

Committee Name and Date of Committee Meeting

Cabinet – 20 October 2025

Report Title

Authorisation of Nationally Significant Infrastructure Projects (NSIP) - Whitestone Solar Farm

Is this a Key Decision and has it been included on the Forward Plan?

Yes

Strategic Director Approving Submission of the Report

Andrew Bramidge, Strategic Director of Regeneration and Environment

Report Author(s)

Nigel Hancock, Head of Planning and Building Control

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Ward(s) Affected

Bramley and Ravenfield

Thurcroft and Wickersley South

Sitwell

Aughton and Swallownest

Aston and Todwick

Dinnington

Anston and Woodsetts

Wales

Report Summary

This report seeks approval to delegate the preparation and submission of documents to the Planning Inspectorate, both in relation to the Whitestone Solar Farm project and any future applications that fall under the legislation for Nationally Significant Infrastructure Projects (NSIP), to the Strategic Director of Regeneration and Environment in consultation with the Cabinet Member for Transport, Jobs and the Local Economy. This will ensure they are considered in an efficient and timely manner and within the curtailed timescales imposed by the planning inspectorate.

Recommendations

That Cabinet:

1. Delegate authority to the Strategic Director of Regeneration and Environment in consultation with the Head of Planning and Building Control and Cabinet member for Transport, Jobs and the Local Economy to submit to the Planning Inspectorate all documentation and relevant evidence for their consideration and deal with all procedural matters that may arise in relation to this application and any future applications that fall under the legislation for Nationally Significant Infrastructure Projects.
2. Agree to the proposal that a report be submitted to the Planning Board on a quarterly basis to provide a summary of all responses submitted from the Council to the Planning Inspectorate in respect of Nationally Significant Infrastructure Projects in the previous quarter.

List of Appendices Included

Appendix 1 – Initial Equality Screening Assessment

Appendix 2 – Climate Change Assessment

Background Papers

[Nationally Significant Infrastructure Projects and the people and organisations involved in the process - GOV.UK](#)

[Nationally Significant Infrastructure Projects: Advice for Local Authorities - GOV.UK](#)

[Home - Whitestone Solar Farm](#)

Consideration by any other Council Committee, Scrutiny or Advisory Panel

None

Council Approval Required

No

Exempt from the Press and Public

No

Authorisation of Nationally Significant Infrastructure Projects (NSIP) - Whitestone Solar Farm

1. Background

- 1.1 NSIPs are projects of certain types, over a certain size, which are considered by the Government to be so big and nationally important that permission to build them needs to be given at a national level, by the responsible Secretary of State. The thresholds for NSIPs are set out in sections 15 to 30A of the Planning Act 2008. This process is separate from developments under the Town & Country Planning Act 1990, with NSIPs having an emphasis on pre-application work shaping the design of the project.
- 1.2 Instead of applying to the local authority for Planning Permission, the developer must apply to the Planning Inspectorate for a different permission called a Development Consent Order (DCO).
- 1.3 The Planning Inspectorate (PINS) is responsible for undertaking the DCO examinations and will write a report with recommendations to the Secretary of State to help support their decision making.
- 1.4 Rotherham has recently been informed of proposals for a new solar farm and associated infrastructure, known as Whitestone which, due to its scale and energy generating capacity, will be considered as an NSIP.
- 1.5 The threshold for proposed energy generating development in respect of NSIP applications is 50MW. By comparison Whitestone proposes to generate up to 750MW.
- 1.6 The NSIP process can take up to 2 years from when an application is submitted to a decision being made. There are five stages to the process:
 1. Pre-application
 2. Acceptance
 3. Pre-examination
 4. Examination
 5. Post Decision
- 1.7 The concept is that an NSIP front loads the planning process. This means there is more emphasis placed on shaping a development before an examination starts and as the host authority, RMBC will be a statutory consultee, which will mean that the Council will be consulted at every stage of the process. Key milestones include:

