

The Planning and Infrastructure Act 2025

A Comprehensive Guide to Modernizing UK Development & Growth



Prepared for Stakeholder Review | October 2025

Executive Summary: Shifting from Friction to Strategic Certainty

The Context (Friction)



Systemic delays in consenting.



£362m shortfall in Local Planning Authority funding.



Grid bottlenecks stopping viable projects.



Legal Lens

Town and Country Planning Act 1990: Section 106 Agreements – citing frequent delays due to complex negotiations, impacting development timelines and infrastructure delivery.

The Act (5 Core Objectives)

- 1. Critical Infrastructure:** NSIP Reform & Certainty.
- 2. Nature Recovery:** Strategic restoration over species protection.
- 3. Decision-Making:** Resourcing & mandatory training.
- 4. Public Value:** Fair CPO reforms.
- 5. Strategic Planning:** Cross-boundary Spatial Development Strategies.



Legal Lens

Planning Act 2008: Development Consent Orders (DCOs) – outlining reforms to streamline the application and examination process for Nationally Significant Infrastructure Projects.

The Targets

1.5 Million
Safe and decent homes

150
Fast-tracked major infrastructure decisions

2030
Clean Power Target reached

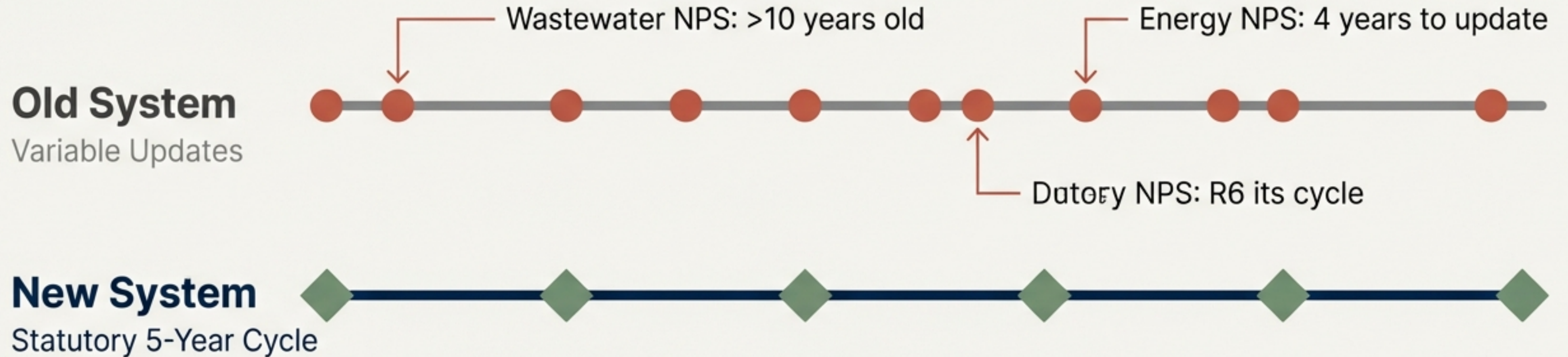


Legal Lens

Energy Act 2023: Carbon Budgetary Targets – establishing legally binding frameworks for achieving net zero, aligning with the Clean Power 2030 ambition.

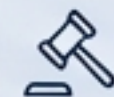


Infrastructure: A New Statutory Heartbeat for National Policy



The Mechanism

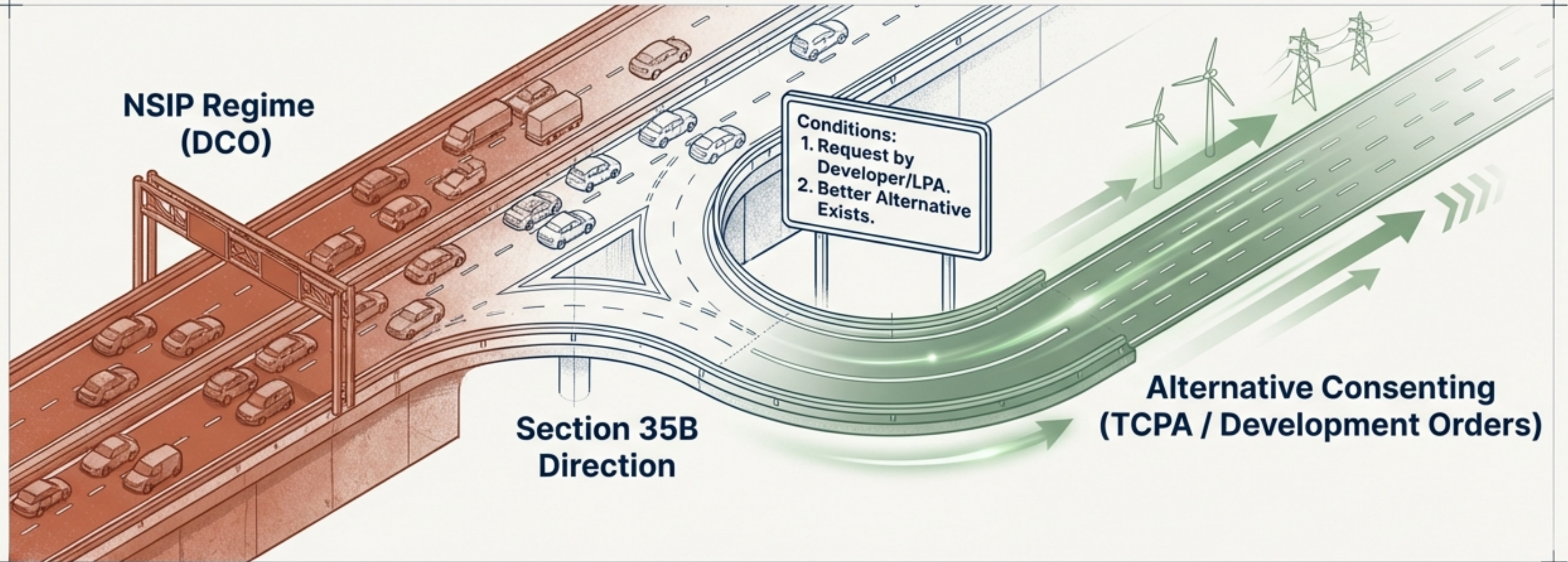
The Secretary of State must review National Policy Statements (NPS) every 5 years. Streamlined updates allow legislative amendments or policy shifts to be integrated without full consultation circus.



