



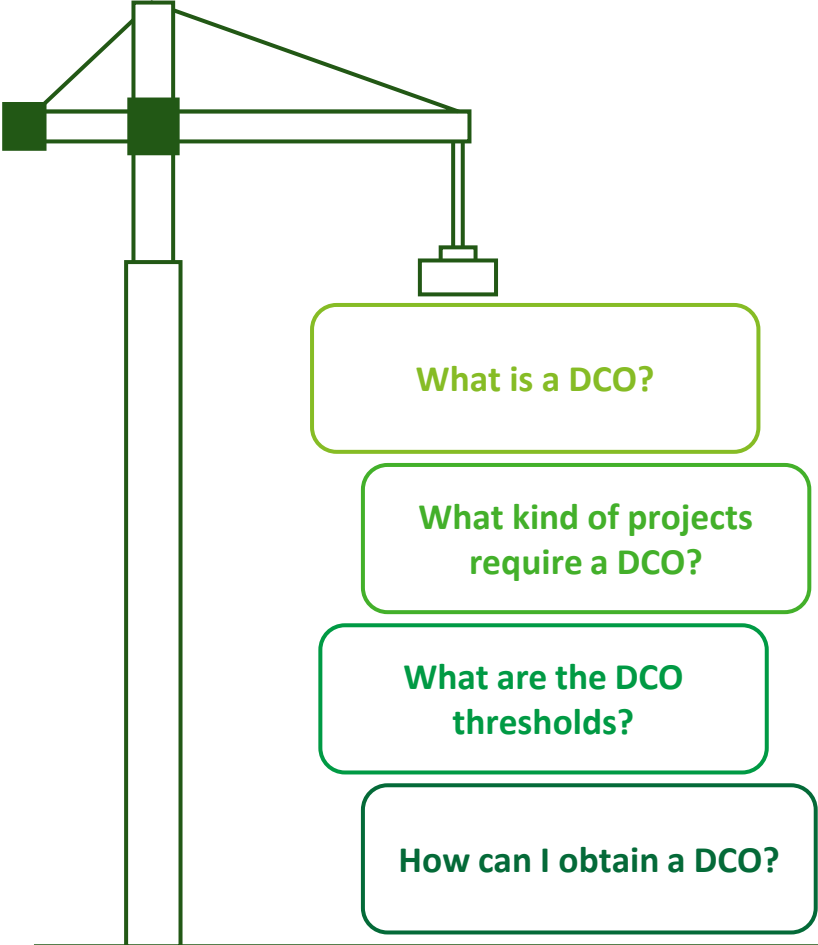
DCOs - An evolving landscape for infrastructure delivery

June 2025

What is a DCO

DCOs are vital tools for delivering essential infrastructure and attracting investment and often cost clients millions of pounds.

The Deloitte Infrastructure & Real Estate team is uniquely placed to support clients throughout the entire DCO process.



A Development Consent Order (DCO) is a legal document granting permission for Nationally Significant Infrastructure Projects (NSIPs) in England. It combines planning permission with other required consents, authorisations and compulsory purchase (CP) powers, streamlining the approval process for large-scale developments.



NSIPs typically involve energy, transportation, water, and waste management infrastructure considered essential to national interests.

NSIPs are defined by size, scale, or capacity. There are statutory thresholds which define NSIPs as per sections 15 to 30 of the Planning Act 2008 (e.g., a nuclear plant with generation capacity above 50 megawatts requires a DCO).

Deloitte offer support in all stages of the DCO process lifecycle from the project inception, pre-application, and examination stages through to delivery. The steps to obtain a DCO are examined in this document.

An evolving policy landscape

A snapshot of key policy updates that emphasise the critical role for DCOs in major infrastructure projects and programmes.

- The MHCLG's "Streamlining Infrastructure Planning" Working Paper, if implemented, could impact the DCO process by potentially simplifying and accelerating the approval timeline for NSIPs.
- Lord Banner KC's review, proposing a roadmap to speed up infrastructure delivery, could impact the DCO process by potentially streamlining decision-making and reducing the timeframes for examining and approving projects.

