

Transport Committee

National Policy Statement for Ports

Fourth Report of Session 2024–26

HC 1028

Transport Committee

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Summary

The National Policy Statement for Ports (Ports NPS) sets out the planning framework for the development of port infrastructure in England and reserved trust ports in Wales. It guides decision-makers and applicants on the approval of Development Consent Orders for Nationally Significant Infrastructure Projects, aiming to streamline the planning process and ensure applications are assessed with regard to national priorities.

The Government decided to review and update the original 2012 Ports NPS, in order to reflect changes in policy, technology and the economic context over the past decade. The draft revised Ports NPS, published in June 2025, reaffirms the long-term need for expanded port capacity. It aims to support decarbonisation and biodiversity and to clarify the relationship between port development and wider planning frameworks.

Stakeholders who contributed to our inquiry broadly supported the direction of the draft revised Ports NPS, particularly its continued presumption in favour of development and its market-led approach to investment in this sector which plays a vital role in trade, energy and economic growth. We welcome the revised version, and the Government's commitment to review National Policy Statements on a more regular basis in future.

Our inquiry also identified areas for improvement to ensure that the final NPS is robust against legal challenge and responsive to the needs of the ports sector.

Non-freight activities should be included in port demand forecasts. The role of ports in facilitating offshore energy development should be recognised by granting ports Critical National Priority status, which should also assist in protecting sites from harmful development.

In order to meet the goal of the NPS in streamlining planning, the document should contain provisions on deemed marine licences and make its provisions on dredging less onerous. The applicability of the NPS to projects directed into the DCO process should also be clarified. The demands made of port development in terms of design should be reviewed.

In order to support decarbonisation, the final NPS should articulate more clearly the priority for supporting modal shift in onward transport from ports, and set out expectations for facilitating electricity grid supply and connections. The Government must also address the implications of the *Finch* judgment and insert guidance in the document on how emissions should be assessed for the purposes of Environmental Impact Assessments.

1 Introduction

1. The National Policy Statement for Ports (Ports NPS) sets out the Government's planning policy for the ports sector in England, and for reserved trust ports in Wales (a status which applies only to Milford Haven).
2. A National Policy Statement (NPS) is a formal planning document that outlines the Government's policy for the development of Nationally Significant Infrastructure Projects (NSIPs). Created under the Planning Act 2008, the purpose of an NPS is to reduce delays in the planning system for major projects by providing guidance on the main issues that a decision-maker (the relevant Secretary of State) will need to consider when determining applications for Development Consent Orders (DCOs). NPSs also provide guidance for applicants.
3. Section 24 of the Planning Act 2008 sets out the thresholds for developments in the ports sector to be classified as NSIPs:
 - Estimated incremental capacity exceeds:
 - 500,000 teu¹ for a container terminal;
 - 250,000 movements for roll-on roll off (ro-ro);
 - 5 million tonnes for other (bulk and general) traffic; or
 - A weighted sum equivalent to these figures taken together.
 - National significance—the project is of a scale or nature that has national importance; or
 - Environmental and operational impact—for projects that entail significant dredging, land reclamation or changes to transport infrastructure.²

Review of the Ports NPS and our inquiry

4. The current Ports NPS was designated by the Department for Transport in 2012 and was the first NPS to be published. Our predecessor Committee's inquiry into Maritime 2050, conducted in 2022–23, heard evidence from the

1 Teu: twenty-foot equivalent [container] unit

2 [Planning Act 2008](#), Section 24

ports sector asking for the Ports NPS to be reviewed to restate to other government departments the role of the sector.³ The report recommended a “prompt completion of [that] review to ensure the NPS remains an effective tool in securing the infrastructure development needed by ports.”⁴

5. Both the legal and policy context changes around NPSs, making regular reviews essential to ensure the documents remain up to date and robust. The pace of technological change is also increasing, with renewable energy, carbon capture and storage and alternative fuels all potentially affecting the kinds of developments needed at ports. Our predecessor Committee recommended the introduction of five-year review periods for transport National Policy Statements.⁵ The Government agreed with this recommendation and committed to doing so.⁶ The Planning and Infrastructure Bill says that it will:

Introduce a statutory requirement for each NPS to be updated at least every five years so that they reflect the government’s priorities and support quicker decisions on individual applications.⁷

With a decade passing since designation of the first Ports NPS, a review was therefore long overdue.

6. The previous Government announced a review of the 2012 Ports NPS in March 2023, saying it was important to ensure that the document continued to support effective decision making.⁸ The present Government continued that review and decided that amendments to the 2012 version were needed.⁹ On 4 June 2025, the Government published a draft revised Ports NPS for consultation and scrutiny¹⁰ along with the required Habitats Regulation Assessment¹¹ and Appraisal of Sustainability.¹² The then Minister for Maritime stated that the Ports NPS review was:

3 Oral evidence taken on 11 May 2022, [Q50](#); [Q60](#) [Mark Simmonds]

4 Transport Committee, Fifth Report of Session 2022–23, [Maritime 2050](#), HC 160, para 123

5 Transport Committee, Ninth Report of Session 2022–23, [Draft revised National Networks National Policy Statement](#), HC 903, para 19

6 Department for Transport, [Government Response to the Transport Select Committee’s Report on the draft revised National Networks National Policy Statement](#), March 2024

7 Ministry of Housing, Communities & Local Government, [Factsheet: Critical infrastructure reforms](#), September 2025

8 [Review of the National Policy Statement for Ports](#), HCWS628, 14 March 2023

9 [Proposed revision of the National Policy Statement for Ports](#) HCWS681, 4 June 2025

10 Department for Transport, [Draft revised National Policy Statement for Ports](#), June 2025

11 Department for Transport, [Habitats Regulation Assessment](#), June 2025

12 Department for Transport, [Draft revised National Policy Statement for Ports Appraisal and Sustainability](#), June 2025

proceeding in parallel with our wider programme of planning reforms, including the Planning and Infrastructure Bill [...] designed to expedite and facilitate decision-making and stimulate growth and green energy transformation.¹³

7. A period of parliamentary scrutiny is a statutory requirement for the designation of a new or revised NPS.¹⁴ This period ends on 14 November 2025 for the draft revised Ports NPS. Scrutiny of the draft revised Ports NPS was allocated to our committee by the House of Commons Liaison Committee. Our inquiry was announced on 27 June 2025; we received 13 written submissions and held two oral evidence sessions in September 2025. This included hearing from the Minister for Maritime, Keir Mather MP, and officials at the Department for Transport. We are grateful to all those who contributed their time and expertise to our scrutiny. We note that the Government has proposed to amend arrangements for parliamentary scrutiny of revised NPSs under the Planning and Infrastructure Bill, which was making its way through Parliament at the time of writing.¹⁵

What has changed in the draft revised Ports NPS

8. The Government stated that the draft revised Ports NPS had been updated to accommodate “changes in circumstance and advances in policy”, with a renewed focus on supporting the Government’s missions for growth and energy.¹⁶ The document reaffirms the long-term need for significant expansion of port capacity over the next 30 years to accommodate trade, offshore energy development, and regional economic growth. It has introduced a presumption in favour of development, aiming to streamline the planning process and reduce delays. Further key changes include strengthened policy support for decarbonisation, biodiversity net gain, marine net gain, and improved air quality standards. These updates reflect the evolving role of ports in enabling the UK’s transition to a low-carbon economy and in responding to technological and legislative shifts since the original 2012 NPS.¹⁷

13 [Proposed revision of the national policy statement for ports](#) HCWS681, 4 June 2025

14 [Planning Act 2008](#), Section 9

15 Clause 2 of the Bill would introduce an additional parliamentary procedure for making “material policy amendments” to NPSs, and remove the requirement for the Secretary of State to respond to resolutions made by Parliament or recommendations made by a parliamentary committee on proposed material policy amendments to an NPS. [Explanatory Notes to the Planning and Infrastructure Bill](#), Bill 196-EN paras 168–9.