Legal Lens: The Act

Amends Section 6 of the Planning Act 2008. Introduces '**The Initial Period**' and mandatory **5-year review intervals** (Section 6ZA).

Flexibility: The 'Off-Ramp' from the NSIP Regime



The Secretary of State can now direct that development consent is NOT required for specific projects if a lighter alternative route exists.

Scope: Applies to England, adjacent waters, and Renewable Energy Zones.



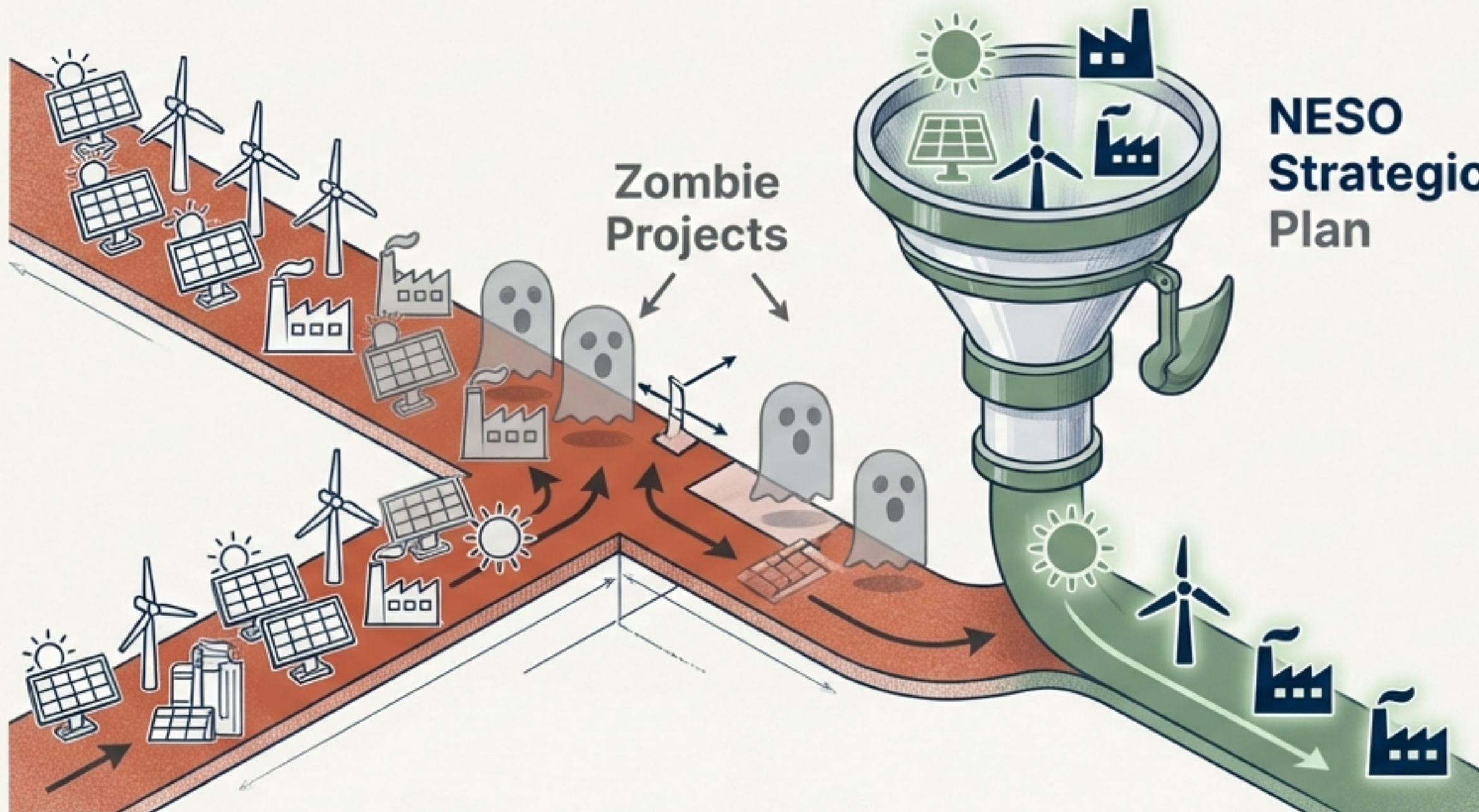
Legal Lens: The Act

Inserted Section 35B into Planning Act 2008.

