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Planning for speed: What do the streamlining reforms mean for DCO delivery?

The Development Consent Order (DCO) regime is undergoing its most significant reappraisal since its introduction in 2010. The Planning and Infrastructure Act 2025, the Planning Inspectorate's Pre-application Prospectus and updated National Policy Statements are reshaping how Nationally Significant Infrastructure Projects (NSIP) are prepared, consulted on and consented.

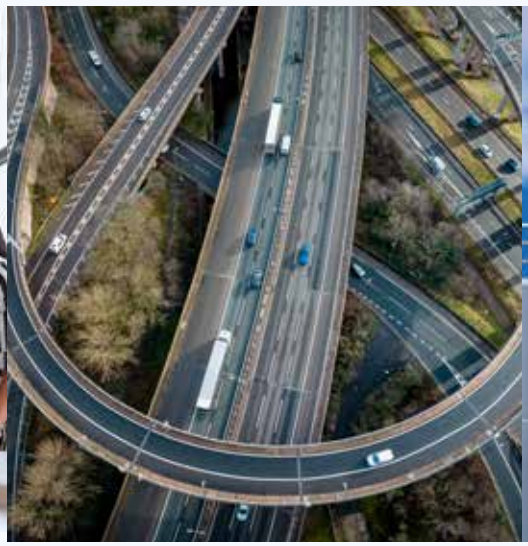
Having worked on DCO projects since the regime began, I reflect with colleagues on the current reform landscape and consider how greater reliance on professional judgement is reshaping the roles of developers, advisers, statutory consultees and the Planning Inspectorate. The 30-strong DWD infrastructure planning team is working on a great variety and number of DCO projects at present and some of these are profiled in case studies in the following pages.

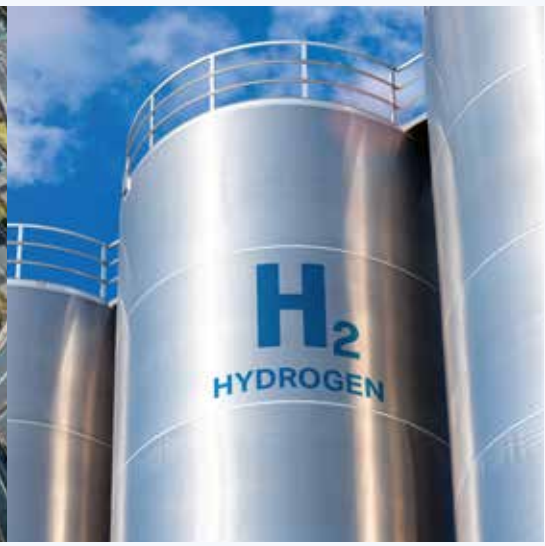
Colin Turnbull, Director

The 2025 reforms:
Now to implementation

2025 saw the enactment of the Planning and Infrastructure Bill, along with the implementation of the Planning Inspectorate's Pre-application Prospectus and an array of updated National Policy Statements. Every corner of the Development Consent Order (DCO) regime has been reappraised, with changes consulted on and reforms identified. Here we review the current position with DCO reform and ask – is it the case that it is up to developers to make best use of the modified regime, and what role do other parties play?

The Planning and Infrastructure Act 2025 marks a significant shift in how major projects move through the consenting process. During parliamentary process, a great variety of amendments were debated and elements of the bill added or – in the case of an altered acceptance test – dropped. The government can be commended for preserving the key elements of the original reforms. For Nationally Significant Infrastructure Projects (NSIP), the traditional model of statutory consultation is being swept away. Terms such as Statement of Community Consultation (SoCC) and Preliminary Environmental Information Report (PEIR) will become optional elements of projects and may change name or format. Some core publicity requirements, such as national newspaper notices, are retained. Government is set to issue good practice guidance on effective pre-application engagement. This guidance is eagerly awaited; ironically, it might be published without prior consultation. Developers will then have greater flexibility around when and how they conduct pre-application consultation. The Act also introduces the ability to opt out of the DCO regime altogether under defined circumstances. Post-consent, the Act simplifies change control by removing the distinction between material and non-material changes and replacing it with a single, proportionate amendment process. We understand that each government department will then put in place more detail around the procedure, fees and so on that they require for the field of DCO for which they are responsible.