Pre-application	Acceptance	Pre-examination	Examination	Post Decision
28 days to provide comment on draft Statement of Community Consultation (SoCC)	28 days for PINS to decide whether to accept the application for examination	Respond to the invitation to the preliminary meeting (rule 6 letter)	6 months for Examination (maximum)	Discharge of Requirements (DoR) and monitoring
Respond to developer consultation about the scheme (s42)	Local authority submits adequacy of consultation (AoC) representation	Submit a Relevant Representation (RR)	Take receipt of the procedural decision including the examination timetable (rule 8 letter)	Local Planning Authority carries out enforcement where necessary
Discuss with developer about Planning Obligation (Section 106) agreements and requirements		Consider the draft examination timetable and provide comments if necessary	Submit LIR, SoCG, and WR early in examination	Responding to notifications – non material and material change applications
Local authorities are advised to begin work / arrange delegations for Local Impact Reports (LIR) / Statement of Common Ground (SoCG)		Attend the Preliminary Meeting	Attend and participate at hearings/ accompanied site visits (ASI)	
Local authorities are advised to consider and make arrangements for joint working with other local authorities		Continue preparation of SoCG, LIR and Written Representation(s) (WR)	Submit a signed planning obligation by the deadline	
Agree the terms of any Planning Performance Agreements (PPA) with the developer		Prepare for examination – legal and specialist support?	Respond to ExA written questions and requests for further information	
		Continue negotiations with developer	Comment on other interested parties' representations and submissions	

- 1.8 The preparation of many of the documents outlined above, will be carried out in consultation with other internal departments and are not dissimilar to practices carried out on planning applications under the Town and Country Planning Act, this is with the exception of the Local Impact Report (LIR).
- 1.9 The LIR is a key document and is designed to give details of the likely impact of the proposed development on the authority's area, and it must be taken into account by PINS and the Secretary of State. The timescale for submission of this is usually limited to 28 days, therefore there will be limited or no opportunity for cabinet or planning board to consider the contents of these documents.
- 1.10 The content of this document will be 'matters of fact'. The LIR will document the impacts the proposed development will have on the Borough, both positive and negative, but there is no requirement for any analysis, or balancing of these impacts to be undertaken, as that is the role of the Planning Inspector.
- 1.11 In view of the factual nature of the LIR and all other associated documents, it is recommended that the approval of these are delegated to the Strategic Director of Regeneration and Environment in consultation with the Head of Planning and Building Control and Cabinet Member. This is in relation to the Whitestone Solar Farm and any future applications that fall under the NSIP legislation.

2. Key Issues

- 2.1 The Council's Constitution pre-dates the submission of the Whitestone Solar Farm proposal which is a Nationally Significant Infrastructure Project. Accordingly, it is necessary to determine the governance of this and any future NSIPs.
- 2.2 The timescales set by the Planning Inspectorate to respond to each phase of the NSIP process are immovable and would therefore not align with current lead times for Cabinet or Planning Board approval.
- 2.3 Local authorities have an important role to play in the process:
 - providing the applicant with a local perspective on the proposed project.
 - if consent is granted, they may need to monitor and enforce some parts of the Development Consent Order (DCO).
 - if consent is granted they may be the authority to discharge certain requirements (like conditions attached to a planning permission), or they may act as a consultee for a requirement.
- 2.4 The Government therefore advise local authorities to set up clear delegation early on the pre-application stage of the process to meet their demanding timescales and state in their advice note *there is unlikely to be time to seek committee approval for submissions during the examination stage. It is important therefore that local authorities consider the level of approval required for these activities. They should arrange agreed powers at Cabinet as early as possible during the pre-application stage to enable officers to respond quickly and effectively*".
- 2.5 If the Council chooses not to agree to the delegation of these reports to the Strategic Director and instead elects to determine that they should be considered by Cabinet or Planning Board, the lead times would prevent the preparation of reports of an appropriate quality.

3. Options considered and recommended proposal

- 3.1 **Option 1: Delegate the preparation and submission of all reports to the Strategic Director of Regeneration and Environment** in consultation with the Head of Planning and Building Control and Cabinet member for Transport, Jobs and the Local Economy

Due to the short timescales for the preparation and submission of responses to each stage of the NSIP process, all documents and evidence shall be delegated to the Strategic Director of Regeneration and Environment in consultation with the Head of Planning and Building Control and Cabinet member for Transport, Jobs and the Local Economy.