Unlocking the Grid: From 'First Come' to 'First Ready'

First Come, First Served

First Ready, First Connected



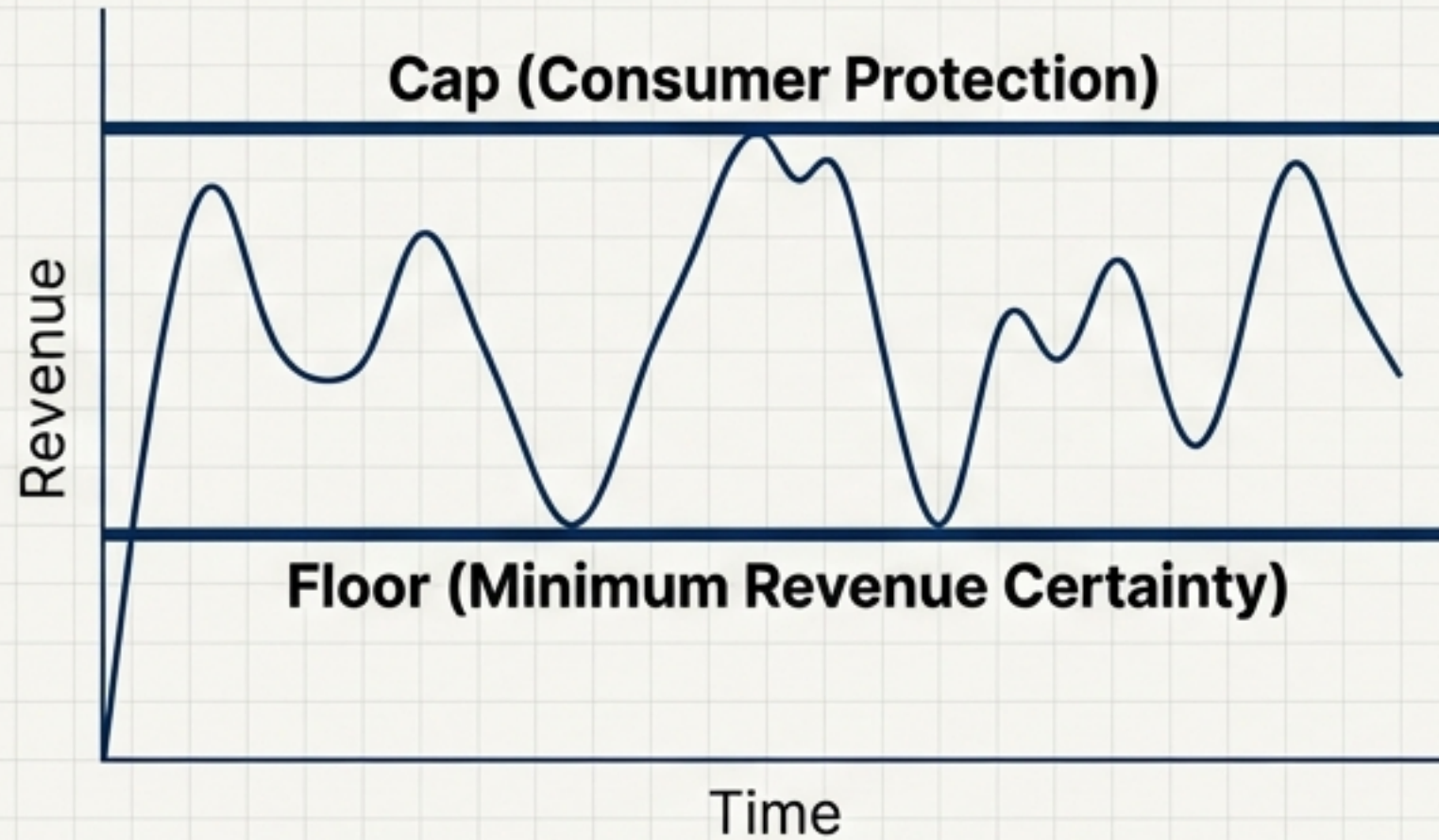
- **Problem:** Queue **logjams** caused by **unviable projects**.
- **Solution:** Secretary of State & Ofgem powers to modify licences (Sections 14-18).
- **Impact:** Potential **£5bn savings** in unnecessary network reinforcement.

Legal Lens: The Act

Introduces powers for Secretary of State and Ofgem to modify energy licenses to manage connection queues (Sections 14-18).