16 Department for Transport, [Draft revised National Policy Statement for Ports](#), June 2025

17 Department for Transport, [Draft revised National Policy Statement for Ports](#), June 2025

9. Evidence submitted to our inquiry was broadly supportive of the draft revised Ports NPS. There was a clear consensus welcoming the continued presumption in favour of port development, alongside the retention of a market-led approach to investment, seen as a positive alignment with industry priorities.¹⁸ However, there were some areas stakeholders thought could be improved and our report makes recommendations for further amendments to the document.

10.

CONCLUSION

We welcome the revision of the National Policy Statement for Ports and the Government's intention to review NPSs more regularly in future to ensure they remain fit for purpose. We note stakeholders' broad approval for the direction of travel set out in the draft revised document and the support it will provide to development in the sector.

18 [Qq2-3](#); UK Chamber of Shipping ([PRT0009](#)); UK Major Ports Group ([PRT0011](#)); Associated British Ports ([PRT0012](#)); British Ports Association ([PRT0013](#))

2 Port demand forecasts

11. The Department for Transport published new forecasts of demand for port capacity up to 2050 alongside the draft revised Ports NPS. These are intended “to inform long-term strategic thinking for the future direction of the UK ports sector.”¹⁹ The forecasts, which are based on traffic volume, suggest that there will be an overall increase in demand for port capacity by 2050 of eight per cent over 2023 figures.²⁰ The Department for Transport stated that:

The forecasts are given at a national level and assume unconstrained growth. They do not take into account ports’ existing or planned capacity or any potential future events that could limit capacity.²¹

While the Ports NPS only covers England and Milford Haven, the demand forecasting and economic modelling are UK-wide in scope.²² Most of those who gave evidence to our inquiry said that the forecasts were useful in setting a broad direction of travel for cargo and freight volumes.²³

12. We heard some concerns, however, that the forecasts were limited in certain respects, and therefore could not be regarded as definitive. Firstly, we were told, the assumption of unconstrained growth meant that the forecasts did not entertain the possibility that ports might reach capacity or experience infrastructure bottlenecks.²⁴ Secondly, they did not account for the fact that, as Mark Simmonds, Director of Policy at the British Ports Association explained, “port development can itself drive growth in freight”.²⁵
13. A further factor was that the forecasts were based only on freight activity, thereby excluding some of the largest areas of growth for the sector.²⁶ The British Ports Association (BPA) pointed out that ports supported far more than cargo throughput: offshore energy, cruises,

19 Department for Transport, [UK Port Freight Traffic 2024 Forecasts](#), June 2025

20 Department for Transport, [UK Port Freight Traffic 2024 Forecasts](#), June 2025

21 Department for Transport, [UK Port Freight Traffic 2024 Forecasts](#), June 2025, p.6

22 UK Chamber of Shipping ([PRT0009](#))

23 British Ports Association ([PRT0013](#)); National Union of Rail, Maritime & Transport Workers (RMT Union) ([PRT0005](#)); UK Major Ports Group ([PRT0011](#)); [Q9](#)

24 British Ports Association ([PRT0013](#))

25 [Q9](#) [Mark Simmonds]

26 [Q9](#) [Mark Simmonds]

marine leisure, decommissioning and shipbuilding, and passenger transport were all areas of growth with significant infrastructure requirements.²⁷

The BPA argued that the draft revised Ports NPS “should recognise that demand for development may arise from these sectors independently of freight forecasts, and that their economic and strategic importance warrants explicit consideration.”²⁸

14. Taken together, these factors meant that, as Stephanie Kenyon, Director of External Affairs from the UK Chamber of Shipping said, the forecasts should be “treated as indicative rather than predictive.”²⁹ Cathy Hall, Senior Master Planner at the UK Major Ports Group, cautioned that the forecasts implied a greater degree of certainty about what might happen than they should.³⁰ Robbie Owen, Head of Infrastructure Planning at law firm Pinsent Masons, argued that forecasts produced by a port or developer for a specific development could therefore be valid, even if they deviated from national projections and that it was important that the NPS did not solely support applications aligned with the forecasts.³¹
15. We asked the Minister for Maritime, Keir Mather MP, and his officials why the forecasts do not take into account, for example, passenger traffic. Philip Grindrod of the Department for Transport’s Ports and Shipping Department explained that “we have not seen passengers as a prime driver of the need for development.”³² He also explained that there was currently less of a base from which to project non-freight demand. Nonetheless, in other contexts the Government has acknowledged the importance of non-freight activity at ports: in September 2025 the Government published a UK Cruise Growth Plan, which noted that UK port infrastructure is a major asset to that sector and committed to “boosting UK cruise infrastructure by transforming planning.”³³

16. CONCLUSION

The sector’s view is that port freight demand forecasts should be regarded as indicative rather than definitive. We agree. This approach will allow for greater flexibility and responsiveness to evolving market conditions, technological developments and policy priorities. To support a comprehensive and future-proof approach to port development, non-freight activity should also be considered alongside freight in all relevant modelling and policy development.

27 British Ports Association ([PRT0013](#)); [Q5](#) [Cathy Hall]

28 British Ports Association ([PRT0013](#))

29 [Q5](#) [Stephanie Kenyon]

30 [Q4](#) [Cathy Hall]

31 [Q11](#) [Robbie Owen]

32 [Q81](#) [Philip Grindrod]

33 Department for Transport, [UK Cruise Growth Plan](#), September 2025, p.14

17.

RECOMMENDATION

Port freight demand forecasts are best used as a guide to inform planning and investment decisions, rather than as rigid constraints. The Government must also ensure that future port demand forecasts incorporate non-freight activity.

