

**CONSULTATION RESPONSE TO MINISTRY OF HOUSING, COMMUNITIES AND LOCAL
GOVERNMENT IN RELATION TO NATIONAL PLANNING POLICY FRAMEWORK:
PROPOSED REFORMS AND OTHER CHANGES TO THE PLANNING SYSTEM**

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 delivery of major infrastructure projects. Our principal focus is the planning 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 outcomes.

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 delivery;
- 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.

This Consultation

On 16 December 2025, the Ministry for Housing, Communities and Local Government (MHCLG) published a consultation entitled **National Planning Policy Framework: proposed reforms and other changes to the planning system**. The consultation is seeking views on a revised National Planning Policy Framework (NPPF) and other changes to the planning system.

The consultation poses 225 questions. This NIPA response focuses on questions relevant to the planning regime for NSIPs and driving better national infrastructure planning outcomes, specifically the following questions:

- **Chapter 2: Planning-making policies.** Question 6. On the role of spatial development strategies.
- **Chapter 10: Securing Clean Energy and Water:** Questions 96 – 99. Relating to policies on renewable and low carbon energy with two new policies on planning for energy and water infrastructure, and decision-making on water infrastructure.
- **Chapter 13: Protecting Green Belt land:** Question 136. Focussed on policies that set out appropriate tests for considering development on Green Belt land.
- **Annex A - Data Centres and onsite energy generation:** Questions 195 – 199. Responses to questions related to energy thresholds and data centres.

**QUESTIONS ON PROPOSED REFORMS TO THE NATIONAL PLANNING POLICY
FRAMEWORK AND OTHER CHANGES TO THE PLANNING SYSTEM**

Chapter 2: Plan-making policies

Question 6. Do you agree with the role, purpose and content of spatial development strategies set out in policy PM1? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Strongly agree

a) Please provide your reasons, particularly if you disagree.

NIPA supports the role of Spatial Development Strategies (SDSs) to set a positive vision for growth and change, and welcomes the increased emphasis on infrastructure provision in the draft NPPF. We would encourage the strengthening of wording where possible, please see our detailed responses to the questions posed in Chapter 10: Securing Clean Energy and Water. We have made suggestions where we would welcome further detail, clarification and improvement, in particular making sure SDSs are referenced as 'relevant infrastructure plans' in plan-making policies for energy and water (Policy W1) and decision-making policies for energy and electricity network infrastructure (Policy W3).

NIPA remains keen to work with MHCLG to test how draft wording might play out in practice, drawing on our breadth and depth of membership expertise, so that any proposed changes to the draft NPPF have maximum positive impact, and we would be keen to follow up in due course.

Chapter 10: Securing Clean Energy and Water

Question 96. Do you agree with the approach to planning for energy and water infrastructure in policy W1? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Strongly agree

a) Please provide your reasons, particularly if you disagree, what alternative approach would you suggest?

NIPA strongly supports the approach set out in Chapter 10, with the clear recognition of the importance of improving energy and water infrastructure. We have made suggestions to assist with clarity of the intended approach and to ensure there is consistency and alignment with other sections of the NPPF.

Policy W1(1) – whilst reference is made to 'regulators' we believe it should be clearer, with explicit reference to the role of statutory consultees. Whilst some regulators, e.g. the Environment Agency, perform both roles as a regulator and statutory consultee, some are only a statutory consultee. It is understood that there are ongoing reforms to the role of statutory consultees in the planning system, particularly those governed by the Town and Country Planning Act (TCPA) 1990, however, a reference to relevant statutory consultees would future proof the NPPF.

Policy W1(1) – ‘relevant infrastructure plans’ and the list included at Footnote 38 – it should be clear that this is an example list and not an exhaustive list, we also believe Footnote 38 should be added to W3 as per our response to Q98 below. To help with the alignment of different aspects of the NPPF – we would recommend that reference in Footnote 38 is also made to Spatial Development Strategies (given the intentions for SDSs stated in Policy PM1(2)(f) regarding strategic infrastructure provision), and National Policy Statements (given what is stated in paragraph 12 of the Introduction regarding NPSs being a material consideration in preparing plans and making decisions on planning applications).