Storage & Land: Securing Investment & Space

Long Duration Electricity Storage (LDES)

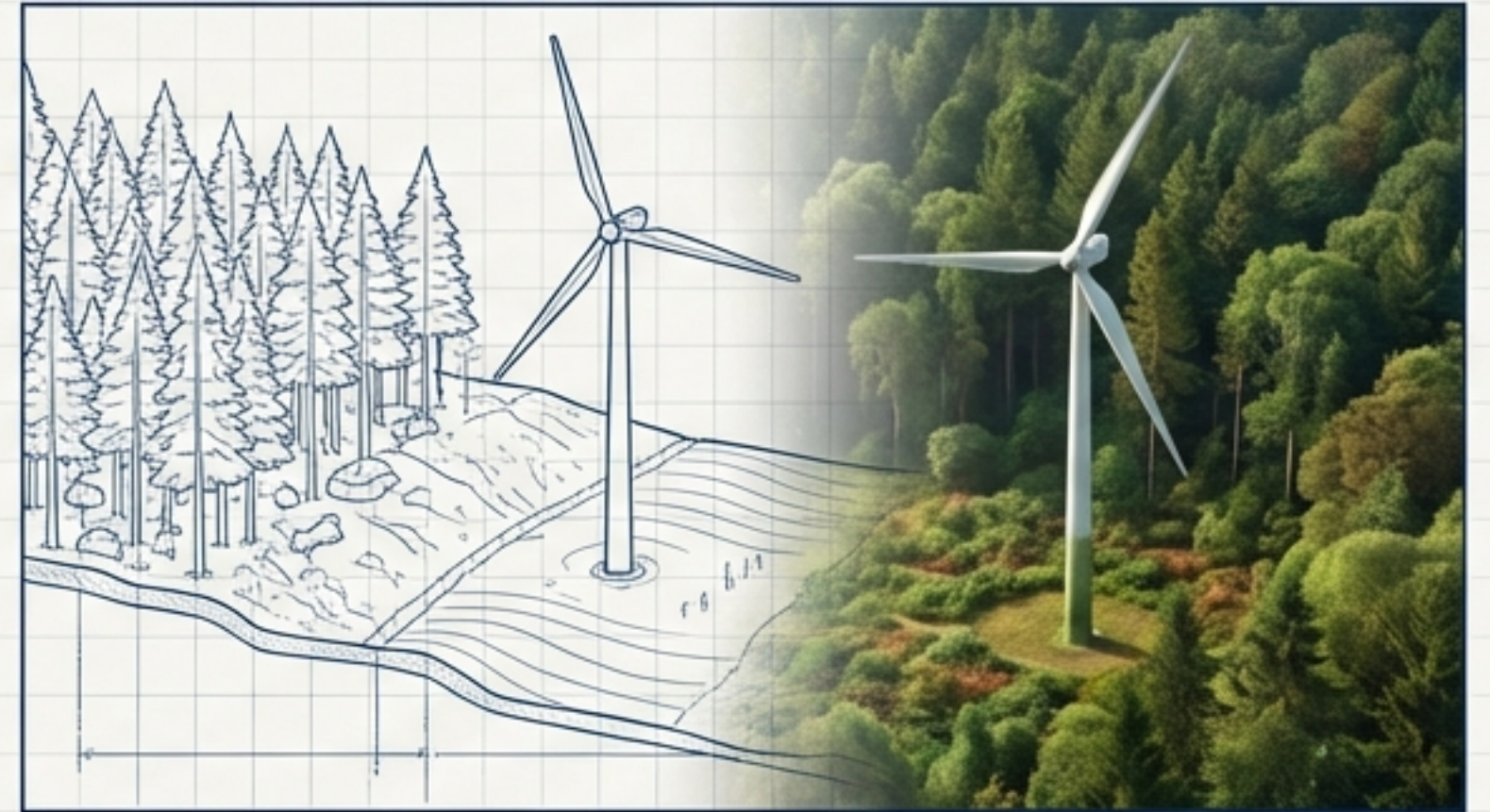


Legal Lens: The Act

Introduces the Cap and Floor scheme for LDES to provide revenue certainty and protect consumers (Section 26).

Cap and Floor scheme to unlock pumped hydro and storage. Potential £24bn savings (2030-2050). (Section 26).

Utilizing Forestry Land



Forestry Commissioners empowered to lease land for renewable energy (Section 29).

Constraint Note: Projects >5MW (wind) or >50MW (other) require SoS consent.

Legal Lens: The Act

Grants powers to Forestry Commissioners to lease land for renewable energy projects, subject to specific conditions and consent (Section 29).

Offshore Wind: Timelines Matched to Modern Scale

18 Months (Old Rule)

27 Months (New Rule)



Extension of the “Commissioning Period” for transferring transmission assets (OFTO).

Rationale: Accommodating increased technical complexity and preventing projects from timing out.

Legal Lens: Amends Section 6G of Electricity Act 1989 (Act Section 28).

