



# Planning Act 2008

## 2008 CHAPTER 29

### PART 3

#### NATIONALLY SIGNIFICANT INFRASTRUCTURE PROJECTS

##### *General*

#### **14 Nationally significant infrastructure projects: general**

- (1) In this Act “nationally significant infrastructure project” means a project which consists of any of the following—
- (a) the construction or extension of a generating station;
  - (b) the installation of an electric line above ground;
  - (c) development relating to underground gas storage facilities;
  - (d) the construction or alteration of an LNG facility;
  - (e) the construction or alteration of a gas reception facility;
  - (f) the construction of a pipe-line by a gas transporter;
  - (g) the construction of a pipe-line other than by a gas transporter;
  - (h) highway-related development;
  - (i) airport-related development;
  - (j) the construction or alteration of harbour facilities;
  - (k) the construction or alteration of a railway;
  - (l) the construction or alteration of a rail freight interchange;
  - (m) the construction or alteration of a dam or reservoir;
  - (n) development relating to the transfer of water resources;
  - [<sup>F1</sup>(na) the construction or alteration of a desalination plant;]
  - (o) the construction or alteration of a waste water treatment plant [<sup>F2</sup>or of infrastructure for the transfer or storage of waste water] ;
  - (p) the construction or alteration of a hazardous waste facility [<sup>F3</sup>;
  - (q) development relating to a radioactive waste geological disposal facility.]

*Changes to legislation: Planning Act 2008, Cross Heading: General is up to date with all changes known to be in force on or before 26 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- (2) Subsection (1) is subject to sections 15 to <sup>[F4]</sup>30A .
- (3) The Secretary of State may by order—
- (a) amend subsection (1) to add a new type of project or vary or remove an existing type of project;
  - (b) make further provision, or amend or repeal existing provision, about the types of project which are, and are not, within subsection (1).
- <sup>[F5]</sup>(3A) An order under subsection (3)(a) may also amend section 6(7)(a) of the Public Order Act 2023 (obstruction etc of major transport works).]
- (4) An order under subsection (3)(b) may amend this Act.
- (5) The power conferred by subsection (3) may be exercised to add a new type of project to subsection (1) only if—
- (a) a project of the new type is a project for the carrying out of works in one or more of the fields specified in subsection (6), and
  - (b) the works are to be carried out wholly in one or more of the areas specified in subsection (7).
- (6) The fields are—
- (a) energy;
  - (b) transport;
  - (c) water;
  - (d) waste water;
  - (e) waste.
- (7) The areas are—
- (a) England;
  - (b) waters adjacent to England up to the seaward limits of the territorial sea;
  - (c) in the case of a project for the carrying out of works in the field of energy, a Renewable Energy Zone, except any part of a Renewable Energy Zone in relation to which the Scottish Ministers have functions.

#### Textual Amendments

- F1** S. 14(1)(na) inserted (9.1.2019) by [The Infrastructure Planning \(Water Resources\) \(England\) Order 2019 \(S.I. 2019/12\)](#), arts. 1(1), **2(2)** (with arts. 3-5)
- F2** Words in s. 14(1)(o) added (23.6.2012) by [The Infrastructure Planning \(Waste Water Transfer and Storage\) Order 2012 \(S.I. 2012/1645\)](#), arts. 1(1), **2(2)** (with art. 3)
- F3** S. 14(1)(q) inserted (27.3.2015) by [The Infrastructure Planning \(Radioactive Waste Geological Disposal Facilities\) Order 2015 \(S.I. 2015/949\)](#), arts. 1(1), **2(2)(a)**
- F4** Word in s. 14(2) substituted (27.3.2015) by [The Infrastructure Planning \(Radioactive Waste Geological Disposal Facilities\) Order 2015 \(S.I. 2015/949\)](#), arts. 1(1), **2(2)(b)**
- F5** S. 14(3A) inserted (2.7.2023) by [Public Order Act 2023 \(c. 15\)](#), ss. **6(10)**, 35(5); S.I. 2023/733, reg. 2(d)

#### Commencement Information

- I1** S. 14 partly in force; s. 14 in force for certain purposes at Royal Assent see s. 241
- I2** S. 14(1)(a)-(1) (2)-(7) in force at 1.3.2010 by [S.I. 2010/101](#), art. **3(a)** (with art. 6)
- I3** S. 14(1)(m) in force at 1.1.2018 for E. in so far as not already in force by [S.I. 2017/1078](#), art. **2(a)**
- I4** S. 14(1)(n) in force at 1.1.2018 for E. in so far as not already in force by [S.I. 2017/1078](#), art. **2(b)**

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| <b>15</b> | S. 14(1)(o) in force at 6.4.2011 for E.W. by <a href="#">S.I. 2011/705</a> , <b>art. 2</b> |
| <b>16</b> | S. 14(1)(p) in force at 1.10.2011 by <a href="#">S.I. 2011/2054</a> , <b>art. 2(a)</b>     |

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Pt. 10A inserted by [2023 c. 55 Sch. 12 para. 1](#)
- s. 37(3A) inserted by [2021 c. 30 Sch. 15 para. 7](#)
- s. 37(3A) inserted by [2021 c. 30 Sch. 15 para. 7](#)
- s. 103(1A) inserted by [2021 c. 30 Sch. 15 para. 2](#)
- s. 103(1A) inserted by [2021 c. 30 Sch. 15 para. 2](#)
- s. 104(3)-(3B) substituted for s. 104(3) by [2021 c. 30 Sch. 15 para. 3\(2\)](#)
- s. 104(3)-(3B) substituted for s. 104(3) by [2021 c. 30 Sch. 15 para. 3\(2\)](#)
- s. 105(3)(4) inserted by [2021 c. 30 Sch. 15 para. 4\(1\)](#)
- s. 105(3)(4) inserted by [2021 c. 30 Sch. 15 para. 4\(1\)](#)
- s. 120(2)(c) inserted by [2021 c. 30 Sch. 15 para. 8](#)
- s. 120(2)(c) inserted by [2021 c. 30 Sch. 15 para. 8](#)
- s. 223(1)(za) inserted by [2023 c. 55 s. 139\(6\)](#)
- s. 232(5)(f) inserted by [2021 c. 30 Sch. 15 para. 9\(2\)](#)
- s. 232(5)(f) inserted by [2021 c. 30 Sch. 15 para. 9\(2\)](#)
- Sch. 2A inserted by [2021 c. 30 Sch. 15 para. 5](#)
- Sch. 2A inserted by [2021 c. 30 Sch. 15 para. 5](#)