

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, including energy infrastructure.

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.

On 16 December 2025, the Department for Energy Security and Net Zero (DESNZ) published a consultation entitled: “Changes to energy infrastructure planning application fees”. The consultation is on changes to fees for planning delivery services for energy infrastructure developments where DESNZ has primary legislative charging powers. The proposed timescale for the implementation of the proposals is for them to apply to DCO applications with Examining Authority Reports submitted to DESNZ on or after 1 August 2026. The consultation was framed with 42 questions.

Thank you for providing NIPA with the opportunity to provide this contribution to the consultation. We do not consider that adequate time was allowed for consideration and response given the scale of the fees proposed, the proposed timescale for their implementation, and the wider ramifications of the proposals if implemented. However, we would welcome the opportunity to discuss them with DESNZ further.

On the topic of cost recovery, NIPA submitted a comprehensive response to the Ministry for Housing, Communities and Local Government (MHCLG) regarding their recent consultation on [streamlining infrastructure planning](#). We would draw your attention to our responses to the following questions:

- Question 39: Should the ability to cost recover be extended to additional or all statutory bodies that are prescribed in the Planning Act 2008 and Schedule 1 to the 2009 Regulations (as amended)?
- Question 40: How should government develop key performance indicators for public bodies providing cost recoverable services for NSIP applications, and if so, what should those key performance indicators contain?

NIPA is also supporting the Planning Advisory Service (PAS) with small, informal NIPA-convened roundtables to help progress their work with local authorities involved with NSIPs to understand, measure and present costs in a more consistent and transparent way. This

proactive engagement allows NIPA to draw in the insights from the breadth and depth expertise and experience of our volunteer members, from leading promoters and practitioners in infrastructure planning, across the public, private and voluntary sectors.

NIPA is committed to working with government to provide the insights of our diverse practitioner membership, and we recognise the funding challenges that DESNZ outline in this consultation. However, as outlined in our response, further details, justification and engagement is required. We would recommend that a meeting with NIPA, MHCLG, DESNZ and HM Treasury would help address the challenges raised, and the support that NIPA can provide in terms of further evidence / data and deliverable options.

RESPONSE TO CONSULTATION QUESTIONS

CHAPTER 1 – PROPOSED NEW FEE MODEL

Proposed Fixed Fee Model

Q1: What is your view on DESNZ charging application fees that cover the cost of its planning delivery services in accordance with principles within HMT Managing Public Money guidance?

We do not support this.

Question 2. Please provide details explaining your response to Question 1.

NIPA does not support this proposal, as currently set out. Fees payable to PINS are currently calculated pursuant to the Infrastructure Planning (Fees) Regulations 2010 (as amended). These fees apply to all DCOs, and relate to the complexity of a Project, and are applied consistently across each type of NSIP - and are not sector-specific.

NIPA notes that, from the perspective of project applicants and promoters, the cost of developing major energy infrastructure projects is inherently high and continues to increase over time. NIPA does not object in principle to the charging of fees that recover the cost of planning delivery services. NIPA also recognise that the Government has an ambitious 150 DCO target for this Parliament. NIPA consider that the fees payable by applicants of DCO projects must be done in a transparent and proportionate way, and be consistent across sectors. Such fees must be demonstrably linked to improved service capacity and performance, decisions made in a timely manner, and understood in the context of the fees already payable to PINS pursuant to the Infrastructure Planning (Fees) Regulations 2010 (as amended), which have already increased the financial burden on DCO applicants.

Introducing further financial burdens, particularly without a clear demonstration of value or defined service standards, risks discouraging private investment and undermining the Government's own objective of delivering 150 DCOs, and the very purpose of the Planning Act 2008, which is to facilitate the timely delivery of nationally significant infrastructure. This is particularly relevant for applications which are known to be less complex (such as solar), and therefore attract lower Examination fees. A flat fee for all DCO applications is therefore not supported by NIPA.

If cost recovery enables DESNZ to resource planning functions effectively and deliver more timely, predictable decisions, this could offer clear benefits to applicants by reducing delay-

related risks and costs. NIPA considers that clear and measurable targets should be set out to demonstrate delivery, and promote confidence among applicants that additional fees are linked to measurable improvements in outcomes.