Community Benefits: The Social Contract

High-Angle Map: 500m Zone and Host Burden Recognition



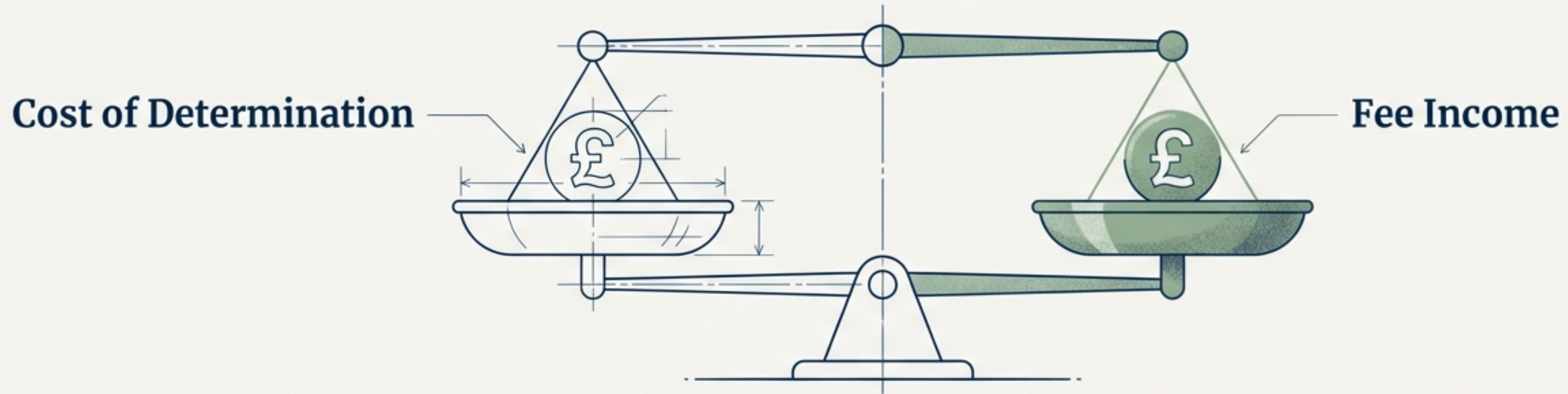
The Deal: Electricity bill discounts of up to £2,500 over 10 years for eligible residents.

Logic: Recognizing the host burden for national clean power.

Legal Lens: The Act

Section 27 inserts Section 38A into Electricity Act 1989.

Planning Resources: Localizing Fees to Cover Costs



Current Status:

£362m shortfall in LPA funding.

New Power (Section 51):

LPAs can set their own fees to achieve full cost recovery.

Safeguards:

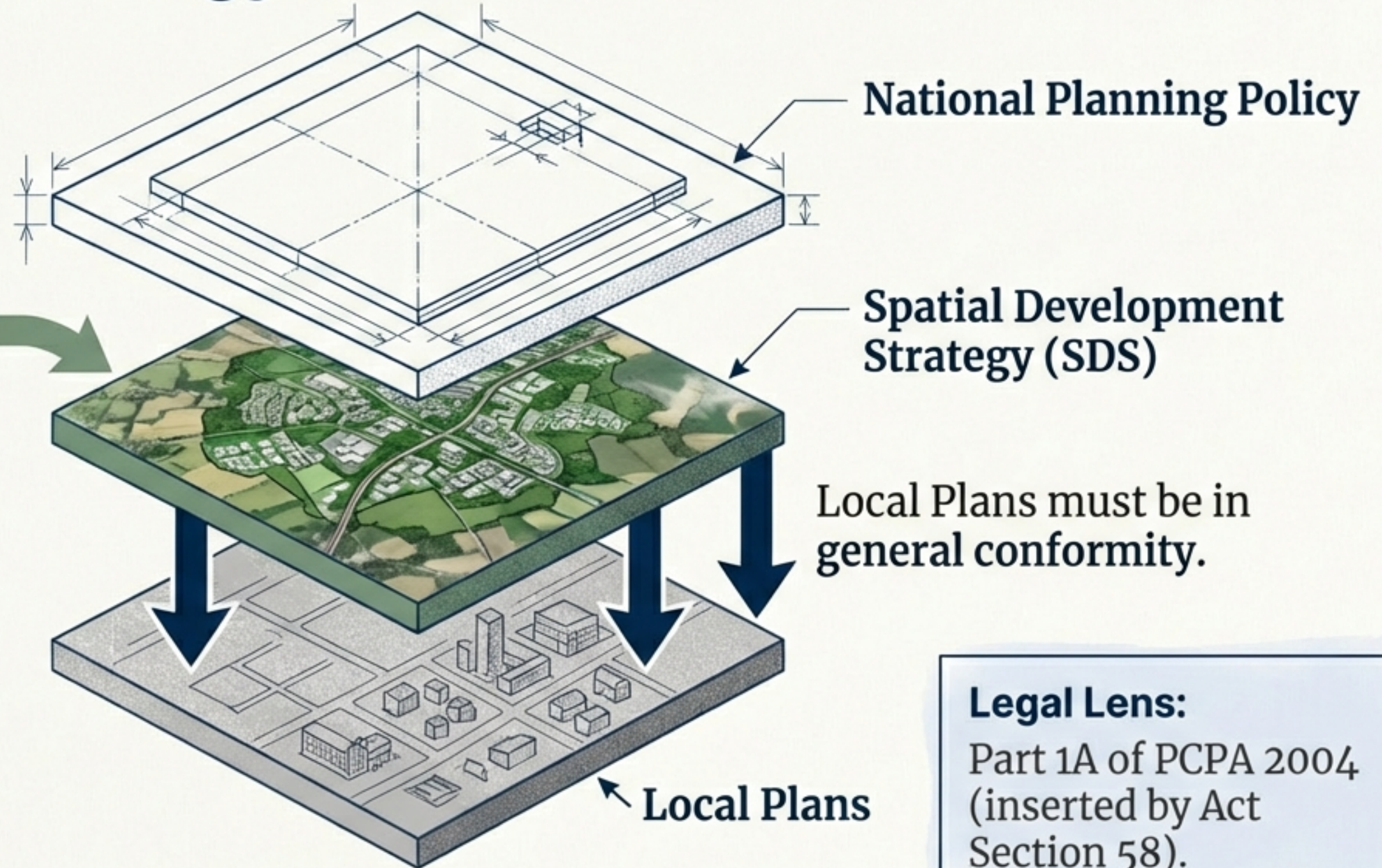
- Fees must not exceed costs.
- Income ring-fenced for planning functions.
- SoS intervention power prevents excessive hikes.