The LIR is arguably the most important document and is designed to give details of the likely impact of the proposed development on the authority's area, and it must be taken into account by PINS and the Secretary of State.

3.2 Option 2: Do nothing.

The approval of reports would require Cabinet sign off and due to the restrictive time limits imposed by the Planning Inspectorate would result in the Council not being able to respond by the statutorily imposed deadlines and would not be able to provide any information that would be taken into consideration.

Planning Board meetings are held every three weeks, and whilst PINS do not have a specific timeframe for the submission of the LIR, it is considered that the lead time would prohibit this or significantly reduce the time available for officers to consider the proposals and prepare the report.

For the reasons set out in this report, Option 1 is the recommended option.

4. Consultation on proposal

- 4.1 It is incumbent upon the applicant and PINS to undertake consultation as part of the NSIP process, this is set out in guidance on the PINS website.
- 4.2 The Council, as host authority are simply a consultee and therefore the delegation of the process to the Strategic Director of Regeneration and Environment is necessary in this instance.

5. Timetable and Accountability for Implementing this Decision

- 5.1 If approval is given to delegate the preparation and submission of documents to the Strategic Director of Regeneration and Environment, the process will begin immediately on the Whitestone Solar Farm.
- 5.2 Anticipated timescale for this proposed development is likely be ongoing for a period of up to 2 years, however further NSIP applications could also be received in the future, therefore this decision will have positive implications for the governance of these types of applications.

6. Financial and Procurement Advice and Implications

- 6.1 There are no known costs associated with approving this delegation.
- 6.2 There are no direct procurement implications arising from the recommendations detailed in this report.

7. Legal Advice and Implications

- 7.1 This project is an NSIP due to the threshold of the development and as a consequence the decision will be made by the planning inspectorate rather than the council (LPA). The NSIP regime is set out in the provisions of the Planning Act 2008 as amended. The Act sets out a rigid timetable for such applications and there is a need to ensure that this timeline is complied with and as a consequence this supports the recommendation to this report.

8. Human Resources Advice and Implications

8.1 There are no human resources implications arising from this report.

9. Implications for Children and Young People and Vulnerable Adults

9.1 There are no implications for Children and Young People and Vulnerable Adults arising from this report.

10. Equalities and Human Rights Advice and Implications

10.1 There are no detrimental impacts on equalities or human rights identified. An Initial Screening Equality Assessment has been completed and attached at Appendix 1.

11. Implications for CO2 Emissions and Climate Change

11.1 The proposal to delegate the NSIP process to the Director of Regeneration and Environment is not considered to have any significant implications for CO2 emissions and climate change.

11.2 There is however the potential for indirect benefits. By enabling the delegation of the NSIP process, it would allow officers time to shape the proposals for the large scale solar farm, which will have wider benefits for CO2 emissions and climate change.

12. Implications for Partners

12.1 There are no implications for Partners arising from this report.

13. Risks and Mitigation

13.1 The proposal to delegate the Council's contribution to the NSIP process aligns with guidance set out by Government who advise local authorities to set up clear delegation early on the pre-application stage of the process to meet their demanding timescales and state in their advice note *"there is unlikely to be time to seek committee approval for submissions during the examination stage. It is important therefore that local authorities consider the level of approval required for these activities. They should arrange agreed powers at Cabinet as early as possible during the pre-application stage to enable officers to respond quickly and effectively."*

13.2 The risks, associated with not delegating this process to the Strategic Director of Regeneration and Environment is likely to result in officers having insufficient time to consider the proposals fully to meet strict deadlines set by PINS.

14. Accountable Officers

Simon Moss, Assistant Director, Planning, Regeneration & Transport

Approvals obtained on behalf of Statutory Officers: -

	Named Officer	Date
Chief Executive	John Edwards	23/09/25
Strategic Director of Finance & Customer Services (S.151 Officer)	Judith Badger	23/09/25
Assistant Director of Legal Services (Monitoring Officer)	Phil Horsfield	23/09/25

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This report is published on the Council's [website](#).