3 Interaction with wider planning policy

18. While carrying significant weight in planning determinations, National Policy Statements do not operate in isolation. They must be read in conjunction with, on the one hand, the National Planning Policy Framework (NPPF), to ensure coherence in decision-making, and on the other, local development plans, which reflect spatial strategies and land use priorities determined by local planning authorities. This layered approach is intended to ensure that national infrastructure needs are addressed in a manner sensitive to the local context.³⁴
19. NPSs are also designed to work together to assist in supporting Government objectives, with NPSs covering energy, transport and the environment. This interaction is demonstrated when an application is made which is applicable to multiple NPSs—they are read together, as a framework, and decision-makers must consider how the policies interact with and complement each other.
20. Robbie Owen pointed out that there were “an increasing number of mixed projects” through the NSIPs system meaning that multiple NPSs apply:

It is perfectly conceivable in relation to an energy project that this NPS could be relevant to the consideration of that as well as the energy NPS. I think that this revised NPS should be clearer as to how it applies in those sort of circumstances.³⁵

21. The Minister told us that the draft revised Ports NPS took account of other NPSs, including by mirroring their drafting:

The national networks and energy NPSs may present relevant considerations for port decisions, and it is very important that we have that kind of synchronicity between the NPSs to make sure that we understand the interconnectedness of how ports contribute to [...] fast-growing areas of UK economic advantage.³⁶

34 Ministry of Housing, Communities and Local Government, [Planning and Infrastructure Bill Annex 1: Nationally Significant Infrastructure Projects Reform](#), December 2024, p.17

35 [Q8](#)

36 [Q68](#) [Keir Mather]

Mike Alcock, Head of Ports and Shipping at the Department for Transport added that the drafting of the Ports NPS had involved collaboration with other government departments “from start to finish.”³⁷

Awareness of the role of ports in the economy

22. Ports play a vital role in the UK economy, facilitating over 95 per cent of the nation’s imports by volume including critical imports such as food and energy.³⁸ In 2024 alone, UK ports facilitated over £957 billion in trade and supported more than 728,000 jobs across the wider economy.³⁹ The ports sector was referred to as a “foundational industry” within the Government’s Industrial Strategy, meaning it would receive “immediate” support to strengthen its resilience.⁴⁰
23. Despite this crucial role, we heard about a persistent lack of understanding outside the sector itself of the strategic role and operational complexity of ports. Robbie Owen told us that the work and operations of the ports sector were often “misunderstood”, which could lead decision-makers to make incorrect inferences about their needs.⁴¹ Associated British Ports (ABP) were critical of how planning decisions were taken as a result:
- Ports [are] not often well understood by planning decision makers—up to including, in ABP’s experience, members of the Planning Inspectorate, this is due to a number of factors—locational, historic port operator attitudes [...], Local Planning Authority resourcing issues and regulatory constraints.⁴²
24. The draft revised Ports NPS is intended to be used by local authorities when deciding on port-related planning applications under the Town and Country Planning Act 1990.⁴³ The Port of London Authority (PLA) argued that this mechanism could be strengthened to ensure that the Ports NPS was used in the planning process and aligned with the National Planning Policy Framework (NPPF).⁴⁴ Mark Simmonds said that a wider issue was planners not being sufficiently aware of the Ports NPS.⁴⁵ The Minister

37 [Q68](#) [Mike Alcock]

38 Associated British Ports ([PRT0012](#)); UK Major Ports Group ([PRT0011](#))

39 UK Chamber of Shipping ([PRT0009](#))

40 Department for Business and Trade, The UK’s Modern Industrial Strategy, [CP 1337](#), June 2025

41 [Q54](#)

42 Associated British Ports ([PRT0012](#))

43 Department for Transport, [Draft revised National Policy Statement for Ports](#), June 2025, p.4–5

44 Port of London Authority ([PRT0003](#))

45 [Q20](#)

acknowledged that local authorities did “not always see the importance of the port sector in development, or the relevance of the NPS as part of their work”, and stated that the Department would be “actively trying to stress [that importance] more broadly in communication.”⁴⁶

Relationship to other spatial planning frameworks

- 25.** Robbie Owen also told us that the draft revised Ports NPS could say more about the extent to which the NPS was a material consideration in relation to other planning decisions.⁴⁷ Our predecessor Committee’s 2010 report on the proposal for the first National Policy Statement on Ports concluded that the Government should:

Clarify the relationship between the Ports NPS and spatial planning documents, including regional spatial strategies, local development framework documents and ports master plans. The Ports NPS should require the [Infrastructure Planning Commission] and other decision-makers to attach greater weight to regional and local spatial plans than it does in the draft document. The Government should also clarify the primacy or otherwise of the Ports NPS with regard to these spatial plans.⁴⁸

The Government acknowledged the Committee’s concerns at the time, and the revised NPS reflects changes in the planning system. However, the Government did not agree to increase the weight of local and regional plans in decision-making. Instead, it maintained the NPS’s dominant role while encouraging alignment with local priorities.⁴⁹

- 26.** The Royal Town Planning Institute expressed concern that in the draft revised NPS there was “little consideration” for how the guidance would “intersect with spatial development strategies.”⁵⁰ Effective port development requires alignment with regional and spatial strategies to ensure infrastructure, environmental and community impacts are

46 [Q79](#)

47 [Q4](#) [Robbie Owen]

48 Transport Committee, Fifth Report of Session 2009–10, [The proposal for a National Policy Statement for Ports](#), HC 217, para 45

49 Transport Committee, Tenth Special Report of Session 2009–10, [The proposal for a National Policy Statement on Ports: Government Response to the Committee’s Fifth Report of Session 2009–10](#), HC 1598, p. 5

50 Royal Town Planning Institute ([PRT0004](#))

managed coherently. Clear guidance on how the NPS interacts with these strategies is necessary to avoid fragmented planning and missed opportunities for coordinated growth and sustainable development.⁵¹

Safeguarding port development

27. The maritime sector operates to longer timeframes than other transport modes—construction and lifespan of vessels are far greater, which means that plans are needed decades ahead to accommodate customers’ needs.⁵² The UK Major Ports Group reiterated that ports required “long-term certainty to secure, protect and invest” in the land required for future growth.⁵³ Associated British Ports pointed out that delivering growth in the ports sector could be both challenging and expensive, so the plan-making system needed to be a tool to safeguard “access to potential areas for expansion” as well as “existing port footprints.”⁵⁴

28. We also heard from witnesses that the draft revised Ports NPS could go further in protecting ports from other development.⁵⁵ Robbie Owen said:

We have had a number of Development Consent Order applications over the last few years, not for port development but for development that was felt could harm ports. The National Policy Statement could say quite a lot there about the need for other Nationally Significant Infrastructure Projects not to harm existing port operations and, importantly, their growth potential.⁵⁶

29. The UK Major Ports Group noted that the draft revised Ports NPS had more explicit references to safeguarding than the previous iteration, but that this was still limited.⁵⁷ They recommended that the Ports NPS “should set clearer expectations for safeguarding land for port-related uses, including stronger guidance on how local plans should take account of national port infrastructure priorities.”⁵⁸ The British Ports Association concurred, saying that “stronger links to marine and terrestrial plans would improve clarity, particularly on safeguarding land for future development”.⁵⁹ Robbie Owen

51 Port of London Authority ([PRT0003](#))

52 Transport Committee, Fifth Report of Session 2022–23, [Maritime 2050](#), HC 160, para 7

53 UK Major Ports Group ([PRT0011](#))

54 Associated British Ports ([PRT0012](#))

55 [Qq3–4](#)

56 [Q3](#)

57 UK Major Ports Group ([PRT0011](#))

58 UK Major Ports Group ([PRT0011](#))

59 British Ports Association ([PRT0013](#))

argued that the Department could do more to emphasise the importance of ports throughout the planning system, to protect them from other adverse developments.⁶⁰

30. The Minister told us that:

the first line of defence for port operators on this front is making the best use of the land holdings they currently have within their portfolios while also acquiring strategic land. Port operational land is usually zoned appropriately in local plans. There is often recognition that harbourside land is scarce and once converted it cannot easily be turned back for port operational use. But the NPS can be used to show planning authorities the national importance of future port development [...].⁶¹

Critical National Priority status

31. Critical National Priority (CNP) is a designation applied to infrastructure projects or policy areas deemed essential to the UK's national interests, including economic resilience, security and strategic growth. Not codified in a single document, it is, however, closely related to the NSIPs, with CNP status a designation used in NPSs for the strategic goals for:

- energy security;
- net zero carbon emissions; and
- economic and national security.

