applicants to determine when they should submit their applications.

The Working Paper highlights the issue in that the pre-application stage has gone from an average of 14 months (in 2013) to 27 months (in 2021); and it also cites the example from the NIC report[2], of the doubling of the pre-application period for Hinkley Point C to Sizewell C from three to seven years. This is important context for considering the proposals in the Working Paper, and the Government's goal of 150 major infrastructure decisions by the end of this Parliament.

As noted in paragraph 27, whilst the previous Government put in place a new pre-application service (including cost recovery for The Planning Inspectorate and statutory consultees), these changes are still bedding in, and so far in practice there is no sign of this speeding up project programmes for the pre-application stage of the consenting process whilst having added additional process and tests. NIPA considers there would be tangible benefits to be gained from collaborative work with NIPA, MHCLG, The Planning Inspectorate and statutory consultees to support the bedding-in process and help accelerate how these measures work in practice, and we would be keen to follow up in due course.

One of the other main challenges is the way practitioners are interpreting the Government's intentions for pre-application. If the Government is seeking proportionate engagement and applications that are capable of being examined in a focused way, with constructive engagement from interested parties, then the focus needs to be on how Applicants engage consultees within their programme of pre-application activities, and how consultees align with the Applicant's programme to provide inputs that help reach an understanding on positions on relevant issues (as captured by Statements of Common Ground or Principal Areas of Disagreement Summary Statements). Statements of Common Ground and Principal Areas of Disagreement Summary Statements have introduced some duplication in how these issues are reported and NIPA would welcome clearer Guidance on making sure each document serves the purposes intended for all parties involved.

At present, Government intention is being interpreted as focusing on reaching agreement, which NIPA members consider does not lead to an efficient or effective process in the absence of Applicants being able to determine when there has been sufficient engagement and when they should submit their applications.

Set out below are views from NIPA on the proposals in paragraph 28 of the Working Paper.

First, amending the Act to change the application acceptance requirements in a way that supports taking more outcomes-based judgements.

NIPA supports the principle of taking a more outcomes-based approach rather than a process-based approach with respect to consultation and engagement. NIPA would welcome more detail in due course on what an outcomes-based approach in testing compliance with pre-

[2] National Infrastructure Commission (2023) Delivering net zero, climate resilience and growth: Improving nationally significant infrastructure projects

application requirements would be, how it would be applied, and how the Planning Act 2008 regime would be amended to achieve this. We encourage Government, when reviewing section 55 of the Planning Act 2008, to do so in tandem with its policy objectives for pre-application so that it acts as a robust checkpoint on fairness and potential examination scope, rather than an overly procedural compliance hurdle. NIPA would also advocate for accompanying Guidance that makes the outcomes of Acceptance more predictable for all parties where appropriate steps are followed.

The proposal at paragraph 28(a) of dealing with minor changes / updates in the post-acceptance period (where an Applicant could currently be advised to withdraw the application to avoid rejection during acceptance) is supported. This would save time and cost on projects where it would be appropriate and proportionate to deal with any such matters in this way (rather than having to withdraw, make minor updates and then re-submit and repay the application submission fee).

Whilst statutory consultation requirements are set out in the Planning Act 2008 and associated Regulations, there is often uncertainty around the extent Applicants need to go to in order to meet those requirements when carrying out both statutory and non-statutory consultation. As noted in the Working Paper, this has led to a big increase in the pre-application period over the years. NIPA members have suggested that Guidance could set out what would be expected of Applicants when carrying out both statutory and non-statutory consultation, to avoid the issue of 'gold-plating' referred to in the Working Paper and to create a clear framework and expectation for those seeking to engage effectively during the pre-application stage.

Some NIPA members have cited non-statutory consultation as valuable for a host authority to enable early discussion on key issues as early as possible, even though for both Applicant and host authority the level of detail may be more limited. In practice, NIPA members have seen some positive outcomes from non-statutory consultation. The value of this and speeding up the process need to be balanced. This also needs to be set in the context of the need for engagement and meaningful dialogue.

Second, introducing a new duty on all parties to identify and narrow down any areas of disagreement during the pre-application stage.

See response to Question (d).

Third, revising requirements around the contents of consultation reports so that they can report on the themes and issues raised across consultation responses.

This is supported, the proposal is sensible and aligns with best practice. Providing responses to each and every individual consultation response in Consultation Reports submitted with DCO applications is not required under the Planning Act 2008, which simply requires the report to explain how an Applicant has 'had regard' to consultation responses in developing their project. NIPA members would advocate thematic and proportionate reporting rather than responding to each and every consultation response and for this approach to be made clear in Guidance as soon as possible.

