



STREAMLINING INFRASTRUCTURE PLANNING

Response to Planning Reform Working Paper

IEMA - IMPACT ASSESSMENT NETWORK / 14.02.2025

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ABOUT IEMA

We are the Institute of Environmental Management and Assessment (IEMA). We are the global professional body for over 22,000 individuals and 300 organisations working, studying or interested in the environment and sustainability.

We are the professional organisation at the centre of the sustainability agenda, connecting business and individuals across industries, sectors and borders. We also help and support public and private sector organisations, governments and regulators to do the right thing when it comes to environment and sustainability-related initiatives, challenges and opportunities.

We work to influence public policy on environment and sustainability matters. We do this by drawing on the insights and experience of our members to ensure that what happens in practice influences the development of government policy, legislation, regulations and standards.

EXECUTIVE SUMMARY

IEMA supports efforts to streamline infrastructure planning but urges careful design to balance efficiency with environmental and social safeguards. Reforms must be evidence-based, well-resourced, and transparent to maintain public trust and support the UK's net-zero and biodiversity goals.

Building on IEMA's recent responses to consultations on NSIP reforms, Environmental Outcomes Reports (EORs), and Delivery Plans, we outline the following key considerations:

- Modernising planning must not come at the cost of environmental and social protections. We recommend strong oversight, adequate resourcing, and skills investment to ensure faster, fairer, and more resilient decision-making.
- National Policy Statements (NPSs) should be updated regularly with clear review triggers, independent oversight, and integration with appropriate Environmental Outcomes Reports (EORs) and Local Plans to provide certainty and long-term sustainability.
- Consultation reforms must maintain public confidence by ensuring accessible, meaningful, and transparent engagement—especially for underrepresented communities.

- The duty to narrow areas of disagreement pre-application is welcome but must be supported by clear guidance, adequate funding for statutory consultees, and structured dispute resolution mechanisms.
- Refining Category 3 engagement rules must not exclude legitimate stakeholders. Any changes should ensure flexibility, fairness, and clear appeal mechanisms to protect affected communities.
- Post-consent improvements should speed up delivery while maintaining strong environmental oversight. Improved monitoring, compliance tracking, and a digital data system would enhance transparency and enforcement.
- The use of Section 150 and expansion of Section 149A should improve efficiency but must include robust safeguards to maintain environmental integrity and prevent unintended consequences.
- The power to remove projects from the NSIP regime should not be discretionary—decisions must be transparent, evidence-based, and subject to independent scrutiny to avoid uncertainty and political influence.
- Greater flexibility in consenting should be targeted rather than broad. A risk-based approach, backed by clear guidance and accountability measures, would allow proportionality without weakening environmental safeguards.
- Streamlining infrastructure planning needs to be married up with other policy development and reform going on across the whole of government, e.g., EIP revision, LUF consultation etc.

IEMA urges the Government to invest in skills, resources, and data-driven decision-making to ensure planning reforms deliver efficiency while upholding the UK's environmental commitments and public trust. We stand ready to collaborate with policymakers to shape a system that is fit for the future, resilient, and sustainable.

QUESTIONS AND RESPONSES

QUESTION 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?

IEMA welcomes efforts to modernise and streamline the planning process, particularly in ways that improve efficiency while maintaining robust environmental protections. The proposed package of measures presents opportunities for positive reform but also raises concerns that must be addressed to ensure long-term success. Key recommendations include **clearer statutory guidance, enhanced resourcing, and stronger monitoring** to ensure the system remains effective and robust.

The proposed measures could improve efficiency if they:

- Adopt a strategic, plan-led approach to reduce duplication and delays.
- Integrate EORs with Delivery Plans and NSIP reforms for a proportionate, risk-based assessment.

- Improve data access and digital tools to enhance decision-making.
- Ensure post-decision monitoring to refine assessments and improve outcomes.

Potential risks include:

- Under-resourced authorities and consultees, leading to delays and inconsistency.
- Weakened environmental protections due to reduced assessment obligations.
- Unclear interactions between new and existing legislation, causing legal uncertainty.
- Expanding permitted development rights without safeguards, risking environmental and social degradation.

To strengthen the reforms, IEMA recommends the Government should:

- Clarify statutory guidance on how NSIP reforms integrate with upcoming EORs and Delivery Plans to form a holistic framework.
- Invest in resourcing and training for Local Authorities and Statutory Consultees.
- Enhance monitoring and adaptive management, including a centralised environmental data system for recording and sharing monitoring results.
- Ensure plans to streamline infrastructure are in line and commensurate with policy development and reform happening across government departments.

QUESTION B: ARE THE PROPOSED CHANGES TO NPSS THE RIGHT APPROACH AND WILL THIS SUPPORT GREATER POLICY CERTAINTY?

IEMA supports **regular updates to National Policy Statements (NPSs)** to enhance policy certainty but stresses the need for **clear processes, robust evidence, and stakeholder engagement** to maintain credibility and effectiveness.