32. Under the updated December 2024 National Planning Policy Framework (NPPF), there is a presumption in favour of development for projects that will support delivery of a Critical National Priority.⁶² The designation accelerates planning and delivery through that presumption, streamlining decision-making, and reducing delays. CNP status applies nationally and locally, enabling consistent infrastructure planning. For example, the Mona Offshore Wind Farm in North Wales was fast-tracked due to its contribution to expanding UK offshore wind capacity.⁶³

33. Ports have not been granted CNP status. Many witnesses felt this was a mistake. Forth Ports Ltd described it as a “disappointing” omission, given recent recognition of ports in government publications.⁶⁴ Stephanie Kenyon

60 [Q54](#)

61 [Q72](#)

62 Bidwells, [‘Critical National Priority’ for Energy Infrastructure](#), accessed September 2025

63 Ministry of Housing, Communities and Local Government, [Record number of major infrastructure projects green-lit](#), 22 September 2025

64 Forth Ports Limited ([PRT0001](#))

from the UK Chamber of Shipping said that the status “would enhance the positioning of the NPS, in the context of the other policy statements, to get holistic coherence across the supply chain.”⁶⁵ Cathy Hall of the UK Major Ports Group believed that it would have offered “a degree of investor confidence” meaning that ports were “treated consistently with other assets”.⁶⁶ Mark Simmonds said that CNP status would have played “an important role in protecting ports and harbours from inappropriate development.”⁶⁷

- 34.** Making Britain a clean energy superpower is one of the Government’s core missions.⁶⁸ A wide range of low carbon infrastructure (relating to electricity generation, grid upgrades, energy storage and hydrogen and carbon dioxide pipelines) has been granted CNP status through the updated suite of Energy National Policy Statements.⁶⁹ Mark Simmonds told us that the ports sector looked “enviously at the energy policy statements and some of the language there”.⁷⁰ Robbie Owen explained that CNP status played a key role in assessing DCO applications for low-carbon energy projects, as it strengthened the case for approval by emphasising the project’s needs and benefits.⁷¹

- 35.** Witnesses also noted that ports were essential supporting infrastructure for offshore wind and other energy developments. The UK Major Ports Group argued:

While we are seeing energy projects prioritised in the planning system, the same level of support is not consistently extended to the important supporting infrastructure needed at ports. Energy infrastructure has been given higher status in national policy, but this is unhelpful if it does not also apply to the supply chain infrastructure in ports that enables offshore wind and other energy projects to succeed.⁷²

The National Infrastructure Planning Association (NIPA) said that “the revised NPS misses the opportunity to support delivery of the policy aims of the Energy NPSSs.”⁷³

65 [Q21](#) [Stephanie Kenyon]

66 [Q21](#) [Cathy Hall]

67 [Q21](#) [Mark Simmonds]

68 Prime Minister’s Office, [Making Britain a Clean Energy Superpower](#), accessed September 2025

69 Specifically, via EN-1: Overarching National Policy Statement for Energy, which was designated on 17 January 2024. Bidwells, [‘Critical National Priority’ for Energy Infrastructure](#), accessed September 2025

70 [Q4](#) [Mark Simmonds]

71 [Q21](#) [Robbie Owen]

72 UK Major Ports Group ([PRT0011](#))

73 National Infrastructure Planning Association ([PRT0006](#))

36. Furthermore, Mark Simmonds said that he believed granting CNP status to ports would “play an important role in protecting ports and harbours from inappropriate development.”⁷⁴ When questioned about whether CNP status would assist with encroachment issues, Philip Grindrod from the Department for Transport said:

We are already putting a very high weight in the NPS on the importance of ports supporting CNP development, so it is already strong in that respect. This is something we will keep an eye on, because it is early days to know exactly what effect critical national priority status has had, and will have, on the planning system for energy developments.⁷⁵

37. The Minister recognised that ports were an integral part of the supply chain for offshore wind developments.⁷⁶ He acknowledged that:

designation of offshore wind as a CNP shows support for that form of primary development. That calls for development of the requisite port infrastructure to support it, so in a sense, these two things dovetail together.⁷⁷

38. **CONCLUSION**

Ports are indispensable to the UK’s supply chain both for import and export of goods, and for development of energy infrastructure. Without their efficient operation, resilience and continued development, energy security and economic growth cannot be realised.

39. **RECOMMENDATION**

By the Government’s own admission, the ports sector is a “foundational industry.” The Government should grant ports Critical National Priority status to reinforce the primacy of port infrastructure and its essential function in the supply chain, and in enabling energy developments.

Section 35 of the Planning Act

40. The Secretary of State has the discretionary power to direct certain developments—even if they do not meet the statutory thresholds for NSIPs—to be treated as requiring development consent under the DCO regime. This power derives from section 35 of the Planning Act 2008.

74 [Q21](#) [Mark Simmonds]

75 [Q78](#) [Philip Grindrod]

76 [Q77](#)

77 [Q78](#) [Keir Mather]

41. Paragraph 1.2.7 of the draft revised Ports NPS says:

The Secretary of State may also designate an application with capacity below the relevant threshold, if he/she considers that the project is of national significance (s.35 of the Act), in which case the applicability of this NPS will be determined on the facts in the light of the judgment in the ‘Wheelabrator’ case, possibly requiring the eventual decision to be made under s.105 PA08 rather than s.104. The Secretary of State, on advice of the Examining Authority, will decide which is applicable.⁷⁸

42. Robbie Owen of Pinsent Masons told us that this wording was “strangely ambivalent or uncertain”.⁷⁹ Other stakeholders agreed that the current drafting was ambiguous and argued that the document should be amended to clarify that it did apply to section 35 developments.⁸⁰ The British Ports Association recommended that it be amended to say:

The Secretary of State may also designate an application below the relevant capacity threshold as nationally significant under section 35 of the Planning Act 2008.⁸¹

43. We asked the Minister whether further changes might be made to the revised NPS to clarify how it applied to non-NSIP projects under section 35. Philip Grindrod said that the Department would look at the consultation responses on that point and reiterated that “it is clear that applications can be directed in under section 35.”⁸²

44. RECOMMENDATION

To remove scope for ambiguity, the Department should amend the wording of the draft revised National Policy Statement for Ports to explicitly confirm its applicability to projects directed into the Development Consent Order process under section 35 of the Planning Act 2008.