	Policy Change	Description	Impact on DCO process
1	Planning and Infrastructure Bill 2025	Further reforms to the Nationally Significant Infrastructure Projects regime.	<ul style="list-style-type: none"> • Consultation reforms: Removing the requirement to consult on preliminary environmental information (PEIR). • Faster Validation: Proposed relaxation of acceptance criteria to 'suitable to proceed to examination' and the Secretary of State can require additional material during acceptance. • Limitations to appeal: The ability to award costs has widened; the restriction on appeal of judicial review has been deemed 'total without merit'. • National Policy Statements: NPSs must be amended every five years or sooner; some NPS amendments do not need Parliamentary scrutiny.
2	NPPF 2024	Update to national planning policies in England.	<ul style="list-style-type: none"> • New thresholds for some NSIPs • Changes to planning fees: Including a tiered fee structure. • Critical National Priority: More weight designated to "Critical National Priority" projects and clearer definitions. • Changes to LPAs: Shorter time-limits for LPAs to determine applications, and dedicated resource within LPAs who are able to deal with these projects.
3	NSIP Reform and Updated "Advice Pages"	Updated "Advice Pages" issued in August 2024 by PINS. This reviews and reforms the regime for NSIPs in England and Wales.	<ul style="list-style-type: none"> • Updated "Advice Pages" issued by PINS notes provided for: i.e. Working with public bodies, Cumulative effects assessment, transboundary impacts, Habitat regulations assessment, Water Framework Directive, EIA notification. • Shorter notification periods: Fast track-consent route for NSIPs that meet a quality standard. • Resolving issues pre-application: to resolve issues before projects reach examination. • Digitalisation & Resources: Integrating digital tools into the NS • Resources: Ensuring planning authorities have the necessary skills and resources to manage the reformed process effectively is vital.
4	Levelling up and Regeneration Bill (LURB) 2022-23	Reform the planning system in England to promote the geographical spread of opportunity and prosperity	<ul style="list-style-type: none"> • Introduces a system of locally-set Environmental Outcome Reports ('EORs'): Potential to impact on the assessment of environmental impacts within DCOs. NSIP developers will need to demonstrate how their projects align with and contribute to achieving these outcomes. • The Bill replaces the Section 106 system with a new Infrastructure Levy: This levy could provide a more streamlined and transparent way to fund infrastructure needed to support NSIPs and their local impacts.
5	British Energy Security Strategy 2022	UK's energy security and independence, focusing on increasing domestic energy production and transition to cleaner sources	<ul style="list-style-type: none"> • Sets ambitious targets for development • Nuclear Power: Up to 24GW of nuclear power by 2050 (around 25% of projected electricity demand), including a commitment to approve one new nuclear project per year. • Offshore Wind: Up to 50GW of offshore wind by 2030, including 5GW of floating offshore wind. • Solar Power: Up to 70GW of solar power by 2035. • Hydrogen: Up to 10GW of low-carbon hydrogen production capacity by 2030.



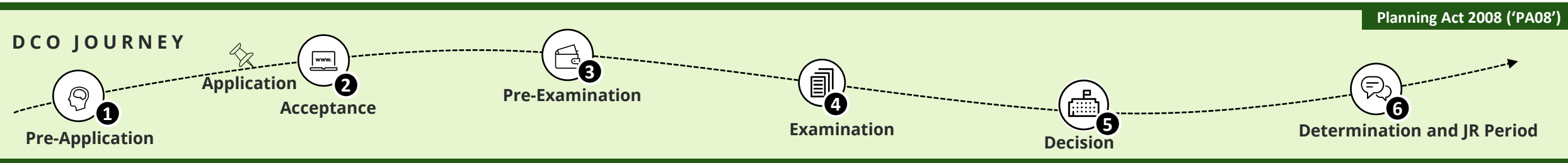
Under review in Parliament



Policy changes implemented

Insights, Challenges, and Risks

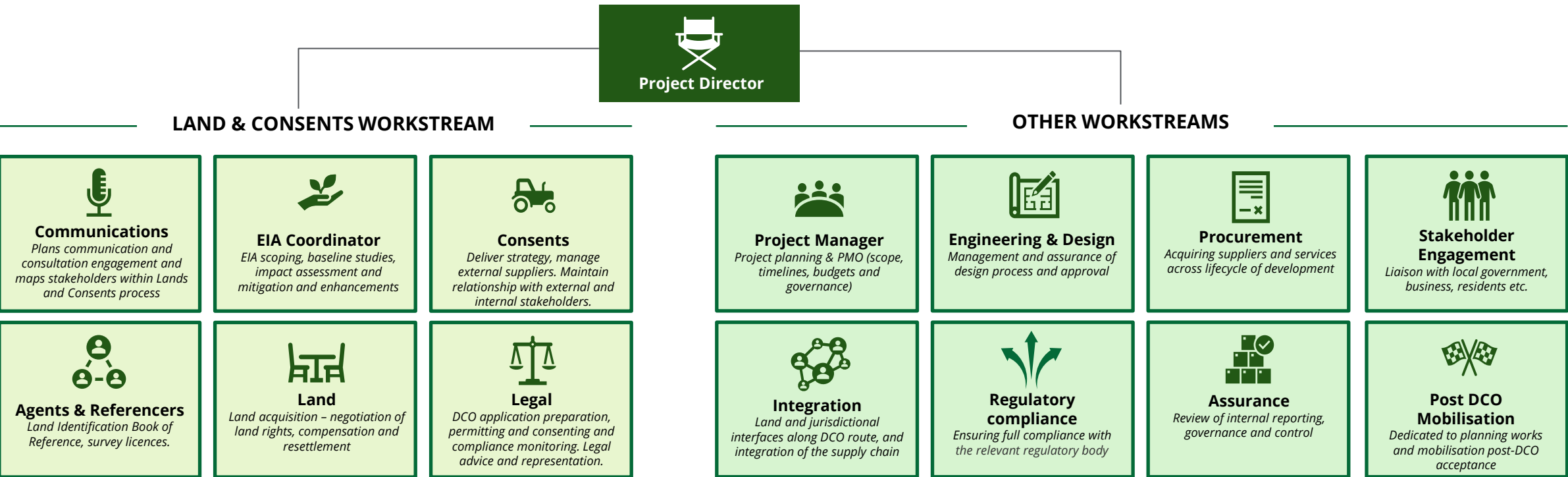
A view of the key challenges and risks to DCOs at different stages in the process.



