

Planning Committee on 15th April 2026

Stage 2 Consultation from National Grid for the Chesterfield to Willington Project.

Appendix 1- National Significant Infrastructure Projects Background Information

Development Consent Order (The process in place March 2026)

Under The Planning Act 2008 nationally significant infrastructure projects (NSIPs) are large scale projects falling into five general categories Energy; Transport; Water; Waste Water and Waste.

Instead of applying to the local authority for planning permission under the Act, the NSIP developer must apply to the Planning Inspectorate (PINS) for a different permission called a Development Consent Order (DCO). PINS will make recommendations on the DCO with the final decision being made by the relevant Secretary of State.

The Tables below set out the process to be undertaken in relation to the proposed overhead transmission line and obtaining a Development Consent Order.

Requirement for the transmission line.

The National Grid Electricity System Operator (ESO)	<ul style="list-style-type: none"> • The ESO is a legally separate part of the National Grid Group. • The ESO identifies the transmission network requirements for the next decade. • ESO anticipates that the network between the North and the Midlands needs to transfer as much as 31 GW of power by 2035.
National Grid Electricity Transmission	<ul style="list-style-type: none"> • Identifies the infrastructure required to meet the future requirements set out by the ESO. • Identifies the potential options. • Undertakes a Non Statutory Consultation based on evidence: <ul style="list-style-type: none"> ➢ Chesterfield to Willington Strategic Options Report ➢ Chesterfield to Willington Corridor Preliminary Routeing and Siting Study . • Applies for a DCO under the Planning Act 2008.

Summary of the process for applying for a DCO for the transmission line.

Process	Activities	Role of the Council
Statutory Consultation	<ul style="list-style-type: none"> • Before submitting an application, the potential applicant has a statutory duty to carry out consultation on their proposals. 	<ul style="list-style-type: none"> • The Council has 28 days to provide comments of the applicant's draft Statement of Community Consultation.

		<ul style="list-style-type: none"> • Respond to the consultation. • Look to agree terms of any Planning Performance Agreement with the applicant.
Application	<ul style="list-style-type: none"> • Application is made to the Planning Inspectorate (PINS). 	
Acceptance	<ul style="list-style-type: none"> • PINS has a period of up to 28 days to decide whether or not the application meets the standard required to be examined. 	<ul style="list-style-type: none"> • Council submits adequacy of consultation representation to PINS.
Pre-examination	<ul style="list-style-type: none"> • Inspector(s) appointed. • The public will be able to register with PINS and make 'Relevant Representation' in order to become an Interested Party. 	<ul style="list-style-type: none"> • Potentially comments on Examination draft timetable. • Potentially attends Preliminary Meeting.
Examination	<ul style="list-style-type: none"> • The Inspector(s) has a maximum of 6 months to carry out the examination. • Based on National Policy Statements. • Inspector(s) report sent to Secretary of State within 3 months of the close of the examination. 	<ul style="list-style-type: none"> • Submits Local Impact Report. • Statement of Common Grounds. • Written Representations. • Attends and participates in the hearings. • Response to Examiner's written questions and requests for further information. • Comment on other representations.
Decision	<ul style="list-style-type: none"> • The Secretary of State has 3 months to make the decision to grant or refuse development consent. • The Secretary of State must decide applications in line with policies set out in National Policy Statements. • If approved it will be subject to requirements (conditions attached to DCP). 	<ul style="list-style-type: none"> • Discharge of Requirements and monitoring. • Enforcement if required. • Responds to notifications – non material and material change applications.
Post Decision	There is the opportunity for legal challenge.	

In the context of the Table:

- A statutory requirement is for the Planning Inspectorate to invite the Council to submit an adequacy of consultation representation. It provides the opportunity for the Council to comment on any shortcomings of the consultations.
- A Local Impact Report (LIR) is a report giving details of the likely impact of the proposed development on the authority's area (or any part of that area). The content of the LIR is a matter for the local authority (Planning Act 2008, Section 60 (3)).

- A Statement of Common Ground is agreed between the Applicant and the Council which:
 - Sets out any matters on which the applicant and another party agree.
 - Identifies those areas where agreement has not been reached.