In this light it would also be worth reviewing Regulation 5(5) of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009, which allows The Planning Inspectorate to request 'all responses to the consultation carried out', which may influence the more risk adverse approach of providing responses to each and every consultation response, leading to lengthier and less accessible consultation reports.

NIPA members consider that revising the requirements for the contents of consultation reports to focus on themes and issues through Guidance and updates to the acceptance checklist, is a positive measure and will save resources through more proportionate reporting and will aid consultees by providing a more concise, accessible summary of how issues have been addressed.

In consideration of any changes in relation to the Consultation Report it is also important to consider what is its purpose and how is it used in the subsequent examination and decision processes, and to ensure it is focused on delivering on this basis with clear scope and purpose.

Fourth, removing the requirement to consult 'Category 3' persons during the pre application stage.

See response to Question (e).

d. Do you agree with the proposal to create a new duty to narrow down areas of disagreement before applications are submitted? How should this duty be designed so as to align the incentives of different actors without delaying the process?

NIPA does not support the creation of the new legal duty proposed. It is considered that this will only add complexity to the process and potentially lead to the risk of judicial reviews. We are doubtful of the effectiveness of creating a new duty in delivering the collaboration and the positive outcomes intended. Disagreements can sometimes concern fundamental, 'in principle' matters and do not get narrowed down just by way of a new duty and if parties are not willing, whatever the active approach of others, this could become an additional blocker.

NIPA members also expressed concerns about how this duty would function in practice, how one party could evidence that it has met this duty if another party disagrees, whose fault it is if agreement isn't reached and who decides if the duty has been breached or complied with. Given the objectives of the Working Paper and issues it is seeking to address, in particular the trend towards longer programmes for the pre-application stage, this proposed duty would add a further burden of proof and uncertainty around meeting requirements.

Notwithstanding the position above, NIPA supports an effective, efficient pre-application process, for which the Applicant is accountable, that ensures no shocks or surprises for any parties once the application reaches examination. NIPA recommends that the Government focuses on measures to ensure meaningful engagement in the first instance. This means engaging with the potential opportunities and impacts, the reasons for support or objection, and constructive responses that materially shape applications. There are already incentives for Applicants to resolve issues prior to submission – to demonstrate compliance with the Planning Act 2008, to ensure an application is accepted, to reduce issues at examination and reduce the risk of refusal. Therefore, it is considered unlikely that many additional agreements would be reached by this duty being applied to Applicants.

In contrast, there are fewer incentives for consultees to engage early. Most host authorities and key section 42 consultees are proactive in engagement and often work hard with Applicants to resolve issues. However, there are cases where issues are not raised during the pre-application process and are instead raised during examination where there is more limited time and ability to address issues. This is particularly the case for statutory undertakers and parties that are resource constrained. Consideration could be given to whether the duty to engage could be amended in a way that makes it clear that consultees will not be considered favourably where they are making comments that could have been raised much earlier in the process. Any issue that is important and relevant must be considered in decision-making

regardless of when and how it is raised, but it would be reasonable to place less weight on issues raised at a late stage. However, clear Guidance to consultees on the need to engage early may be beneficial.

Applicants already have a duty to engage, so if a duty is to be introduced it should be to enable parity by focusing on statutory parties who can recover costs either under statutory provisions or by agreement with the Applicant, and should be linked to performance. The process can then be improved by setting clear, simple and specific timeframes and weight that will be given to meaningful early engagement and little or no weight that will be given to matters raised substantively for the first time late in the process. Guidance setting out a very clear expectation on how to meaningfully engage, that enables parties to reasonably reach positions of agreement or disagreement in a timely manner for the Applicant's programme, rather than a duty to narrow down areas of disagreements, would be more suitable and likely to be more effective.

e. Do you support the changes proposed to Category 3 persons?

Yes. The proposal to remove the duty to consult 'Category 3' persons before an application is submitted is helpful. It would save resources and remove direct consultation engagement with people who may not be ultimately affected by the proposals for which consent is sought and therefore would also remove potential uncertainty and stress.

The removal of the duty to consult Category 3 persons will help simplify statutory consultation requirements and so reduce cost. Guidance should indicate, however, that whilst it is no longer a requirement to directly consult potential Category 3 persons, it is important to carry out pre-application consultation with a wide enough scope that those who may ultimately be within Category 3 are within the overall scope of the community consultation, carried out proportionately to the scale and nature of a scheme and its potential for nuisance, e.g. aviation and rail schemes.

f. With respect to improvements post-consent, have we identified the right areas to speed up delivery of infrastructure after planning consent is granted?