For example, fees payable for Material Change and Change applications should be linked to clear determination timescales.

Delays in the determination of DCO applications directly translate into further escalating costs, which can impact on the financial viability of projects. A reasonable KPI in this context would focus on decisions being made on time and the need for correction orders (in relation to DCOs) only in exceptional circumstances.

Table 2 presents the proposed costs in very broad categories, and refers to resources including staff line management, departmental functions, corporate services, and maintenance of a digital portal. These are all very broad statutory functions – so the demonstrable value added by these functions to the application types for which fees are to be introduced is not clearly articulated or explained in the consultation document.

In relation to DCO applications, what is particularly missing from the consultation document is a clear explanation and justification for why it would be appropriate for DESNZ to charge *any fees at all*, given that the fees currently payable to PINS have to date covered the entire DCO application process.

Question 3. Should a fee be introduced for all application types?

No.

Question 4. If you have responded 'No' to Question 3, which application types should be exempt and why?

We have set out our position in relation to Q2.

Question 5. Should all fees be based on a fixed charge?

No

Question 6. If you have responded 'No' to Question 5, what other charging model should apply and to which services?

The fixed fee model proposed does not offer any flexibility for DCO applications to be considered on their merits and specific circumstances. As such, not all schemes will require the same level of resourcing by DESNZ and same fee levels. In terms of proportionality, any fees should reflect the scale and complexity of the project, ensuring that smaller or early-stage developments are not disproportionately affected.

Whilst introducing cost recovery for DCO applications may help to improve capacity, responsiveness and effectiveness, this should not come at the expense of fairness, transparency or proportionality. Any reform must be designed to deliver demonstrable value and to sustain investor confidence in the NSIP regime.

PINS, which is cited in the consultation document as best practice, introduced 3 service tiers.

A charging system should have the ability to charge for the time incurred by the Department. Those applications that are less complex should pay a lower cost, and more complex and larger projects have greater scope to pay larger fees. As noted above and in response to Question 1, there is a real risk that the proposed fee levels will disproportionately affect smaller scale projects.

Calculation Methodology and Proposed Approximate Fees

Question 7. Should all fees be based on a fixed fee model?

No

Question 8. Please explain in detail your response to Question 7

The consultation notes in the 'Other Fee Structure Considerations' that a tiered fee approach (and other models) were considered, but it does not set out the pros and cons of each model considered, nor does it set out the rationale or justification for the fee models being discounted.

NIPA welcomes the recognition from DESNZ that proposals should take account of ongoing planning reform which will, through the Planning and Infrastructure Act, change application timelines and resources. The data utilised to develop the estimates outlined within the consultation (e.g. processing times) are likely to change and as such NIPA would welcome the fee estimates being sufficiently agile to respond to changes in the system.

NIPA would draw particular attention to the following fee proposals:

DCO Application Fee

The consultation document does not fully address how the proposed fees relate to existing fees payable and why they are being sought in addition, i.e. PINS DCO application fee, nor how the payment mechanisms would work and when they would be payable, e.g. at the formal close of Examination. Please see response to Q1, which notes that cost recovery must be transparent, proportionate and demonstrably linked to improved service capacity and performance. In the context of the DCO application fee, an example KPI may relate to the delivery of timely decisions which could offer clear benefits to applicants by reducing delay-related risks and costs.

NIPA welcomes that costs do not apply to correction orders.

Discharge of Requirements

Table 3 of the consultation does not specify whether the discharge of requirements fee represents a single fee for each project, each application to discharge requirements (which could relate to one or more requirements) or to the discharge of each individual requirement.

These alternatives would generate significantly different resource demands and fee revenues. In respect to the second potential interpretation (a £8,200 fee to discharge each application to discharge requirements), NIPA would note that the discharge of requirements at different times can be as a result of a schedule agreed between the Applicant and statutory bodies (to deliver, for example, a staged approach to discharge) or can be caused

by delays by SNCBs or relevant authorities which in turn will result in additional fees for an applicant. In respect to the latter, NIPA would welcome, as part of wider reforms, KPIs and an obligation on statutory consultees and relevant authorities to meet non-statutory timeframes associated with approval of documentation to support multiple discharges being grouped into each application. It is NIPA's view that the third potential interpretation (a £8,200 fee to discharge each individual requirement) would be significantly disproportionate given the number of requirements typically attached to an energy infrastructure DCO and the limited role of DESNZ in most instances.