Policy W1(2)(a) – it is positive to see that the definition of ‘renewable and low carbon energy’ in the Glossary has been expanded. We would offer the following observations in relation to the definition as drafted:

- There are other critical technologies such as biomethane, carbon capture usage and storage and hydrogen within the definition of renewable and low carbon energy. The definition should be expanded to support the urgent need for low carbon hydrogen infrastructure, hydrogen distribution, pipelines and storage, to reflect the fact that they are considered to be Critical National Priority (CNP) Infrastructure pursuant to National Policy Statement EN-1 (“NPS EN-1”) by virtue of paragraph 3.4.23.
- The definition of renewable and low carbon energy currently does not go far enough in making it expressly clear that the definition, and by extension the policy support, extends to essential supporting infrastructure such as pipelines.

Proposed drafting amendments

NIPA believes that the issues identified above could be addressed by some proposed drafting amendments. This could be achieved through the following drafting changes, shown in red, are included in the NPPF:

*Renewable and low carbon energy: Includes energy for heating and cooling as well as generating electricity. Renewable energy covers those energy flows that occur naturally and repeatedly in the environment – including from the wind, the fall of water, the movement of the oceans, from the sun and also from biomass and deep geothermal heat. Low carbon technologies are those that can help reduce emissions (compared to conventional use of fossil fuels). This includes, but is not limited to, nuclear power and supporting infrastructure, as well as low carbon fuels such as biomethane, hydrogen and heat from recoverable sources, such as heat recovered from data centres, as well as the storage of renewable and low carbon energy, such as Battery Energy Storage Systems (BESS) **as well as supporting infrastructure including pipelines.***

This amendment would ensure that the policy support in the NPPF also applied to supporting infrastructure which is included as part of any planning application for renewable and low carbon energy projects.

Low carbon gas pipeline infrastructure

We would recommend that a definition of low carbon gas pipeline infrastructure is added to the NPPF. We would propose the following drafting suggestions for these additions:

Carbon capture pipeline infrastructure: Infrastructure that facilitates the transmission of carbon from producers of carbon to storage facilities. This infrastructure is essential for the decarbonisation of industry and includes components such as above ground installations, compressor units and vents.

Low carbon gas pipeline infrastructure: Infrastructure that facilitates the transmission of low carbon gas, including gas produced from biomethane and low carbon hydrogen, from production sources to end users, including transmission, distribution, and interconnection. This infrastructure is essential for the operation and expansion of the gas and hydrogen networks and includes components such as above ground installations, block valve installations, pressure reduction stations, compressor units and vents.

This amendment would ensure, as with the proposed change in respect of electricity network infrastructure, that proposals for carbon capture pipeline infrastructure and low carbon gas pipeline infrastructure which came forward in isolation would also benefit from the policy support in the NPPF.

As with electricity network infrastructure, carbon capture pipeline infrastructure and low carbon gas pipeline infrastructure are commonly developed as standalone projects and not necessarily always in association with renewable and low carbon technologies.

Throughout Policy W1 to Policy W3, we would recommend that the wording is amended so that in each instance where the policies currently state: “renewable and low carbon energy and electricity network infrastructure”, they instead state: “renewable and low carbon energy development, electricity network infrastructure, *carbon capture pipeline infrastructure and low carbon gas pipeline infrastructure*” with the words in red inserted to give effect to the proposed extension of the policy to low carbon gas pipeline infrastructure.

Question 97. Do you agree with the amendments to current Framework policy on planning for renewable and low-carbon energy development and electricity network infrastructure in policy W2? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

Strongly agree

a) Please provide your reasons, particularly if you disagree.

NIPA supports the amendments to the NPPF to include reference to electricity networks infrastructure.

Consistent with our response to Q96, Policy W2 would benefit from also including reference to proposals for carbon capture pipeline infrastructure and low carbon gas pipeline infrastructure so that they would also benefit from the policy support in the NPPF. As with electricity network infrastructure, carbon capture pipeline infrastructure and low carbon gas

pipeline infrastructure are commonly developed as standalone projects and not necessarily always in association with renewable and low-carbon technologies.