It is clear that there will be greater reliance on professional judgement in the new non-statutory consultation regime. The ability to blend spatial judgement, policy knowledge, good practice and local preferences to the question of how to consult in a given location or context will be more important than ever. This will not just be from those who – like several at DWD and the wider RSK Group – have worked on DCO projects since the regime began in 2010. All planning, communication and environmental professionals will need to provide expert, accountable advice and practical implementation to deliver meaningful non-statutory consultation.

On a more practical level, in October 2024 the Planning Inspectorate Pre-application Prospectus came into force. At the time of the 2025 Waterfront NSIPs Forum, it was very early days in its implementation. One year in, we review on pages 5–6 how implementation is going.

A theme we are observing in the reforms is an evolution of the original political imperative of 'speeding up' to 'streamlining', as industry views and professional viewpoints have been incorporated into the practical implementation of the reforms. Another emerging theme (and continuing the alliteration) is that of 'standardisation'. The Pre-application Prospectus includes a large amount of standard advice that requires professional judgement in applying to specific projects and contexts, ranging from how to request a meeting to how to number application documents. There are elements of the advice, such as on adequacy of consultation milestone, that could be clearer. Not all applications and all local authorities will require both Statements of Common Ground and Principal Areas of Disagreement Summary Statements to be produced, for example, or both a Design and Access Statement and a Design Approach Document.

Clearly, a regime that spans 100 MW solar farms to megaprojects such as conventional nuclear stations and reservoirs cannot be 'one size fits all'. A similar theme emerges – promoters and project teams must exercise professional judgement and project knowledge in applying standardised advice.

A real upside from the recent reforms is the Planning Inspectorate case teams are more informed and up to date than ever on project progress. They are engaged, they use this information to resource projects well and they are often exceeding acceptance statutory timescales as well as delivering materially shorter examinations. Applicants now need to be better prepared before an inception meeting and before holding any other meeting with the Planning Inspectorate. A wide range of documentation is required before an inception meeting is held – the case information plus the service request document and Programme Document.

Another area of reform has bedded in over 2025: cost recovery for specified statutory consultee bodies. Charging is now in force for Natural England, Historic England, the Environment Agency, National Highways and others. These bodies can now charge for the time and expertise they spend supporting major projects, covering early advice, technical discussions, consultation responses, meetings and hearings, and ongoing support through to delivery. This seeks to support earlier and more detailed advice throughout the DCO process. For promoters, this enables more targeted engagement with these bodies at the right time for each matter. Fees must be based on actual costs reasonably incurred by the body and published in a transparent charging statement. Applicants are then notified of estimated fees before work is undertaken and invoiced once services are delivered. If fees are unpaid, the statutory body may withhold further services until payment is made. Separately, local authorities are more routinely seeking Planning Performance Agreement (PPA) or similar funding on a case-by-case basis, with wide variation in amounts sought and their perceived roles. DWD is seeing earlier and more meaningful technical input from statutory consultee bodies, although there is a tension at present with the 'streamlining' reforms; for example, the removal of statutory pre-application consultation requirements such as PEIR does not obviously align with the expectations of statutory consultee bodies funded by cost recovery to see assessment findings early.

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After reform:
Making the DCO regime work

Applicants can make more effective use of bilateral technical engagement, with suitable environmental topic information provided to the statutory consultee bodies at a time appropriate for each topic, moving away from the previous regime that involved preparing a PEIR that sets out all topics at a point in time.

There are some emerging sector-specific reforms to keep an eye on. The Department for Energy Security and Net Zero (DESNZ) recently consulted on the introduction of fees from 1 August 2026 for its role in DCO and other consenting, including a fee of around £100,000 for each DCO determination, along with future potential service reforms. These were trialled in the Clean Power 2030 Action Plan. Promoters will be interested in the transitional arrangements for the new fees for applications that are submitted, validated or under consideration around the transition to avoid unexpected costs or delays. Key areas of interest for DCO promoters for service delivery reforms include defined timescales for non-statutory decisions, which will help project teams plan resources effectively and manage expectations, and incorporating existing good practice into service delivery reform rather than change for its own sake. On service delivery, one suggestion appears to be to introduce target timescales for post-consent DCO changes at a departmental level (DESNZ) rather than at a DCO procedure level. This has some logic to it, as it may be possible without primary legislation and it could capture good practice approaches that are department specific. Earlier NSIP reform consultation mooted potentially introducing variety into the DCO regime given the wide range of sectors and the variety inherent in predecessor regimes (Electricity Act, Transport and Works Act, and so on), and there is certainly scope for some sectoral variety in parts of the process.