This lack of clarity and specificity in the consultation document introduces uncertainty, and as this is considered further by the Department we would recommend that a proportionate approach should be taken.

Safety Zones

Although the proposed increase in fees is fairly minor, NIPA would recommend clear guidance on expected timeframes for the determination process to provide an Applicant with greater confidence and allow for better planning and budgeting.

Question 9. What are your views on possible future segmentation of application fees based on improved data collection?

We support this.

Other Fee Structure Considerations

Question 10. Please explain your response to Question 9.

The consultation document does not set out any details on the fee models considered, the justification for selection of the preferred option or the discarding of other fee structures such as segmentation of application fees with bespoke requirements.

As noted in our responses to Q6 and Q7, NIPA is of the view that the Department should consider the bespoke segmentation of application fees now with some flexibility built in. This should facilitate changes based on data collected such that each fee type accurately reflects the actual costs incurred by DESNZ in processing the different application types.

Question 11. If supported by data, DESNZ may consider a tiered fee model with varying fees to reflect the resource intensity of applications. What are your views on this?

We support this.

Question 12. Please explain your response to Question 11.

NIPA acknowledges that within each application type there will be variation in the resource intensity of an individual application, and a fee based on averages may not be proportionate for an average developer. This would be particularly beneficial for applicants of projects where the overall application costs are comparatively low (e.g. smaller scale solar projects) to enable them to recoup some of the costs should their applications be less complex than others.

However, it will be important that any fees which are implemented are transparent and proportionate. As covered in our previous responses it is important that any fee model is proportionate. Data and best practice should have been detailed and presented in the consultation document, outlining how this has shaped the fixed fee model proposed.

Question 13. DESNZ may consider future additional hourly fees for applications that significantly exceed typical processing times.

We do not support this.

Question 14. Please explain your response to Question 13.

NIPA note that this approach would introduce uncertainties for Applicants with costs becoming unpredictable. It is considered that by proposing the fees in the first instance, DESNZ should have sufficient data to provide an accurate estimation of typical processing times. Should the data indicate otherwise, fees could be adjusted as part of the proposed annual review cycle – via an increase or decrease dependant on the data collected. In terms of transparency the consultation document should have set out what circumstances would attract additional hourly fees, how charges would be calculate, and what applicants can expect in return.

Should this additional hourly fee mechanism be put in place, safeguards should be developed to ensure that any additional hourly fees are fair and proportionate. The Applicant should not be liable for costs incurred as a result of poor quality, or late responses from other parties involved in the DCO process.

15. Are there alternative fee models that you think DESNZ should consider in the future? Please specify.

Yes. It is our view that the consultation document should have provided more detail on the fee models considered, the pros/cons with a detailed consideration of each against a set of consistent principles, and with the justification for an option being selected or discounted. This consideration should take place now, and not in the future. The fee model should adhere to the principles we have outlined in previous responses, and result in a model whereby those applications that are less complex pay a lower fee, and those applications that are more complex and larger pay a higher fee.

CHAPTER 2 – FEE REVIEWS AND IMPACT CONSIDERATIONS

Proposed Annual Review Cycle and Adjustment of Fees

Question 16. Costs will be reviewed annually. Do you agree with this proposal?

Yes.

However, given the potential scale of some of the fees proposed, NIPA would advise that sufficient notice is given of fee adjustments to enable applicants to secure the necessary funding within project budgets, especially for DCO applications.

Question 17. If you have responded ‘No’ to Question 16, how often should reviews be undertaken to support a sustainable funding model?

N/A

Question 18. What other steps would you like DESNZ to consider beyond publishing fees on

GOV.UK to ensure transparency and accountability?

We have highlighted in our response aspects that NIPA believe the consultation document should have included more detail on to help inform consideration of the fee model proposed, and what the implications would be for service users and those involved in the DCO process.