The strengths of the proposed changes are:

- More frequent reviews will ensure NPSs remain relevant and aligned with climate and environmental goals.
- Greater flexibility for interim updates can help address emerging challenges without overhauling entire frameworks.
- Improved clarity in statutory guidance could enhance consistency in decision-making.

The key risks and areas for improvement needed include:

- Unclear review triggers could lead to inconsistent updates, causing uncertainty for developers.

- Risk of politicisation—NPSs must be evidence-based and independently reviewed to avoid policy shifts driven by short-term pressures.
- Integration with other planning reforms is essential to ensure alignment with EORs and Local Plans.
- Link to Local Nature Recovery Strategies and Biodiversity Net Gain due to come into effect at the end of 2025.

IEMAs recommendations are:

- Establish clear, evidence-based review cycles with transparent criteria for updates.
- Ensure independent oversight to maintain objectivity and credibility.
- Improve stakeholder engagement to ensure updates are practical and widely supported.

QUESTION C: DO YOU THINK THE PROPOSALS ON CONSULTATION STRIKE THE RIGHT BALANCE BETWEEN A PROPORTIONATE PROCESS AND APPROPRIATE ENGAGEMENT WITH COMMUNITIES?

IEMA supports streamlining consultation processes but stresses that **efficiency must not come at the expense of meaningful community engagement**. The proposals should **balance proportionality with transparency, accessibility, and public trust**.

The strengths of the proposed changes are:

- Reducing unnecessary burdens could speed up decision-making while maintaining key engagement stages.
- Standardising consultation expectations may improve consistency across projects.
- Emphasising digital tools can broaden public access and participation.

The key risks and areas for improvement needed include:

- Risk of reduced community trust if engagement is perceived as a tick-box exercise.
- Potential for accessibility barriers—digital methods must be complemented by in-person engagement to ensure inclusivity.
- Early engagement must be meaningful, with stakeholder and public input informing designs and decisions, not just validating pre-set outcomes.

IEMAs recommendations are:

- Ensure consultation remains early, transparent, and accessible, using both digital and traditional methods.
- Provide clear, enforceable minimum standards, for engagement to prevent tokenistic consultation.

- Improve feedback mechanisms to show how community input shapes decisions.

QUESTION 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?

IEMA **supports** the proposal to introduce a duty to **narrow down areas of disagreement before applications are submitted**, as this could **reduce delays, improve certainty, and streamline decision-making**. However, its success depends on **clear structure, resourcing, and enforcement**.

The benefits of the proposed changes are:

- Early resolution of key issues can prevent protracted debates during examination.
- Encourages constructive engagement between developers, consultees, and communities.
- Supports a more predictable and efficient process, reducing risk of legal challenges.

The key risks and areas for improvement needed include:

- Potential frontloading of costs and resource strain for developers and consultees.
- Risk of pre-determination concerns, particularly if key issues remain unresolved.
- Lack of enforcement mechanisms could weaken the duty's effectiveness.
- Lack of expertise and preparedness within the applicant organisation to provide accurate mandatory information to enable 'substantive' responses from the consultee that are positive.

IEMAs recommendations for effective design include:

- Clearly define scope and timelines to ensure engagement is focused but does not introduce excessive delays.
- Provide adequate resources for statutory consultees to engage meaningfully before submission.
- Establish a structured dispute resolution mechanism to guide resolution without unnecessary bureaucracy.
- Ensure transparency in decision-making by documenting unresolved issues and reasons for agreement/disagreement, building on the concept of 'statements of common ground'.

QUESTION E: DO YOU SUPPORT THE CHANGES PROPOSED TO CATEGORY 3 PERSONS?

IEMA **supports** refining the definition of **Category 3 persons** to ensure engagement is **focused, proportionate, and effective**. However, changes must **not reduce legitimate participation** or undermine trust in the planning process.

The benefits of the proposed changes are:

- Clarifying and refining eligibility could help focus engagement on those directly affected, reducing unnecessary delays.
- Providing clearer guidance could improve consistency in identifying relevant stakeholders.
- More proportionate engagement could streamline decision-making while maintaining fairness.

The key risks and areas for improvement needed include:

- Potential exclusion of indirectly affected stakeholders, such as those impacted by cumulative or secondary effects.
- Risk of increased legal challenges if changes reduce opportunities for legitimate concerns to be raised.
- Lack of clear criteria for determining who qualifies as a Category 3 person may create uncertainty.

IEMAs recommendations are:

- Ensure transparency in defining Category 3 persons, including clear criteria and case study examples.
- Maintain flexibility to include those indirectly affected by environmental, health, or socio-economic impacts.
- Provide an appeal mechanism for individuals or groups who believe they should be considered but are excluded.

QUESTION F: WITH RESPECT TO IMPROVEMENTS POST-CONSENT, HAVE WE IDENTIFIED THE RIGHT AREAS TO SPEED UP DELIVERY OF INFRASTRUCTURE AFTER PLANNING CONSENT IS GRANTED?