The Nuclear Regulatory Taskforce recommendations may have application to energy DCOs more widely. They include interim DCO recommendation reports and 'minded to' letters – which appear to have emerged in transport DCO projects – and a unit to discharge DCO requirements.

Community benefits reform is still on the agenda. A 2025 working paper sought views on a potential mandatory community benefit fund for low-carbon energy infrastructure to ensure host communities receive tangible social and economic benefits. It explored shared ownership opportunities in renewable projects, assessing whether powers in the Infrastructure Act 2015 could mandate ownership to enhance local value. Consultation responses showed broad support for mandatory funds but differing views on delivery. Community Energy England, Scotland and Wales and the Local Government Association stress transparent and inclusive benefits, with ownership opportunities reaching disadvantaged areas. Energy UK supported the principle but urged flexibility and cautions against mandating shared ownership due to practical and financial barriers. Low Carbon Hub highlights that benefits should be separate from planning contributions and linked to project income. Overall, stakeholders agreed that well-designed benefit and ownership models can strengthen local engagement and support net zero ambitions, and that careful implementation is crucial.

In conclusion, government and the Planning Inspectorate have largely implemented the promised reforms to the DCO process. A key step will be the publication of the guidance on non-statutory consultation in the spring. Professional judgement and practical implementation will be relied on more than ever before to make a success of these reforms – that means from DWD and from you, the reader. Several sector-specific reforms are emerging. For example, energy promoters should engage with DESNZ as the fee and service reforms are developed and implemented, and they should engage with the implementation of a community benefits regime.

The Planning Inspectorate's Pre-application Prospectus – one year in

The 2024 Pre-application Prospectus, published in May 2024 and in force from October 2024, marks a clear shift towards a more structured and formalised pre-application process, with key changes being the introduction of a paid tiered pre-application service supported by clearer milestones and a suite of new core documents, including the Programme Document, Issues Tracker, Adequacy of Consultation Milestone (AoCM) and Potential Main Issues for Examination (PMIE) document. These measures are intended to improve transparency, consistency and application quality, while better positioning projects for examination and faster determination.

We are now past the one-year point since it came into force, so it is possible to review whether these measures are achieving their intended purposes. DWD has been leading on the planning and examination management of over 20 DCOs during this time for energy infrastructure projects, both established and emerging, and industrial and water supply projects. Several members of our planning team have reflected on the impacts of the prospectus at the pre-application stage and how the changes play out at the crucial acceptance and examination stages.

We have welcomed the clarity that the Pre-application Prospectus provides when communicating with our clients about the role of the Planning Inspectorate and its expectations of applicants during the early stages of project development. The prospectus has also offered useful guidance on the purpose and approach to the new documentation, much of which is the responsibility of the applicant's planning team to prepare. We have found it useful to coordinate with the Planning Inspectorate on timings of reviews of Programme Documents and have sometimes queried the usefulness of Land and Rights Negotiations Trackers and Issues Trackers early in the pre-application stage. The applicant team is best placed to balance considerations around openness and resource forward planning with facilitating sensitive discussions with stakeholders on evolving siting, designs and methodologies. There is a small but real administrative burden on applicants from creating documents, some of which are prerequisites for progress meetings with the Planning Inspectorate, though we have not yet seen examples where setting up progress meetings has been delayed for these reasons.

CASE STUDY

Keadby Next Generation Power Station (SSE)

The Keadby Next Generation Power Station DCO comprises a new combined-cycle gas turbine (CCGT) electricity-generating station with a capacity of up to 910 megawatts electrical output (MWe) on land in the vicinity of the existing Keadby Power Station, North Lincolnshire.

The CCGT electricity-generating station will be designed to run on 100% hydrogen, which produces zero emissions at the point of combustion, supporting the UK's long-term decarbonisation goals by providing back-up low-carbon power to renewable generation. It will be able to run on 100% natural gas or a blend of natural gas and hydrogen.