Legal Lens:

Section 51 introduces new powers for Local Planning Authorities to set fees, subject to regulations.

Strategic Planning: The Spatial Development Strategy (SDS)

New 'Larger than Local' Tier

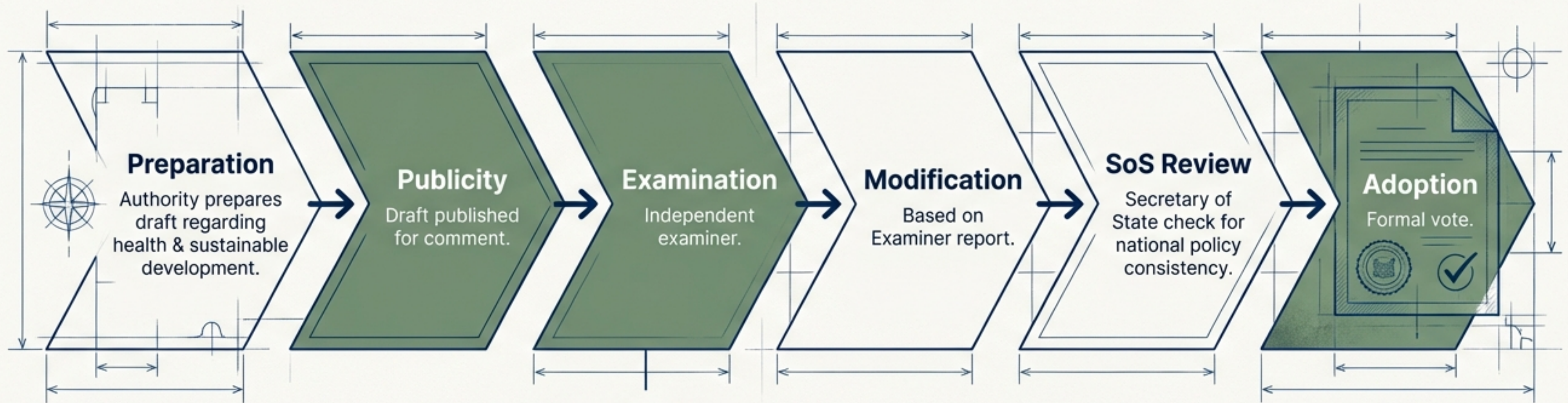


Who:
Combined Authorities,
County Councils, Unitary
Authorities.

What:
Strategic policies for
housing distribution,
infrastructure, and climate.