IEMA **supports** efforts to accelerate post-consent infrastructure delivery but emphasises that **speed must not come at the expense of environmental safeguards, compliance monitoring, and stakeholder confidence**.

The strengths of the proposed changes are:

- More efficient discharge of planning conditions could prevent unnecessary delays.
- Greater clarity on post-consent obligations would improve certainty for developers and regulators.
- Better coordination between regulators and developers could streamline approvals and reduce bottlenecks.

The key risks and areas for improvement needed include:

- Weakening environmental or social safeguards in pursuit of speed could undermine long-term project sustainability.

- Inadequate resourcing for monitoring and enforcement could lead to non-compliance issues.
- Potential loss of transparency if post-consent changes are not subject to appropriate scrutiny.

IEMAs recommendations are:

- Ensure robust monitoring and enforcement mechanisms to maintain compliance with environmental commitments.
- Introduce a clear timeline for condition discharge with a structured review process to prevent unnecessary delays.
- Improve coordination between planning authorities, regulators, and developers through formalised post-consent engagement processes.
- Leverage digital tracking and reporting tools to increase transparency and accountability.

QUESTION 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?

IEMA supports improving the **take-up of Section 150** and exploring the **potential broader application of Section 149A**. However, reforms must **ensure efficiency without reducing scrutiny or environmental protections**.

Recommendations for improving take-up of Section 150:

- Clearer guidance and criteria for using Section 150 would increase confidence and consistency in its application.
- Better coordination between consenting authorities could streamline processes and prevent unnecessary duplication.
- Early engagement with regulators to identify suitable projects and address concerns upfront.

Benefits of potentially expanding Section 149A:

- Applying the Section 149A approach to other licences and consents could help integrate and simplify environmental approvals.
- Risk-based application could focus streamlined processes on lower-risk developments while maintaining scrutiny for high-impact projects.
- Safeguards must be in place to ensure efficiency gains do not compromise environmental and community protections.

IEMAs recommendations are:

- Develop clear, sector-specific guidance on how Section 150 can be applied effectively.

- Enhance cross-agency collaboration to improve coordination and knowledge sharing between consenting bodies.
- Trial the Section 149A approach in targeted sectors to assess its effectiveness before broader rollout.
- Ensure monitoring and review mechanisms are built in to track the impact of reforms on environmental outcomes.

QUESTION 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?

IEMA **does not support** introducing a power for Secretaries of State to **unilaterally direct projects out of the NSIP regime** without clear safeguards. While **flexibility is important**, this change could **undermine certainty, transparency, and consistency in infrastructure planning**.

Key risks of the proposed power include:

- Uncertainty for developers and stakeholders—removing projects from NSIP could lead to inconsistent decision-making and legal challenges.
- Potential for political influence—without clear criteria, decisions could appear subjective rather than evidence-based.
- Loss of strategic oversight—the NSIP regime ensures a coordinated national approach to infrastructure; moving projects to local planning could create fragmentation.

If such a power were pursued essential safeguards would be needed, such as:

- Clear, objective criteria for when and why a project may be redirected.
- Independent review mechanisms to prevent political interference.
- Stakeholder consultation requirements before a project is removed from the NSIP regime.
- Consistency with environmental and climate goals, ensuring key national priorities (e.g., net-zero commitments) are upheld.

QUESTION 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?

IEMA **recognises the need for greater flexibility** in the consenting process to reflect the diverse characteristics of infrastructure projects. However, **any modifications must be clear, consistent, and maintain environmental safeguards** to ensure transparency and accountability.

Key issues with the existing process:

- One-size-fits-all approach can lead to unnecessary delays for lower-impact projects while failing to address complexity in major schemes.
- Insufficient adaptability to emerging challenges, such as net-zero infrastructure, digital connectivity, and nature recovery.
- Inconsistent application of guidance, leading to uncertainty for developers and regulators.

Recommended approach to addressing these issues:

- Targeted secondary legislation and guidance could refine the process without requiring broad discretionary powers.
- A case-by-case flexibility mechanism could allow adjustments within clear parameters, rather than a sweeping general power.
- Improved categorisation of projects, with proportionate requirements based on risk, scale, and national importance.

Recommendations on scope and safeguards for process modifications:

If a general process modification power is introduced, it must include:

1. Objective criteria for determining when flexibility applies.
2. Independent oversight to prevent inconsistent application or undue political influence.
3. Stakeholder and expert input to ensure modifications maintain environmental and social protections.
4. Clear accountability mechanisms to prevent misuse of the power.

If a broad power is not necessary, then targeted changes could include:

- Streamlined procedures for lower-risk projects while maintaining robust assessment for complex, high-impact developments.
- Enhanced post-consent flexibility, allowing adjustments without reopening the full approval process.
- Better integration of climate, biodiversity, and sustainability considerations into project categorisation.

MORE INFORMATION

IEMA are happy to work with MHCLG on these proposals and to discuss any of these points, or additional ones, further.

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