The consultation document does not explain the benefits of charging (beyond recovering costs) and it does not clearly explain the standard of service for each application type that an applicant could expect to receive for the costs proposed.

NIPA consider it would be reasonable for DESNZ to provide clear documentation explaining the methodology for calculating the fees, including the data used.

NIPA considers that a consistent framework of KPIs could be developed to establish clear expectations, enabling performance monitoring and promoting confidence among applicants that costs are linked to measurable service outcomes.

Question 19. What additional data could DESNZ collect and consider to support fee modelling reviews? Please specify.

DESNZ could consider implementation of a feedback mechanism where applicants can share their experiences and feed into the annual review cycle. NIPA could also play a role here helping to convene a feedback loop from multiple parties involved in the DCO process so that they could share their insights to support service improvements.

Question 20. To help understand future application numbers in cost review cycles, do you have suggestions on how stakeholders or potential applicants can provide information on possible future application numbers and service demands?

For a number of the applications to which the proposed fees relate, NIPA would refer DESNZ to the Planning Inspectorate's register of projects. This sets out projects at the various different stages, e.g. upcoming projects with anticipated submission dates, projects in pre-examination, and those in examination.

This would enable DESNZ to forecast future application numbers and service demands (e.g. submission of DCO applications, and the number of requirements in made DCOs.).

DCO requirements would be more difficult to track, however this is also an important part of the process to ensure 150 DCO projects are consented and progress to deliver the benefits for which they are proposed. DESNZ should consider having a dedicated resource / point of contact available for project teams approaching DCO implementation to discuss their programme of activity and the resourcing implications for the Department.

Question 21. Will the introduction of fully cost-reflective fees affect your motivation to submit an application?

Yes.

Impact Considerations

Question 22. Please explain your response to Question 21.

NIPA cannot comment on an individual Applicant's willingness to submit an application. NIPA itself does not submit applications. However, given the lack of detail on what services are covered, how charges are calculated, what applicants could expect in return allied with the lack of lead-in time for introducing significant fees level - this could well have unintended consequences for DCO applications and could affect motivations for applications to be submitted.

Question 23. Would you consider these proposals to disproportionately impact certain types of businesses or technologies?

Yes.

Question 24. Please explain your response to Question 23.

Some technologies rely on multiple speculative applications (e.g. some battery storage projects) and the proposal for new or increased fees may disincentivise them or impact them (i.e. not forecasting further costs at the decision-making stage). In addition, the proposed fees may disproportionately affect applicants of projects where the overall application costs are comparatively low (e.g. smaller scale solar projects).

Question 25. Do you think the introduction of new and increased fees for applicants risks the cost being passed on to domestic consumers?

No response

Question 26. Please explain your response to Question 25. Furthermore, if you responded 'Yes', please detail and quantify the impact to domestic consumers.

No response

Question 27. Do you think the introduction of new and increased fees for applicants risks the cost being passed on to non-domestic consumers?

No response

Question 28. Please explain your response to Question 27. Furthermore, if you responded 'Yes', please detail and quantify the impact to non-domestic consumers.

No response

Question 29. How important is fee predictability for your organisation's planning and budgeting?

- a. Very important**
- b. Quite important
- c. Not very important
- d. Not at all important
- e. Unsure

This will vary however between our member organisations and their own business cases. However we would refer you to our response to Q24.

Question 30. Do you have any additional evidence or views on the potential impacts, costs and benefits of the introduction of the fixed fee model?

NIPA submitted a comprehensive response to MHCLG regarding the recent consultation on [streamlining infrastructure planning](#). We would draw your attention to our responses to the following questions:

- Question 39: Should the ability to cost recover be extended to additional or all statutory bodies that are prescribed in the Planning Act 2008 and Schedule 1 to the 2009 Regulations (as amended?)
- Question 40: How should government develop key performance indicators for public bodies providing cost recoverable services for NSIP applications, and if so, what should those key performance indicators contain?

CHAPTER 3 – SERVICE DELIVERY

Statutory and Non-Statutory Decisions

Question 31. Would you support a future introduction of indicative or target timescales for the determination of each non-statutory application type?