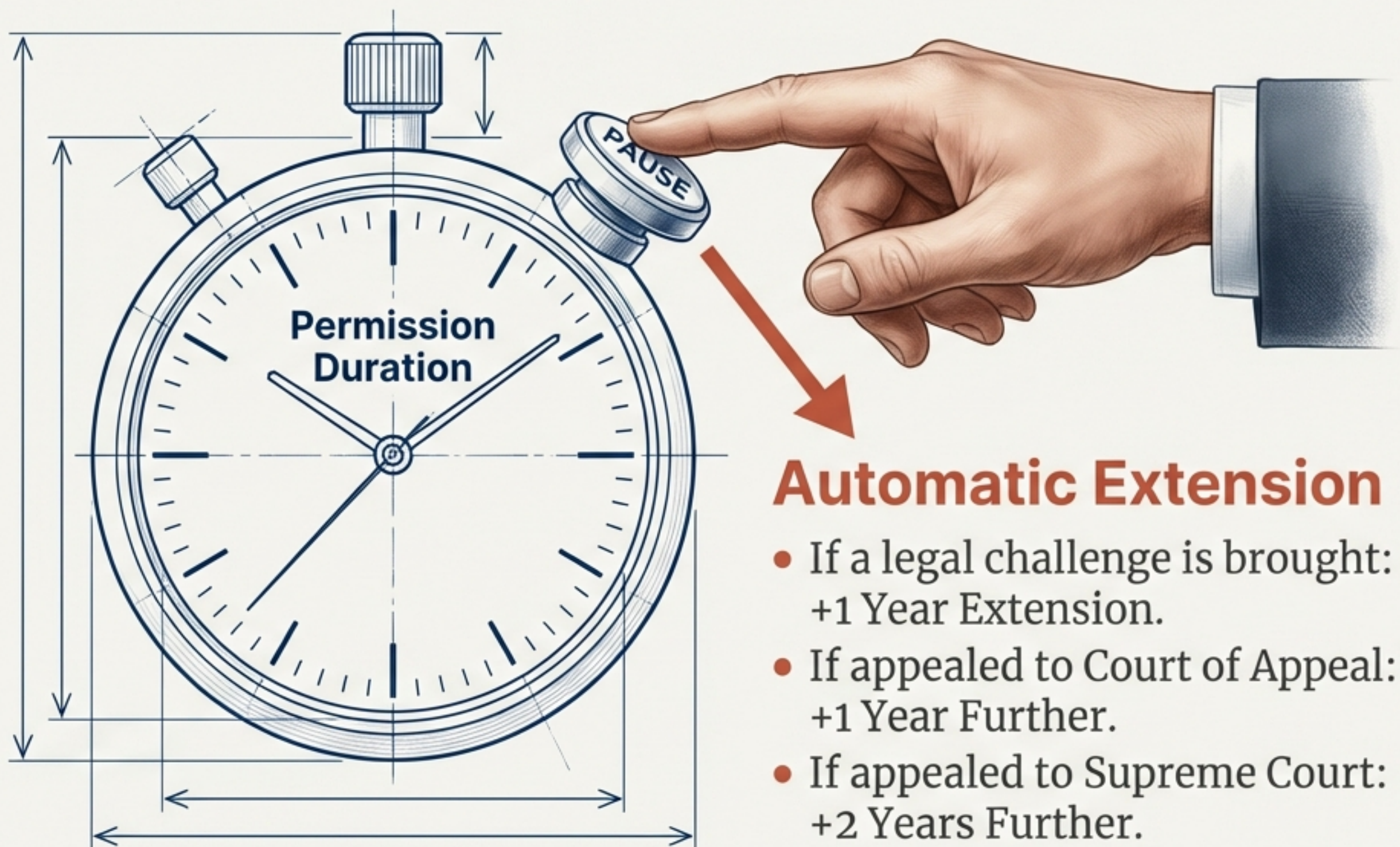
Legal Lens:
Part 1A of PCPA 2004
(inserted by Act
Section 58).

The SDS Workflow: Streamlined & Strategic



No 'Right to be Heard' - faster process.

Legal Challenges: Stopping the Clock



Benefit

Prevents permissions from expiring during litigation, preserving developer certainty.

Automatic Extension

- If a legal challenge is brought: +1 Year Extension.
- If appealed to Court of Appeal: +1 Year Further.
- If appealed to Supreme Court: +2 Years Further.

Legal Lens:

Section 56 amends Section 91 of TCPA 1990.

Nature: Strategic Restoration, Not Piecemeal Delays



Developers pay into the fund or use Environmental Delivery Plans (EDPs) instead of bespoke assessments.

“Unlock a win-win for the economy and for nature.”