78 Department for Transport, [Draft revised National Policy Statement for Ports](#), June 2025, p.5

79 [Q3](#) [Robbie Owen]

80 Forth Ports Limited ([PRT0001](#)); National Infrastructure Planning Association ([PRT0006](#))

81 British Ports Association ([PRT0013](#))

82 [Q67](#)

4 Design policy

45. The draft revised Ports NPS states that “good design is fundamental to avoiding, mitigating or compensating the adverse effects of development, as well as a means to deliver positive aesthetic qualities in an industrial setting and to make best use of land.”⁸³ Applicants need to demonstrate “how the design process was conducted and how the proposed design evolved, taking account of views expressed by relevant stakeholders and communities through pre-application.”⁸⁴
46. The 2012 Ports NPS did mention design, but less prominently and more narrowly focussing on functional design for operational efficiency, minimising environmental impacts and ensuring safety and resilience.⁸⁵ It was therefore suggested to us by some witnesses that the new language elevated design as a core principle not only for environmental mitigation but also aesthetically and for land-use efficiency.⁸⁶
47. The principle that good design is desirable was supported by those giving evidence to our inquiry,⁸⁷ but some concerns were expressed about the draft language in the revised NPS. The National Infrastructure Planning Association (NIPA), for example, argued that the need to demonstrate that “every effort” had been made to embed the principles of good design “would seem to encourage even greater scrutiny of this issue and create unrealistic expectations of what functional ports can achieve.”⁸⁸
48. Sector stakeholders were worried that ‘good design’ could be conflated with aesthetically attractive design, in a working environment where safety and function were the primary design concerns.⁸⁹ Forth Ports noted that “the highly functional and industrial nature of port infrastructure” resulted in aesthetics having a limited role in port design, and argued that this

83 Department for Transport, [Draft revised National Policy Statement for Ports](#), June 2025, p.11

84 Department for Transport, [Draft revised National Policy Statement for Ports](#), June 2025, p.28

85 Department for Transport, [National Policy Statement for Ports](#), January 2012, Section 5 Qq24–25

86 Royal Town Planning Institute ([PRT0004](#)); RenewableUK ([PRT0008](#)); British Ports Association ([PRT0013](#))

87 National Infrastructure Planning Association ([PRT0006](#))

88 Associated British Ports ([PRT0012](#)); [Q24](#)

practical constraint should be acknowledged in the NPS.⁹⁰ Robbie Owen was concerned that the wording was “generally going to create unrealistic expectations of what functional ports can achieve [...]”.⁹¹

49. NIPA believed that a “more proportionate approach to design principles” would be appropriate, and that the NPS should “[incentivise] good scheme development relationships” between port developers, local authorities and stakeholders.⁹² Cathy Hall pointed out that there were existing processes for considering the visual impact of a development:

We obviously know that ports have to exist in a much wider landscape. There are considerations that are well established, through environmental impact assessments, to do with visual impact and noise, and all those sorts of things, and any development proposals need to go through that process.⁹³

50. **RECOMMENDATION**

Ports are functional environments, where safety must remain the paramount consideration. We understand the desirability of aesthetic quality, especially for landscapes and surrounding communities, but we share the concern of stakeholders that there are limits to what can be reasonably achieved in this respect in port developments. The National Policy Statement for Ports must be clear that good design in this context is primarily in support of functionality, safety, and minimising environmental impact.

90 Forth Ports Limited ([PRT0001](#))

91 [Q25](#)

92 National Infrastructure Planning Association ([PRT0006](#))

93 [Q24](#)

5 Decarbonising ports

51. The Government’s Maritime Decarbonisation Strategy, published in March 2025, set a commitment to decarbonise ports by taking “action to reduce emissions at berth and support the future energy demand of ports.”⁹⁴ The draft revised Ports NPS takes the opportunity to embed this ambition into planning decisions by requiring port developments to demonstrate how they will contribute to emissions reduction. It goes further than the 2012 NPS, which said that “emissions of greenhouse gases from port related development”⁹⁵ should be minimised to “contribute to wider emissions policy in the transport network.”⁹⁶ The revised draft recognises “the increasing importance of ‘green’ energy and renewables”⁹⁷, and requires port developments to demonstrate how they will support shore power infrastructure, enable the use of alternative fuels, and ensure compatibility with future clean energy systems.

52. Stakeholders told us, however, that this did not go far enough. RenewableUK stated that “significant” investment in infrastructure would be needed to decarbonise port operations and shipping.⁹⁸ The UK Chamber of Shipping argued that the draft Ports NPS still fell short “of demonstrating the robust, forward-looking approach” required by the scale of the Government’s net zero commitments⁹⁹ and noted a lack of alignment with national and international decarbonisation frameworks:

There is no clear articulation of how port development under the [Ports NPS] will support UK targets under the Climate Change Act, the Carbon Budgets, or ensure the competitiveness of UK Ports with respect to EU Ports regulations (e.g. FuelEU Maritime and related funding measures).¹⁰⁰

94 Department for Transport, [Maritime Decarbonisation Strategy](#), March 2025 p.9

95 Department for Transport, [National Policy Statement for Ports](#), 2012 p.11

96 Department for Transport, [Draft revised National Policy Statement for Ports](#), June 2025 p.10

97 Department for Transport, [Draft revised National Policy Statement for Ports](#), June 2025, p.11

98 RenewableUK ([PRT0008](#))

99 UK Chamber of Shipping ([PRT0009](#))

100 UK Chamber of Shipping ([PRT0009](#))

53. Stephanie Kenyon argued that opportunities had been missed to “optimise” the shared net zero goals within industry and Government.¹⁰¹ A direction had been set but “clarity, consistency and confidence [was] required to drive [net zero goals] forward.”¹⁰² Whilst there were ongoing discussions with the Government relating to decarbonisation of the maritime sector, she felt it was still unclear how all of the relevant Government strategies fitted together within the NPS and called for the Government to “set a framework that can be built on for port infrastructure and the shipping and maritime industry as a whole in the future.”¹⁰³

Promoting modal shift

54. The draft revised Ports NPS notes that ports can “to an extent, influence the modal share of inland connections to port facilities” and that, wherever possible, a port development should create “opportunities for modal shift”.¹⁰⁴ It states that “all stages of the project should carefully consider opportunities to improve modal interchange and modal shift of freight from road to more sustainable alternatives” and that appropriate provision of supporting infrastructure “to support the use of alternative fuels including charging for electric vehicles” should be considered.¹⁰⁵
55. UK Major Ports Group welcomed this acknowledgement of the importance of modal shift, but argued that it could have gone “further in supporting freight investment that reduces emissions and congestions, including rail enhancements, coastal shipping opportunities, and improved first and last mile connectivity”, including by more effectively integrating national freight and transport strategies into the document.¹⁰⁶ Cathy Hall of the UK Major Ports Group noted that the draft revised Ports NPS could help policy makers looking at modal shift, but agreed that the emphasis could have been greater.¹⁰⁷ Associated British Ports pointed to the Government’s upcoming Integrated National Transport Strategy as a “key document in signposting to other parts of the transport network the role ports play.”¹⁰⁸ The UK Chamber of Shipping concluded that:

The absence of a clear articulation of how maritime interfaces with other freight modes—particularly road and rail—leaves a gap in achieving wider modal shift objectives. While the revised [Ports NPS]

101 [Q41](#)

102 [Q41](#)

103 [Q42](#)

104 Department for Transport, [Draft revised National Policy Statement for Ports](#), June 2025

105 Department for Transport, [Draft revised National Policy Statement for Ports](#), June 2025 p.57

106 UK Major Ports Group ([PRT0011](#))

107 [Qq6-7](#)

108 Associated British Ports ([PRT0012](#))

refers to the importance of inland access, it lacks detail on how local authorities and infrastructure bodies will be supported or incentivised to prioritise investments that improve freight flow to and from ports.¹⁰⁹

56. We asked the Minister about this in our evidence session. He told us the Ports NPS encouraged opportunities to improve modal shift wherever possible, particularly to address congestion on the road network, and argued that the document was “sufficiently clear in that regard.”¹¹⁰ He commented that the revised draft Ports NPS placed greater emphasis on the need for an interconnected freight transport system than the 2012 version, and stated that “on modal shift, the greater recognition of the need for an interconnected freight transport system, with rail playing its full role is crucial.”¹¹¹ He also told us that feedback from port operators and other stakeholders would “continue to inform” the Government’s approach to supporting modal shift through planning and infrastructure investment.¹¹²

57. **CONCLUSION**

If stakeholders within the maritime sector do not believe that the draft revised Ports National Policy Statement is sufficiently clear in promoting modal shift, then the Government has failed to communicate its stated intention.

58. **RECOMMENDATION**

The Government should revise the draft National Policy Statement for Ports to articulate more clearly how ports interface with other freight modes, ensuring that planning authorities actively consider modal shift in their decision-making. This should reflect the strategic role of ports in enabling integrated, low-emission freight networks and support the Government’s wider priorities on modal shift and achieving net zero.

Electricity requirements of ports

59. Among the ways in which the maritime industry can reduce emissions are battery shipping and connecting vessels to shore power whilst docked, allowing them to switch off their engines. The draft revised Ports NPS states:

Electric vessel charging for maritime should reduce emissions for those vessels that have battery electric engines, and uses similar infrastructure to that used for shore-side power. Advance provision for

109 UK Chamber of Shipping ([PRT0009](#))

110 [Q71](#)

111 [Q83](#)

112 [Q71](#)

electric vessel charging should accordingly be made wherever there is a realistic possibility of usage, and especially in conjunction with shore-side power.¹¹³

60. The Government’s own Maritime Decarbonisation Strategy recognises that there is likely to be an increase in the energy demands of ports. Stephanie Kenyon of the UK Chamber of Shipping told us about the current UK status and increasing need for shore power:

We know that nine out of 10 of the busiest ports in the UK are at [grid] capacity and need upgrades to support shore power at berth. We know that 80 per cent of the global cruise fleet will in three years’ time be able to support shore power. A third of those vessels call in the UK, but currently Southampton is the only port, and even there it is sparse.¹¹⁴

The energy demands of one cruise ship when at port are likely to be between five and ten megawatts.¹¹⁵ The draft revised Ports NPS says that “advance provision for electric vessel charging should accordingly be made wherever there is a realistic possibility of usage.”¹¹⁶

61. The Port of London Authority expressed concern about the challenge of achieving their net zero ambitions because of “the lack of suitable grid connections for port operations aiming to increase their requirements to support electrification at berth.”¹¹⁷ The Authority said that a “major barrier” had been getting local planning permission for substations to be developed close to the riverside, and that it would welcome the NPS strengthening ports’ ability to secure these facilities.¹¹⁸

62. Mark Simmonds of the British Ports Association, however, told us that he didn’t “think shore power should be in the NPS at all”, as there is a possibility that the document could “become bloated very quickly” if all such elements were included.¹¹⁹ He noted that shore power was being considered in other parts of Government policy and regulation and that the NPS’ purpose was not to set out requirements for shore power.¹²⁰ Infrastructure planning expert Robbie Owen agreed with recognising the limitations of National Policy Statements, but said that it was

113 Department for Transport, [Proposal for a revised National Policy Statement for Ports](#), June 2025, p.67

114 [Q27](#) [Stephanie Kenyon]

115 Lloyd’s Register, [Onshore power raises simple questions with complex answers](#), June 2023

116 Department for Transport, [Proposal for a revised National Policy Statement for Ports](#), June 2025, p.67

117 Port of London Authority ([PRT0003](#))

118 Port of London Authority ([PRT0003](#))

119 [Q44](#)

120 [Qq44–45](#)

“relevant to port development, which is obviously what the NPS is dealing with, to consider what contribution the development is making to achieving net zero.”¹²¹

63. The Minister told us that the draft revised NPS offered “a clear statement of intent” for pursuing emerging technologies such as alternative fuels and shoreside electrification but argued that it was important to show support for the principle of decarbonisation while keeping the document streamlined to allow flexibility for “novel and innovative markets”.¹²²

64. **CONCLUSION**

Decarbonising the maritime sector is a complex and long-term challenge that requires coordinated action across government, industry and planning frameworks. While the National Policy Statement for Ports is not the vehicle for setting decarbonisation policy, it plays a critical enabling role. By embedding decarbonisation considerations into planning decisions, the NPS can help ensure that future port development aligns with the UK’s broader climate commitments.

65. **RECOMMENDATION**

The Government should strengthen the National Policy Statement for Ports to better support the provision of shore power and electric vessel charging infrastructure as decarbonisation options, recognising the critical interface between ports and the energy grid. It would also assist in reducing pollution from ships which affects nearby communities. The NPS should clearly set out expectations for planning authorities to facilitate grid upgrades and substation development where these would enable decarbonisation of shipping and port activity.

121 [Q50](#) [Robbie Owen]

122 [Q85](#)

6 Environmental obligations

Carbon budgets and the Finch judgment

66. The 2012 Ports NPS states that “the decision-maker should not assess individual applications in terms of carbon emissions against carbon budgets, as this will be done at a national level.”¹²³ Many stakeholders called for a restatement of this key principle in the draft revised NPS.¹²⁴
67. The Supreme Court’s June 2024 ruling in *R(Finch) v Surrey County Council* clarified that planning authorities must take into account the impact on the environment of greenhouse gas emissions arising from the development under consideration.¹²⁵ This means downstream emissions must now be included in Environmental Impact Assessments (EIA) as an indirect effect of the proposed development on climate change. Some commentators have highlighted uncertainty over the projects that the judgment could apply to, noting that it is clear in the case of hydrocarbon extraction for fuel, but less so in respect of other developments whose end uses and resulting emissions are at a further remove from the project itself.¹²⁶
68. Robbie Owen told us that, while the draft revised Ports NPS generally followed the pattern seen amongst all NPSs regarding environmental factors, he did not believe that it was “legally correct” in the light of the *Finch* ruling. Mr Owen argued that the NPS should be revised “to reflect the current treatment of greenhouse gas emissions in the planning system” by requiring that applications include “the impact of a new port development on greenhouse gas emissions from ships transiting to and from port” in their Environmental Impact Assessments.¹²⁷ A failure to reflect the current law on indirect greenhouse admissions would mean, Mr Owen suggested, that decisions under the NPS would likely be subject to judicial review.¹²⁸ He suggested that this risk could be reduced if the draft revised Ports NPS set out “how much weight should be given to greenhouse gas emissions