NIPA welcome proposals to improve and support the delivery of infrastructure post-consent. The NIPA Insights III report[3], found that greater flexibility in the ability to achieve post consent changes with greater speed or ease would have aided the construction and delivery process. The report had a specific recommendation for a more supportive approach to post consent change management. Changes that might be agreed as pragmatic and necessary are not always pursued because of programme delays, costs and the uncertainty involved.

The current approach to DCO changes is not fit for purpose when considered against the objectives of these reforms to deliver a faster, more certain and less costly NSIP regime.

There have not been many applications for material changes as the process largely replicates the process for obtaining the DCO and takes at least a year (excluding any pre-application consultation). For non-material changes the process is lighter touch, but it has no fixed statutory timescale for determination, thereby not providing the certainty required.

For the proposal to move to a single process, it is important that it is looked at from the perspective of the objectives of the reforms (faster, certainty and cost) and that the single

[3] National Infrastructure Planning Association (2023) Project Hindsight – Post Decision Implementation

process will reduce the overall time it takes to make a change to a DCO and is not modelled by default on the existing material change regime.

A suggestion made by NIPA members was that DCOs should be flexible enough and capable of allowing some changes, without it requiring a formal DCO change. In terms of realising opportunities to improve consented schemes as they progress through detailed design to delivery, this would encourage creativity and support flexibility for Applicants and those implementing and working alongside and within communities in coming up with ideas which suit the specifics of their project and accommodate technological advancements that would lead to better outcomes. This would be subject to appropriate checks and balances, e.g. nothing that would give rise to worse likely significant environmental effects than those reported in the Environmental Statement (ES) and sign off by the Secretary of State where appropriate and/or other relevant authorities/bodies. The current practice adopted with DCO drafting is overly restrictive and has at times made improvements difficult or even impossible even where these have local support.

On a more practical level, another area for improvement from the perspective of NIPA members supporting delivery partners/contractors, is the visibility and accessibility of certified documents and ensuring that correct versions are easily available, identifiable and older versions restricted/superseded to avoid confusion during the implementation stage.

g. What are the best ways to improve take-up of section 150 of the Planning Act? Do you think the approach of section 149A has the potential to be applied to other licences and consents more generally?

The consents currently prescribed for the purposes of section 150 of the Planning Act 2008 can only be disapplied by a DCO with the prior consent of the relevant regulatory body.

NIPA members' experience is that relevant regulatory bodies appear not to want to agree to incorporate 'their' consent in the DCO as a matter of principle rather than a matter of what is appropriate for the project. Over time, this dissuades Applicants from seeking to engage on the matter, despite existing Guidance creating a presumption that the relevant body makes every effort to agree a proposal.

If Government wishes to achieve its specific policy objective as well as a culture change around the delivery of national infrastructure, legislative change in respect of section 150 is needed to align it with the intent of the Planning Act overall, so that it is first and foremost the Applicant's choice on which powers to seek within the DCO. This necessarily needs balancing within the DCO process so that the relevant regulatory bodies are engaged meaningfully on the potential powers to be included, and so that the Examining Authority can examine the proposals and the Secretary of State make a decision on them, with the benefit of representations from the relevant bodies. Statutory Guidance has a role here to ensure that this balance is struck, for example setting out when it may be appropriate for an applicant to propose a disapplication of a prescribed consent and with reference to what supporting information, in order to deal with an acknowledged concern by some regulators that Applicants sometimes seek a disapplication when there is insufficient information available to justify it such that the request is inappropriate or premature.

At present, there are a number of workarounds to the impasse that, as the Working Paper notes, impacts on the efficient and timely delivery of projects.

Beyond a straight disapplication (with or without protective provisions), there are other ways in which "other consents" can be, in effect, incorporated into a DCO, of which deemed consent

is one, infrequently used, technique, where the Applicant puts forward a case for a consent they consider appropriate to be deemed to have been granted subject to the terms included in the DCO. There is certainly potential for the approach of section 149A to be applied to other licences and consents more generally, but it is not without complications and risks to project delivery.