The project would act as a catalyst for the creation of a "strong and enduring UK hydrogen economy", as it would establish a hydrogen-ready end user for a future hydrogen supply chain.

DWD is providing the expert planning advice and project management as lead consultant on the project. DWD has led engagement with the Planning Inspectorate on the project programme, pre-application service level and identification of the main issues for the examination. DWD has also drafted key application documents, including the Planning Statement and Design and Access Statement, and coordinated the production of other application deliverables. The project is currently at examination stage.

The Planning Inspectorate's Pre-application Prospectus – one year in

DWD's clients tend to choose either the 'Basic' or 'Standard' service, with the 'Basic' being well suited for applicants with a strong planning team and more conventional schemes where there is no immediate programme pressure. While it offers flexibility and lower cost, we have noticed varying degrees in the detail of feedback the Planning Inspectorate is able to provide, and while this absence of rigidity has benefits, it can mean applicants struggle to discern the benefits of the higher tiers. In our experience, there is an opportunity for the Planning Inspectorate to consider how its own internal processes and capacity building can lead to greater consistency and certainty for applicants. The 'Standard' service offer broadly mirrors the level of engagement previously available under the non-tiered regime. Encouragingly, we have not seen applicants being told the service level they have requested is not available or not appropriate.

We frequently see proactive engagement from the Planning Inspectorate from the earliest stage of the pre-application phase and, from the submission onwards, a shortening of timescales. On multiple DCO projects, we are seeing the 'acceptance' stage passed 2–3 days earlier than the statutory maximum. Three of our DCOs that opted for the 'Standard' service have 5-month published timetables for examination rather than 6 months, a welcome development. There is, of course, still the chance these may default to 6 months, but we have not seen this occur yet, and the risk of this small extension incentivises applicant and consultee teams to reach agreement earlier in examination. We are observing a much greater awareness among interested parties about the importance of making steady progress throughout examination and keeping the examining authority updated.

The prospectus has not led to a significant role for the Planning Inspectorate in facilitating resolution of multi-stakeholder issues during the pre-application stage. This is probably because the multi-party meetings are a characteristic of the 'Enhanced' service level, which few applicants request. It will require specific skills and training due to the likely complexity of issues that may warrant mediation between applicant teams and consultees, and this element of the prospectus should be introduced carefully.

In conclusion, one year in, applicant teams for energy infrastructure projects in established technologies are generally able to select the service tier they want and are able to negotiate appropriate flexibility around documentation, with the help of experienced planning advisers who can balance rigour, flexibility and demonstrating progress to the Planning Inspectorate. There is real evidence that the additional information and reporting to the Planning Inspectorate is leading to shorter acceptance and examination stages without a corresponding increase to the pre-application stage, which is a welcome development.

Chloe Desgrand, Associate, and Colin Turnbull, Director

CASE STUDY

Beacon Fen Energy Park DCO (Low Carbon)

The Beacon Fen DCO comprises a 400 MW solar photovoltaic farm incorporating an up to 600 MVA battery energy storage system (BESS), an on-site substation and underground electrical connection to the existing Bicker Fen National Grid Substation. The site is located on 517 hectares of land north-east of Sleaford and north of Heckington in North Kesteven district, along with a cable route corridor extending into Boston borough.

The project will support the government's objective to continue transitioning the UK to a low-carbon economy and meeting the legally binding target of net zero greenhouse gas emissions by 2050.

Due to the increase in solar and other forms of electricity development in Lincolnshire, a project of this scale would be expected to reflect stakeholder preferences from earlier projects. Thanks to careful consultation and design work undertaken in the pre-application stage, the project received just 38 relevant representations, a relatively low number for a DCO. DWD was involved throughout the pre-application period, influencing the consultation exercise and site design.

DWD also provided the expert planning advice and project management required to take the project from the pre-application and consultation stages through to the ongoing examination, working closely with the wider applicant team, three local planning authorities and the Planning Inspectorate. DWD has responded to changing guidance and procedures in order to provide clear advice to the client and draft key documents including the Programme Document and frequently updated Statements of Common Ground. The project is on track to achieve a 5-month determination under the standard procedures, a period that has included the submission and acceptance of a Change Request. This faster determination is reflective of both streamlining reforms and the increasing knowledge of solar development among parties involved in the process.

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