123 Department for Transport, [National Policy Statement for Ports](#), January 2012

124 British Ports Association ([PRT0013](#)); [Q28](#)

125 [2024] UKSC 20

126 Freshfields Bruckhaus Deringer, [Supreme Court judgment in *Finch*—Overview of the decision and its implications](#), August 2024

127 [Q4](#) [Robbie Owen]

128 [Q28](#) [Robbie Owen]

arising from vessel movements”, or if it provided guidance on how those emissions should be assessed for the purposes of a development’s Environmental Impact Assessment.¹²⁹

69. Asked about the approach to carbon budgets in the NPS, the Minister said that his view was that Environmental Impact Assessments “should be both proportionate and realistic as to the projected carbon impact that port development will bring.”¹³⁰ Answering concerns regarding the *Finch* ruling, Philip Grindrod of the Department’s Ports and Shipping Division said:

We probably need to look again at the language in light of the points that people have made in consultation and, indeed, to you. But I would say that the situation of port development is very different from the situation that gave rise to the *Finch* judgment, and that judgment was also qualified in certain ways. We need to look thoroughly at the judgment to see how it does or does not alter what we should be saying in the NPS.¹³¹

70. **CONCLUSION**

The Development Consent Order process is designed to streamline planning and accelerate the delivery of nationally significant infrastructure projects, including by mitigating the risk of legal challenge. The revised NPS should therefore include guidance to ensure that port developments are consistent with the UK’s statutory climate targets and are adaptable to future technological and regulatory changes.

71. **RECOMMENDATION**

The Government must undertake a thorough assessment of the implications of the *Finch* judgment for the National Policy Statement for Ports and, where necessary, amends the draft revised NPS to ensure it is legally robust and fit for purpose in reducing the potential for judicial review. Clear guidance must be inserted in the revised NPS on the implications of the ruling, and on how emissions should be assessed for the purposes of Environmental Impact Assessments.

Regulatory frameworks for ports

72. UK ports are subject to environmental oversight involving multiple authorities and regulatory frameworks, and to national, European and international legislation, which balances their economic activity with

129 [Q26](#) [Robbie Owen]

130 [Q89](#) [Keir Mather]

131 [Q90](#)

environmental protections. Ports may be located adjacent to or within designated environmental areas whether at sea or on land. This may impose restrictions or require mitigation measures for activities such as dredging, construction or land reclamation. The UK Major Ports Group commented that “port development is increasingly constrained by overlapping regulatory systems and environmental requirements.”¹³²

73. The Department for Transport is responsible for managing the Ports NPS. However, the main authorities that ports must answer to in relation to environmental activities are primarily agencies under the remit of the Department for Environment, Food and Rural Affairs (DEFRA). DEFRA was consulted in the drafting of the document. The Minister told us: “we have worked with DEFRA closely and collaborated quite extensively to ensure that the NPS is consistent with our joint strategic requirements.”¹³³
74. DEFRA’s involvement is not limited to being consulted on drafting of the NPS—their regulatory functions continue to influence how port developments will be assessed and given permissions. Mark Simmonds of the British Ports Association told us that there were “significant problems with [...] marine licensing in England.”¹³⁴ This is not a new observation. Our predecessor Committee’s report on the Government’s maritime strategy, *Maritime 2050*, noted that planning was regarded as “the biggest sticking point” for ports and that licensing processes through the Marine Management Organisation (MMO), a DEFRA agency, were often problematic.¹³⁵
75. The Corry Review was an independent review of the Department for Environment, Food and Rural Affairs’ “regulatory landscape”, commissioned by that Department, whose report was published in April 2025. Recommendation 14 of the review stated:

The recommended programme of reform for specific regulations should also assess instances of overlap and duplication in the application of regulations, with the aim of streamlining priority areas, for example in the marine environment, where multiple regulators are involved in assessing the same applications for port infrastructure. Both the regulations and the regulatory practices need streamlining.¹³⁶

132 UK Major Ports Group ([PRT0011](#))

133 [Q98](#)

134 [Q40](#)

135 Transport Committee, Fifth Report of Session 2022–23, [Maritime 2050](#), HC 160, para 117

136 Department for Environment, Food and Rural Affairs, [Delivering economic growth and nature recovery: An independent review of Defra’s regulatory landscape](#), April 2025, p.8

Cathy Hall of the UK Major Ports Group was positive about the potential for the Review's recommendations to improve how regulators work together.¹³⁷ The Government has accepted the Review's recommendations in principle and has begun to implement some of them through the Planning and Infrastructure Bill.¹³⁸

- 76.** We heard that the planning process for NSIPs was another tool which could be used to achieve streamlining of regulation. Robbie Owen noted that one of the founding principles of the DCO process was that “the consent should be as much of a one-stop shop as possible.”¹³⁹ He told us that the draft revised Ports NPS could:

be clearer in encouraging key agencies like the Environment Agency, the Marine Management Organisation, Natural England and others to work with the port developer, [...] to make the one-stop shop vision more of a reality than it is at the moment.¹⁴⁰

Deemed marine licences

- 77.** Marine licences are required for certain activities carried out within the UK marine area: these include construction, dredging, scuttling or use of explosives. A deemed marine licence is a mechanism by which a licence is automatically granted as part of a Development Consent Order (DCO) under the Planning Act 2008, removing the need for separate application to the Marine Management Organisation (MMO) and streamlining the consenting process for NSIPs that involve marine activities.¹⁴¹
- 78.** While the British Ports Association believed that the expectation of deemed marine licences had been clearly set out in legislation,¹⁴² they argued that “stronger and clearer guidance” on this matter should be included in the draft revised Ports NPS “to ensure consistency and certainty for applicants.”¹⁴³ We heard universal support from stakeholders in the ports sector for marine licences to be deemed within the DCO process

137 [Q27](#) [Cathy Hall]

138 The institution of environmental sciences, [Analysis: The Corry Review](#), accessed October 2025

139 [Q27](#) [Robbie Owen]

140 [Q27](#) [Robbie Owen]

141 The National Policy Statement for Renewable Energy Infrastructure (EN-3), for example, states that all work associated with cable installation (trenching, laying and surface protections) is licensed through a deemed marine licence as part of the DCO. Department for Energy Security and Net Zero, [National Policy Statement for Renewable Energy Infrastructure \(EN-3\)](#), March 2023, p.50

142 The expectations and legal framework for deemed marine licences are primarily set out in Marine and Coastal Access Act 2009, Planning Act 2008 and the MMO Guidance on NSIPs and Marine Licensing.