The Planning and Infrastructure Act 2025 (PIA 2025)

The PIA 2025 will introduce changes to each stage of the NSIP process under the Planning Act 2008 (Planning Act) with the objective of the swifter delivery of infrastructure. Measures include:

- The PIA 2025 requires National Policy Statements (NPSs) to be updated at least every five years.
- Removes the statutory requirement to consult on proposed applications for DCOs prior to their submission.
- Creates a more targeted test for proposed DCO applications to be accepted into the NSIP regime.
- Provides for guidance that will set out best practice for applicants during pre-application
- To ensure that examinations of DCO applications are more focused, Examining Authorities will make procedural decisions about examinations in the light of their Initial Assessment of Principal Issues (IAP).
- The PIA 2025 amends the Planning Act to:
 - reduce the scope for delays caused by judicial review by removing the right to appeal in cases judges deemed to be 'totally without merit'
 - pave the way for government to streamline and improve the process by which applicants may apply for post-consent changes to DCOs in the future
- Secondary legislation will provide for cost-recovery for host local authorities.

National Policy Statements

National Policy Statements (NPS) set out the government's policy on particular types of national significant infrastructure projects and provide the primary basis for making decisions on DCOs.

The National Planning Policy Framework (NPPF) and its associate planning practice guidance does not contain specific policies for nationally significant infrastructure projects, which are determined under the NSIP regime.

Statutory Duties

There are statutory duties in relation to the environment and heritage set out in the Electricity Act 1989 and the Infrastructure Planning (Decision) Regulations 2010, Regulation 3.

Guidelines on overhead line routeing were first formulated in 1959 by Sir William later Lord, Holford, who was a part-time member of the CEGB. National Grid, subject to consideration of environmental assessments which addresses wider topics than the visual amenity issue on which the Rules concentrate, concluded that the [Holford Rules](#) have stood the test of time. Therefore, they continue to be applied by National Grid in relation to overhead lines. In brief, the Holford Rules state that applicants should:

- avoid altogether, if possible, the major areas of highest amenity value, by so planning the general route of the line in the first place, even if total mileage is somewhat increased in consequence;
- avoid smaller areas of high amenity value or scientific interest by deviation, provided this can be done without using too many angle towers, i.e. the bigger structures which are used when lines change direction;
- other things being equal, choose the most direct line, with no sharp changes of direction and thus with fewer angle towers
- choose tree and hill backgrounds in preference to sky backgrounds wherever possible. When a line has to cross a ridge, secure this opaque background as long as possible, cross obliquely when a dip in the ridge provides an opportunity. Where it does not, cross directly, preferably between belts of trees;
- prefer moderately open valleys with medium or moderate levels of tree cover where the apparent height of towers will be reduced, and views of the line will be broken by trees;
- where country is flat and sparsely planted, and unless specifically preferred otherwise by relevant stakeholders, keep the high voltage lines as far as possible independent of smaller lines, converging routes, distribution poles and other masts, wires and cables, so as to avoid a concentration of lines or 'wirescape'; and
- approach urban areas through industrial zones, where they exist; and when pleasant residential and recreational land intervenes between the approach line and the substation, carefully assess the comparative costs of undergrounding.

The Horlock Rules provide guidelines for the design and siting of substations and were established by National Grid in 2009 in pursuance of its duties under Schedule 9 to the Electricity Act 1989. These principles should be embodied in applicants' proposals for the infrastructure associated with new overhead lines. In brief, the Horlock Rules state that applicants should:

- consider environmental issues from the earliest stage to balance the technical benefits and capital cost requirements for new developments against the consequential environmental effects in order to keep adverse effects to a reasonably practicable minimum.
- seek to avoid altogether internationally and nationally designated areas of the highest amenity, cultural or scientific value by the overall planning of the system connections
- protect as far as reasonably practicable areas of local amenity value, important existing habitats and landscape features including ancient woodland, historic hedgerows, surface and ground water sources and nature conservation areas.
- take advantage of the screening provided by land form and existing features and the potential use of site layout and levels to keep intrusion into surrounding areas to a reasonably practicable minimum.
- keep the visual, noise and other environmental effects to a reasonably practicable minimum.
- consider the land use effects of the proposal when planning the siting of substations or extensions.
- consider the options available for terminal towers, equipment, buildings and ancillary development appropriate to individual locations, seeking to keep effects to a reasonably practicable minimum.
- use space effectively to limit the area required for development consistent with appropriate mitigation measures and to minimise the adverse effects on existing land use and rights of way, whilst also having regard to future extension of the substation.
- make the design of access roads, perimeter fencing, earth-shaping, planting and ancillary development an integral part of the site layout and design, so as to fit in with the surroundings.
- in open landscape especially, high voltage line entries should be kept, as far as possible, visually separate from low voltage lines and other overhead lines so as to avoid a confusing appearance.
- study the inter-relationship between towers and substation structures and background and foreground features so as to reduce the prominence of structures from main viewpoints. Where practicable the exposure of terminal towers on prominent ridges should be minimised by siting towers against a background of trees rather than open skylines.