Unless varied or disapplied by the DCO, a deemed consent would be subject to the legislative machinery that ordinarily applies to that consent. Depending on that legislation, the deemed consent could subsequently be varied or revoked by the regulator, in effect allowing that regulator to vary an important output of the DCO process without reference to the Secretary of State that made the Order. This is certainly the case in relation to deemed marine licences (DMLs) and is compounded by the inability to correct DMLs under Schedule 4 or to change them under Schedule 6 to the Planning Act 2008. This risks creating uncertainty, detracts from the DCO as a 'one-stop-shop' and further risks duplication and inconsistency of controls. For example, a DCO might include a requirement on its face regulating the subject matter of the 'other consent' and yet a subsequent regulatory decision to vary the 'deemed consent' could give rise to a conflict between what is written in the DCO following a public examination and what appears in the subsequently varied deemed consent. Uncertainties could also arise in relation to enforcement of the deemed consent, i.e. would it be under the Planning Act's enforcement provisions or under the legislative framework applying to the deemed consent, or indeed under both?

Furthermore, with the breadth of the legislation as it stands there is no reason in law why DCOs could not now make provision for other consents to be deemed to have been granted (Schedule 5 is not an exhaustive list of what DCOs may contain / provide for) and it is telling that this is not the approach that most Applicants have chosen to follow.

This is a complex subject but the current veto that regulators have on DCOs disapplying the need for prescribed consents without their agreement only serves to maintain the status quo, doing nothing to make the overall consenting process more efficient and to speed up project delivery. There is an important role for Statutory Guidance to set out the acceptable approaches here to other consents, including disapplication and deeming consents to have been given, but ultimately if, despite full engagement and adherence to Guidance, there remains a disagreement between an applicant and a regulator, we suggest that it is appropriate for the Secretary of State to determine the right approach to be taken by the DCO to the consent(s) in question, having full regard to all representations received. Repealing section 150 would allow the Secretary of State to perform that essential role in the public interest, which is currently not possible.

h. With respect to providing for additional flexibility, do you support the introduction of a power to enable Secretaries of State to direct projects out of the NSIP regime? Are there broader consequences for the planning system or safeguards we should consider?

Yes. NIPA support this flexibility so that projects can opt out of the NSIP regime. It will be important that the process is simple, the requirements/criteria for opting out are straightforward and that the Secretary of State has a clear timeframe for their decision-making. In effect a mirror of the section 35 procedure for requesting a direction into the regime would be the most proportionate and timely model to replicate.

i. Do you believe there is a need for the consenting process to be modified or adapted to reflect the characteristics of a particular project or projects? Have we identified the main issues with existing projects and those likely to come forward in the near future? Can we address these challenges appropriately through secondary legislation and guidance; or is there a case for a broad power to enable variations in general? What scope should such a power have and what safeguards should accompany it? If a general process modification power is not necessary, what further targeted changes to the current regime would help ensure it can adequately deal with the complexity and volume of projects expected over the coming years?

NIPA would like to reinforce the importance of having a consistent consenting process for different types of projects. Different consenting processes for different types of projects is likely to create complexity, risk, uncertainty and reduced confidence in delivery.

The possibility of a process modification on a project-by-project basis could be worthwhile. NIPA members would support some proportionality in the NSIP regime and doing things differently. However, it should enable the Secretary of State to allow it (for certain types of project) where Applicants so request and demonstrate it to be necessary (for example where compliance with a requirement would be impossible, unnecessary or impracticable) and proportionate. This should draw on experience gained from the Transport and Works Act regime, where waiver directions are routinely given at the request of the Applicant. NIPA would, however, caution against imposing a process modification without an Applicant requesting it.

Process modification powers enabling joint consultation and examination of clusters of NSIPs in one region. The coordination of this would be challenging. This should be optional, with the agreement of the Applicants concerned.

Process modification requiring more joint working by Councils across scheme boundaries for complex or linear projects. This would be better dealt with by Guidance, and we are not sure that it requires amendments to legislation. Some NIPA members suggested it would be helpful to have a single discharging authority for large linear schemes where there are multiple planning authorities (similar to the approach taken on National Highways schemes where the Secretary of State is the discharging authority) to reduce costs and delays in implementing projects and any inconsistency or disproportionate delay by one administrative area – this is something that the DCO concerned can already make provision for.

Process modification powers allowing a more streamlined process for solar. Whilst some members agree that it made sense to be able to create a lighter-touch process for solar projects, others felt it would be difficult to see how this would work in practice. Some members of NIPA were of the view that issues associated with solar projects are not always ‘limited’ or less complicated, e.g. heritage was cited as a key issue in a recent solar scheme that is not referenced in paragraph 51. Members also noted that a recent solar scheme had four Examining Inspectors allocated to it, thereby indicating that decision-makers may also be of this view.