In terms of Policy W2(1) – this ‘plan-making’ policy would benefit from including a similar clear statement that is included in the ‘decision-making’ Policy W3(2) that: “*Where proposals for this form of development come forward outside areas which have been identified as suitable for them they should be acceptable when assessed against the national decision-making policies in this Framework, taken as a whole.*”

Question 98. Do you agree with the proposed approach to supporting development for renewable and low carbon development and electricity network infrastructure in policy W3? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

Strongly agree

a) Please provide your reasons, particularly if you disagree, and any changes you would make to improve the policy.

At Policy W3, we recommend that there is an express duty on the decision-maker to have regard to the relevant infrastructure plans. This would replicate the obligation on local planning authorities to have regard to the relevant infrastructure plans at Policy W1 and ensure that such plans were a consideration at both the designation and decision stage, with reference to Footnote 38. Consistent with our response to Q96, it should be clear that this is an example list and not exhaustive list, and we would recommend that reference is also made to Spatial Development Strategies and National Policy Statements in the footnote.

At Policy W3, we recommend that there is an express duty on the decision-maker to have regard to the relevant national policy statement. This would ensure that the decision-maker then has regard to that national policy statement, and that the hierarchy of NPSs is maintained.

In considering proposals for renewable and low-carbon energy development, electricity network infrastructure, carbon capture pipeline infrastructure and low carbon gas pipeline infrastructure, regard should be had to the relevant infrastructure plans where relevant and to the relevant national policy statement and substantial weight should be given to.....

There is no reference to the contribution that renewable and low carbon energy schemes, particularly those such as biomethane and hydrogen schemes, can make to AI Growth Zones, Industrial Strategy Zones or enterprise zones (in support of co-located onsite generation). Whilst Policy E(1) addresses this in respect of commercial development and Policy W3 refers to the substantial weight to be attached to economic benefits, we recommend that this is either extended so that commercial development clearly includes renewable and low carbon energy, or that the benefits are specifically identified as benefits to which substantial weight must be afforded in Policy W3. This can be achieved by making this clear in Policy W3(1)(a) as follows:

The benefits of such development for improving energy security, supporting economic development (including supporting AI Growth Zones, Industrial Strategy Zones or enterprise zones) and moving to a net zero future.

We would also recommend that any Planning Practice Guidance issued to cover specific forms of development specifically identifies the relevant form of relevant infrastructure plan in due course.

Policy W(3)(1)(b) as drafted is limited to ‘re-powering and life-extension of existing sites’. This could also reference ‘repurposing’ existing sites to optimise the existing supporting infrastructure such as roads, cable routes, grid/gas connections that are typically in place and to provide flexibility for new and innovative technological advances in the future, such as more efficient, increased output, as has happened with wind turbine technology.

NIPA welcomes the clarity provided in Policy W3(2) regarding the position for renewable and low carbon energy development and electricity network infrastructure that: *“Where proposals for this form of development come forward outside areas which have been identified as suitable for them they should be acceptable when assessed against the national decision-making policies in this Framework, taken as a whole.”* As noted in response to Q97, the ‘plan-making’ Policy W2 would benefit from the inclusion of a similar clear and consistent statement.

In relation to development that is expected to be time-limited, Policy W3(3) states that an application should be accompanied by *“... proposals for decommissioning and site restoration, including details of how these measures are expected to be implemented proposals for decommissioning and site restoration.”* Annex C also summarises the information required in support of an application for development to include the information specified in the relevant national decision-making policies, as referred to in DM2: Information Requirements. Annex C includes an entry for Policy W3 with the information requirement repeating the intent of Policy W3(3): *“Proposals for decommissioning and site restoration, including details of how these measures are expected to be implemented.”*

Whilst NIPA understands the intention of Policy W3(3) and the information requirement in Annex C, we believe that as drafted they could raise unrealistic requirements and expectations regarding decommissioning and the level of detail that will be available at the application stage and the decision-making stage. An applicant would be able either to make this the subject of a separate application process or outline the responsibilities, environmental standards and measures that they would comply with and would require their Contractor(s) to comply with. Any detailed proposals for decommissioning will have to take account of the latest guidance and regulations in place at the time of decommissioning, which depending on the type of renewable and low carbon energy development, this could be 25 – 60 years in the future. The drafting and language here should be more helpful to enable any re-use and repurposing to be allowed for. It should guide decision-makers to consider outline proposals, acknowledge that detailed proposals will have to take account of any continuing need for, or alternative use for, the site and the guidance and regulations in place at the time of decommissioning. It should also be clear that it is precedented for this detail to be provided as a condition of a planning permission, or a permit if it is controlled by a separate regulatory regime.