Statutory bodies	Land access and easement rights	Post-DCO approvals	DCO delivery
<div>12345</div> <p>Challenge: Encouraging engagement from statutory bodies.</p> <p>Risk of delay in the engagement process and cost increase for the promoter.</p> <p>Lack of sufficient engagement with Statutory bodies may lead to misalignment on project specific requirements during the pre-application and examination stages causing delays and increased costs for promoters. Resource constraints on Statutory bodies and the expectation that a chargeable discretionary advice service will be entered into (i.e. PINS tiered service). The Planning and Infrastructure Bill proposes opportunities to simplify the consultation process.</p> <p>Deloitte's Stakeholder Mapping & Analysis and Communications Strategy & Execution services can ensure effective engagement with statutory bodies from the outset, fostering collaboration and preventing delays.</p>	<div>123456</div> <p>Challenge: Securing all the necessary access right to complete construction.</p> <p>Risk of programme delays and additional costs.</p> <p>Any application needs to be cognisant of any permanent and temporary acquisition sought and rights of access requirements.</p> <p>Deloitte's Land and Consents Strategy expertise can help secure necessary easements and agreements with landowners during the DCO process, preventing delays.</p>	<div>6</div> <p>Challenge: Securing multiple consents post DCO consent.</p> <p>Risk of significant programme delays if not coordinated effectively.</p> <p>Securing post-DCO approvals, such as for drainage and cabling, can be a time-consuming process. This highlights the need for effective coordination with local planning authorities and the importance of streamlining post-consent approvals. The Planning and Infrastructure Bill proposes simplification of the appeal process.</p> <p>Deloitte's Consents Strategy expertise can help streamline the process of obtaining post-DCO approvals, coordinating with relevant authorities and ensuring timely approvals.</p>	<div>6</div> <p>Challenge: Changing delivery partner/contractor team post consent.</p> <p>Risk of re-design of construction methodology and programme delays.</p> <p>Changing delivery contractors after approval of DCO may prove a challenge to completing works as agreed in the DCO. The incoming contractor may challenge the approved construction methodology, creating a challenge to complete works within the existing DCO boundaries.</p> <p>Deloitte's Capital Programmes expertise can help facilitate early contractor involvement at the right levels design, to ensure that appropriate levels of flexibility are incorporated in the programme to handle risk and uncertainty related to construction methodology. This would include ensuring appropriate levels of design expertise post-DCO and ensuring that sufficient time has been built-in post consent to fully absorb the terms of the DCO.</p>

The building blocks of an ideal DCO delivery team

Our approach and structure to ensure successful DCO delivery.



Our multidisciplinary teams bring value in all facets of the DCO journey

In-house DCO Expertise

Our Development & Assurance team has supported the successful delivery of multiple DCOs and has extensive expertise in all technical aspects of the DCO process.

- PINS and LPA engagement
- Stakeholder mapping
- EIA Coordination & compliance
- Consents strategy
- Book of Reference, survey licences, HoTs and Options
- Land strategy
- Key documentation for examination

Extensive Capital Programme Delivery Success

Bringing invaluable lessons from supporting delivery of major infrastructure projects we can help DCO teams overcome negative challenges effectively, ensuring a robust and efficient DCO process across a multiple workstreams:

- DCO strategy / Development Strategy
- Risk Management
- Stakeholder Mapping & Analysis
- Communications Strategy & Execution
- DCO cost planning & optimisation
- Value Engineering
- Contract Management
- Integration

Infrastructure Projects and key insights

Nationally significant infrastructure projects exist across multiple industries with different thresholds and requirements to obtain DCO's.