Yes.

Question 32. Please provide reasons for your response to Question 31.

This will provide the necessary transparency regarding the justification for the proposed new and increased fees, as well as the mechanism by which the fees will deliver improved service capacity and performance. NIPA would note that these indicative or target timescales should apply to other application types (beyond the Electricity Act 1989), for example safety zone applications. NIPA's broader experience indicates that confidence in the planning system depends on consistency, predictability and fairness. Adherence to timeframes would support predictability.

Question 33. If you have responded 'Yes' to Question 31, please specify views on appropriate target determination periods and whether these should vary by application type.

NIPA would recommend that these determination periods mirror those associated with statutory applications as much as possible.

Question 34. What additional delivery metrics or service agreements should DESNZ consider in planning delivery services to ensure efficiencies and achieve value for money?

NIPA supports the introduction of key performance indicators (KPIs) for public bodies providing cost-recoverable services under the NSIP regime. Standardised KPIs would strengthen accountability, transparency and consistency across statutory bodies, ensuring that cost recovery arrangements deliver demonstrable value and improved service quality for applicants.

NIPA considers that a consistent framework of KPIs should be developed and incorporated within standardised cost recovery agreements for all public bodies participating in the NSIP process. This would establish clear expectations, enable performance monitoring and

promote confidence among applicants that costs are linked to measurable service outcomes.

To be effective KPIs should be practicable, proportionate and measurable, with transparent reporting mechanisms and a clear process for escalation where performance falls short. By embedding these principles within standard cost recovery agreements, government can ensure that the system delivers tangible value, supports timely decision-making and sustains trust between applicants and public bodies.

NIPA welcome the new digital case-handling portal which will be an important tool for data collection, including processing times, which will ultimately feed into the annual review cycles.

Innovation Opportunities for Service Efficiencies

Question 35. What innovative opportunities should DESNZ consider to support efficiencies within planning delivery processes?

NIPA supports the areas identified, and echoes the need for all processes to align with wider planning reforms.

While there are opportunities to make greater usage of AI within the planning process, any use of AI through the planning system must be traceable and accountable.

Question 36. As an organisation, do you plan to use innovative opportunities (e.g., AI) to prepare planning applications?

N/A

Question 37. Please provide details on your response to Question 36.

N/A

CHAPTER 4 – IMPLEMENTATION AND SUPPORT

Timing of New and Updated Fees

Question 38. What risks (if any) do you foresee with the proposed implementation timeline of 1 August 2026 for new and updated application fees?

NIPA consider the implementation timeline as being too short, and given the limited detail provided on the services provided means that we do see risks and unintended consequences. Applicants and projects will not have included the proposed fees within annual budgets for 2026 and there is also a risk that the anticipated efficiencies within DESNZ may not be realised for initial applications, which in turn could diminish confidence in the proposed reforms.

Question 39. What transitional support would be helpful for DESNZ to offer applicants ahead of the introduction of new and updated application fees?

NIPA would recommend publication of contact details which Applicants can use should they have questions or wish to provide feedback on implementation of the proposals.

We would encourage DESNZ to do more engagement and communications with the wider industry on the proposals. NIPA would welcome the opportunity to facilitate a discussion with

our members and/or focussed discussions with our Policy and Practice Working Group.

Additional Guidance for Applicants

Question 40. What additional guidance would be helpful for DESNZ to include?

NIPA consider it would be helpful for guidance to be provided on:

- non-statutory consultation expectations for DCOs – NIPA as an organisation is undertaking a piece of research informed by feedback from practitioners on what good consultation practice should look like under the Planning and Infrastructure Act. We would welcome discussion with DESNZ in due course on the outcomes of this research.
- A prospectus to outline the key features and costs for different application types.

Question 41. What else can be done to best support applicants in ‘getting it right first time’?

As per response to Q40.

General Feedback

Question 42. Do you have any other comments regarding the proposals in this consultation that you would like DESNZ to consider?

For future consultations and engagement on proposed fees we would request that DESZ consider the time being allowed for meaningful review, consideration and responses to consultation proposals.