At Policy W3, NIPA agrees that substantial weight should be given to renewable and low carbon energy development. To strengthen this, we suggest that “and” at the end of Policy W3(1)(b) is replaced with “or”. This would allow substantial weight to be given to development which meets one of the three criteria, rather than having to meet all of them. Without this,

these developments may not meet the substantial weight tests of very special circumstances in the Green Belt.

Question 99. Do you agree with the proposed approach to supporting development for water infrastructure in policy W4? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

Strongly agree

a) Please provide your reasons, particularly if you disagree.

NIPA welcomes the approach to supporting the development of water infrastructure. However, we would make several suggestions for improvements that should be considered and reflected in the update of the drafting to Policy W4 to improve its clarity and coverage in relation to the relevant water infrastructure that will be required to address pressures of climate change, population growth, economic growth as well as protecting and enhancing the environment.

In terms of coverage of Policy W4(1), the current drafting is not explicit that it applies to water transfer, recycling/reuse of water, or resilience improvements. There is no explicit reference to supporting flood alleviation schemes which would help with managing flood risk and coastal change, and its associated policies set out in section 10 of the NPPF.

References to 'drainage' should be consistent with the language used in Policy F8 which better frames decision-making policies in terms of sustainable drainage systems, and nature-based solutions to deliver multiple benefits of water infrastructure for biodiversity, surface water, water quality, climate change mitigation and adaptation and recreation.

NIPA welcomes the clarity provided in Policy W4(2) regarding the position that the need for water infrastructure does not need to be demonstrated. However, NIPA recommends that MHCLG should consider adding a short explanation of why that is the case, and as such, we would suggest that reference could be made to the 'critical and urgent need' to build capacity and resilience in the water sector as outlined in section 2 of National Policy Statement for Water Resources Infrastructure and to its position that the need for projects is demonstrated by being included in a published Water Resources Management Plan or Asset Management Plan.

At Policy W4, NIPA agrees that substantial weight should be given to water infrastructure development; to strengthen this, we suggest that "and" at the end of Policy W4(1)(a) is replaced with "or". This would allow substantial weight to be given to developments which meet one of the two criteria, rather than having to meet both.

Chapter 13: Protecting Green Belt land

Question 136. Do you agree policies GB6 and GB7 set out appropriate tests for considering development on Green Belt land?

To give full effect to the proposals identified above, we would recommend that the following wording is included at Policy GB6(3) to ensure that in the context of the very special circumstances test there is recognition of the benefits of other energy infrastructure and not

just the production of energy but the transmission of it, to ensure that any above ground pipeline infrastructure situated in the green belt or grey belt benefits from this wording:

*“In the case of proposals for renewable and low carbon energy development, **carbon capture pipeline infrastructure and low carbon gas pipeline infrastructure**, very special circumstances may include the wider environmental benefits associated with increased production **and transmission** of energy from renewable sources **and the decarbonisation of industry**”.*

We would recommend that Policy GB6 is reviewed to include a similar paragraph for proposals for water infrastructure in recognition of the wider environmental (social and economic) benefits such as biodiversity net gain, wider environmental gains, and supporting national policy priorities, such as reductions in greenhouse gas emissions, reduced flood risk, improvements to air or water quality, or increased access to natural greenspace.

We also recommend adding reference to carbon capture pipeline infrastructure and low carbon gas pipeline infrastructure at GB7(1)(f)(iii), so that the position for this is placed on the same footing as electricity network and water infrastructure.