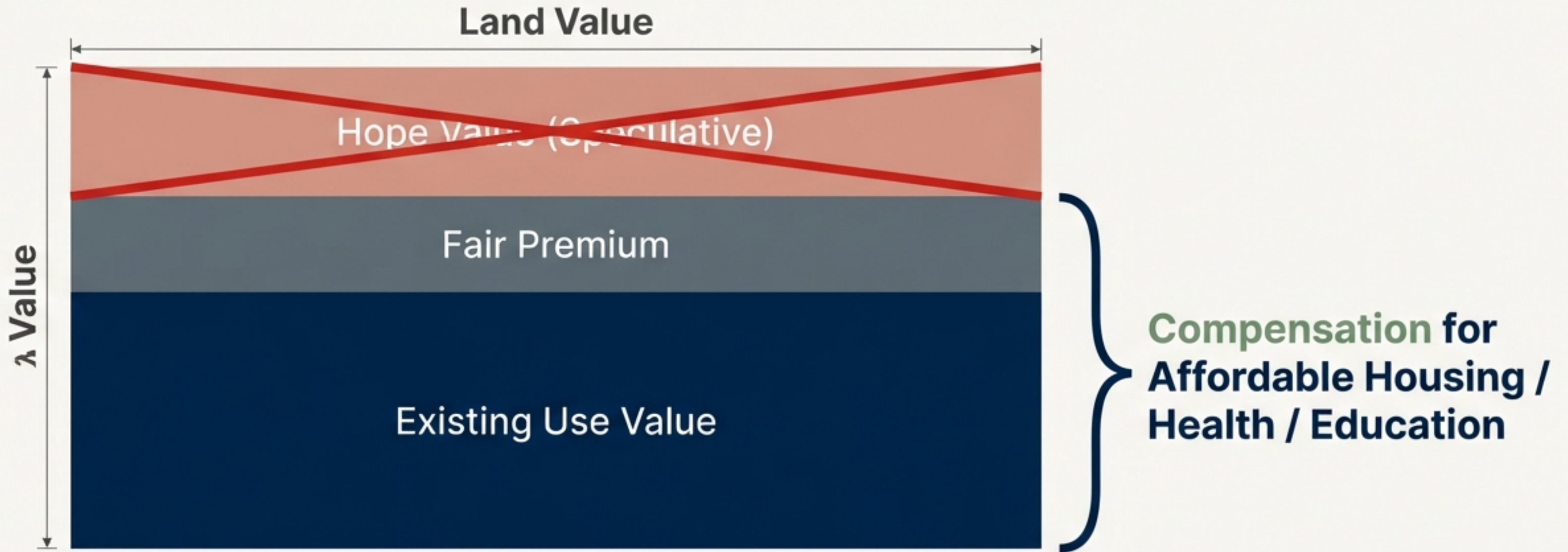
Modernizing Development Corporations



- **New Powers:** Geographic flexibility (non-contiguous areas) and Transport Planning functions.
- **Goal:** Delivery vehicles for New Towns and large-scale regeneration.

Legal Lens: Sections 149-153 of the Levelling-up and Regeneration Act 2023 amend the New Towns Act 1981.

Compulsory Purchase: Unlocking Public Value

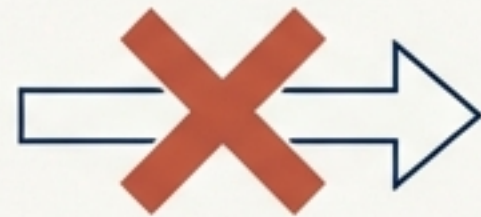
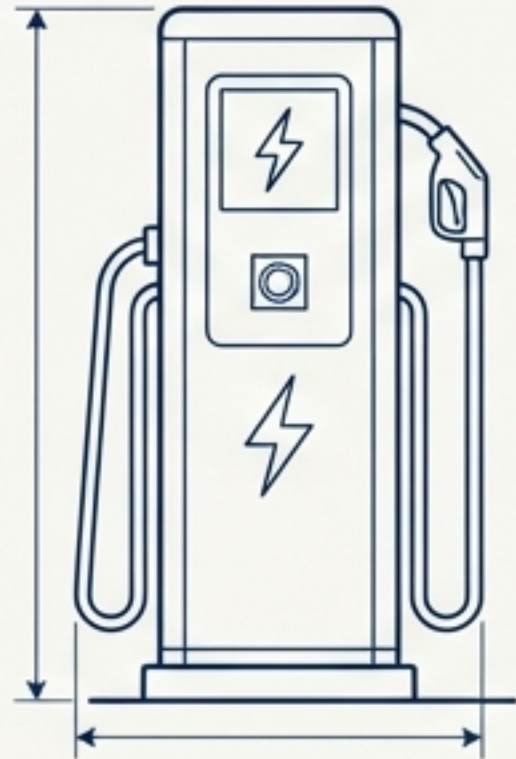


Reform: Removal of 'Hope Value' for specific public interest schemes.

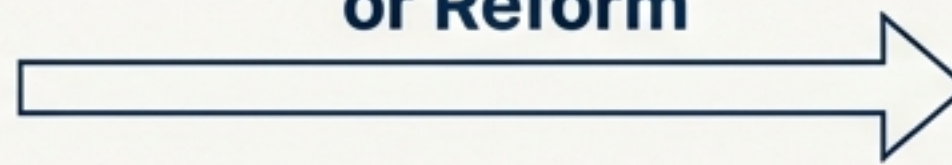
Process: Digital notices and conditional confirmation to speed up land assembly.

Removing Friction: EV & Transport Provisions

EV Charging Infrastructure (Section 49)

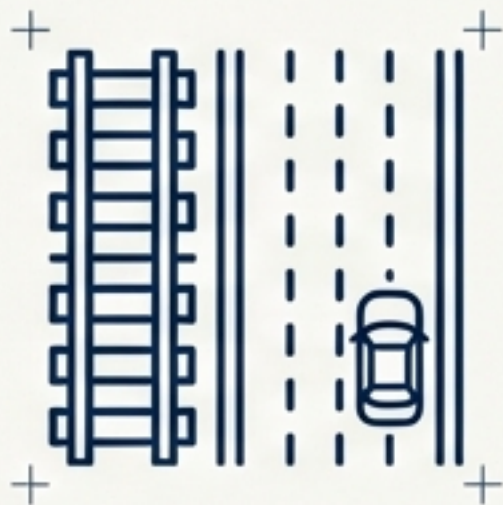


Transition
or Reform



Licence (£1k / Months)

Permit (£130 / Days)



Transport Reforms

- Temporary Possession powers (Highways Act 1980)
- Electronic notices (Transport & Works Act 1992)

Devolved Powers: Scotland & Wales

Scotland (Electricity)

- Reforms to Electricity Act 1989 (Section 19)
- ✓ Mandatory pre-app consultation
- ✓ New 'Reporter-led' inquiry process

Wales (Transport)

- ✗ Listed Buildings deemed consent
- ✓ Alignment of Highways objection periods

Implementation Roadmap



The Act transforms the UK from a 'permission-based' to a 'delivery-based' economy.