Annex A - Data Centres and onsite energy generation

Question 195. Do you consider the planning regime, including reforms being delivered through the Planning and Infrastructure Act, provide sufficient flexibility for energy generation projects co-located with data centres to be consented under either the NSIP or TCPA regime? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

Strongly agree

a) Please give reasons.

NIPA considers that section 35 of the Planning Act 2008, and reforms delivered via the Planning and Infrastructure Act 2025, provide sufficient flexibility for energy generation projects co-located with data centres to be consented under the NSIP regime or the TCPA regime.

NIPA supports this flexibility so that projects can opt in and out of the NSIP regime. It is important that the process is simple, the requirements/criteria are straightforward and that the Secretary of State has a clear timeframe for their decision-making. In order to make this process more effective, NIPA considers that up to date and fit for purpose guidance on 'associated development' would benefit all DCO projects as well as those in this area. This should reflect the increasingly complex, mixed and co-located infrastructure projects that are coming forward.

Question 196. Would raising the Planning Act 2008 energy generation thresholds for renewable projects that are co-located with data centres in England (for the reason outlined above) be beneficial? Yes/No

No

a) If so, what do you believe would be the appropriate threshold? Please provide your reasons.

NIPA does not consider that it is necessary to change the energy generation thresholds for renewable projects that are co-located with data centres in England, provided that the process under section 35 of the Planning Act 2008 for opting in and out is implemented effectively and supported in national policy. NIPA members also consider that a consistent approach should be taken to what is considered nationally significant, and that any changes to energy generation thresholds for renewable projects that are co-located with data centres would unnecessarily overcomplicate matters, where it is desirable to ensure simplicity and consistency.

Question 197. Do you have any views on how we should define ‘co-located energy infrastructure’? Please provide your reasons.

NIPA members would question why a definition for ‘co-located energy infrastructure’ is needed. It is potentially a matter that the Planning Practice Guidance would best provide further detail on, if it was deemed necessary.

NIPA supports the role of co-located energy infrastructure and the role it can play in delivering wider government objectives. NIPA [responded to DESNZ on draft EN-7](#), to support the role of SMR and AMR technologies in supplying low carbon energy to the National Electricity Transmission System and to high demand users, e.g. infrastructure to support AI Growth Zones, data centres, gigafactories, etc. However, in the example of nuclear, wider legislative and regulatory regimes (including the consideration of population density and characteristics as part of the site licensing process) are in force, so to ensure flexibility of integrated and complex infrastructure proposals, it is important that any guidance or definition is not overly prescriptive to avoid any unintended consequences of presenting an obstacle to delivery. Any guidance or definition should show the breadth of considerations, with an applicant then to consider and make the case.

Question 198. Do you think the renewable energy generation thresholds under Section 15 of the Planning Act 2008 for other use types of projects should be increased, or should this be limited to projects co-located with data centres? Yes/No

No

a) Please provide your reasons.

Given the ability shortly to seek an opt out of the Planning Act 2008, NIPA members consider it is not necessary to change the renewable energy generation thresholds under section 15 of the Planning Act 2008. As stated in response to Q196, NIPA members consider that a consistent approach should be taken to what is considered nationally significant, and any changes to energy generation thresholds for renewable projects that are co-located with data centres would unnecessarily overcomplicate matters, which is not desirable. There is already sufficient flexibility for energy generation projects co-located with data centres to be consented under the NSIP regime or the TCPA regime.

Question 199. What benefits or risks do you foresee from making this change? Please provide your reasons.

NIPA members do not see any benefits from making this change, for reasons previously stated in response to questions 197 and 198. If there is a change, it risks there being a differential in the consideration of what is nationally significant and the weight to be afforded through National Policy by virtue of a development's relationship to another project rather than the significance of the Nationally Significant Infrastructure Project itself. NIPA members consider that a consistent approach should be taken to what is considered nationally significant, and any changes to energy generation thresholds for renewable projects that are co-located with data centres would unnecessarily overcomplicate matters, which is not desirable. It would also be contrary to renewable energy projects that are identified as CNP Infrastructure in NPS EN-1.

National Infrastructure Planning Association

10 March 2026