143 British Ports Association ([PRT0013](#))

when relevant for port development projects.¹⁴⁴ Robbie Owen advocated for extending deemed marine licensing further, to harbour revision orders for smaller projects that did not require a development consent order.¹⁴⁵ Cathy Hall noted that the work needed for an Environmental Impact Assessment for such an order was the same as for a marine licence.¹⁴⁶

79. We asked the Minister whether the Department would consider introducing the deemed marine licence mechanism for DCOs for port development. Philip Grindrod acknowledged that there could be a “neater administrative way” to handle such licensing but said that the primary issue was ensuring that the Marine Management Organisation had the “right tools for the job”.¹⁴⁷

Dredging

80. Dredging at a port is the process of removing sediment, debris and other material from the bottom of harbours, rivers and other water bodies to maintain or increase water depth. This is to ensure the safe and efficient navigation of ships—especially large cargo vessels that require deep channels. Dredging is “an operational necessity,” which Harwich Haven Authority believed should be explicitly recognised as part of maintaining “essential operations infrastructure.”¹⁴⁸ UK Major Ports Group noted there was an “evolving trend” of increased vessel size meaning that ports needed to adapt infrastructure and operations.¹⁴⁹
81. The draft revised Ports NPS places significantly greater emphasis on environmental protection and regulatory integration in relation to dredging than the 2012 version. While the 2012 statement treated dredging mainly as a technical necessity for port operations, the 2025 draft frames it within broader sustainability goals, requiring stricter environmental assessments, alignment with marine planning frameworks, and the use of low-impact technologies. It also highlights dredging’s strategic role in supporting offshore renewable energy infrastructure, reflecting a shift toward climate-conscious port development.¹⁵⁰

144 [Qq33–40](#)

145 [Q35](#)

146 [Q36](#)

147 [Q99](#) [Philip Grindrod]

148 Harwich Haven Authority ([PRT0010](#))

149 UK Major Ports Group ([PRT0011](#))

150 Department for Transport, [Proposal for a Revised National Policy Statement for Ports](#), June 2025, p.8

82. The British Ports Association (BPA) believed that the language on dredging in the draft revised NPS was “overstated and could better reflect the established regulation of these activities.”¹⁵¹ The BPA said:

Ports operate inside a regulatory framework that strongly protects, and increasingly enhances, the natural environment. Dredging in particular is subject to strict oversight based on international regulations and is regularly monitored for its impact on the environment.¹⁵²

The sector has requested that dredging does not enter the NPS as another layer of oversight when it already has strict regulation through more appropriate mechanisms.¹⁵³

83. We asked the Minister and his officials about the treatment of dredging in the draft revised NPS Philip Grindrod noted that it was already “a heavily regulated activity” but also argued that it was an area where “eternal vigilance” was needed to ensure safe disposal of arisings.¹⁵⁴

84. **RECOMMENDATION**

The Development Consent Order process is meant to streamline the planning approval process for nationally significant infrastructure. To achieve this and to reduce duplication of regulatory burdens, the National Policy Statement for Ports should contain similar provisions on deemed marine licences to those in the NPS for renewable energy infrastructure. The provisions about dredging should also be made less onerous, given its strict regulation through other mechanisms.

151 British Ports Association ([PRT0013](#))

152 British Ports Association ([PRT0013](#))

153 British Ports Association ([PRT0013](#)); [Qq29–30](#)

154 [Q96](#)

Conclusions and Recommendations

Introduction

1. We welcome the revision of the National Policy Statement for Ports and the Government's intention to review NPSs more regularly in future to ensure they remain fit for purpose. We note stakeholders' broad approval for the direction of travel set out in the draft revised document and the support it will provide to development in the sector. (Conclusion, Paragraph 10)

Port demand forecasts

2. The sector's view is that port freight demand forecasts should be regarded as indicative rather than definitive. We agree. This approach will allow for greater flexibility and responsiveness to evolving market conditions, technological developments and policy priorities. To support a comprehensive and future-proof approach to port development, non-freight activity should also be considered alongside freight in all relevant modelling and policy development. (Conclusion, Paragraph 16)
3. Port freight demand forecasts are best used as a guide to inform planning and investment decisions, rather than as rigid constraints. The Government must also ensure that future port demand forecasts incorporate non-freight activity. (Recommendation, Paragraph 17)

Interaction with wider planning policy

4. Ports are indispensable to the UK's supply chain both for import and export of goods, and for development of energy infrastructure. Without their efficient operation, resilience and continued development, energy security and economic growth cannot be realised. (Conclusion, Paragraph 38)
5. By the Government's own admission, the ports sector is a "foundational industry." The Government should grant ports Critical National Priority status to reinforce the primacy of port infrastructure and its essential function in the supply chain, and in enabling energy developments. (Recommendation, Paragraph 39)

6. To remove scope for ambiguity, the Department should amend the wording of the draft revised National Policy Statement for Ports to explicitly confirm its applicability to projects directed into the Development Consent Order process under section 35 of the Planning Act 2008. (Recommendation, Paragraph 44)

Design policy

7. Ports are functional environments, where safety must remain the paramount consideration. We understand the desirability of aesthetic quality, especially for landscapes and surrounding communities, but we share the concern of stakeholders that there are limits to what can be reasonably achieved in this respect in port developments. The National Policy Statement for Ports must be clear that good design in this context is primarily in support of functionality, safety, and minimising environmental impact. (Recommendation, Paragraph 50)

Decarbonising ports

8. If stakeholders within the maritime sector do not believe that the draft revised Ports National Policy Statement is sufficiently clear in promoting modal shift, then the Government has failed to communicate its stated intention. (Conclusion, Paragraph 57)
9. The Government should revise the draft National Policy Statement for Ports to articulate more clearly how ports interface with other freight modes, ensuring that planning authorities actively consider modal shift in their decision-making. This should reflect the strategic role of ports in enabling integrated, low-emission freight networks and support the Government's wider priorities on modal shift and achieving net zero. (Recommendation, Paragraph 58)
10. Decarbonising the maritime sector is a complex and long-term challenge that requires coordinated action across government, industry and planning frameworks. While the National Policy Statement for Ports is not the vehicle for setting decarbonisation policy, it plays a critical enabling role. By embedding decarbonisation considerations into planning decisions, the NPS can help ensure that future port development aligns with the UK's broader climate commitments. (Conclusion, Paragraph 64)
11. The Government should strengthen the National Policy Statement for Ports to better support the provision of shore power and electric vessel charging infrastructure as decarbonisation options, recognising the critical interface between ports and the energy grid. It would also assist in reducing pollution from ships which affects nearby communities. The NPS should clearly set

out expectations for planning authorities to facilitate grid upgrades and substation development where these would enable decarbonisation of shipping and port activity. (Recommendation, Paragraph 65)

Environmental obligations

12. The Development Consent Order process is designed to streamline planning and accelerate the delivery of nationally significant infrastructure projects, including by mitigating the risk of legal challenge. The revised NPS should therefore include guidance to ensure that port developments are consistent with the UK's statutory climate targets and are adaptable to future technological and regulatory changes. (Conclusion, Paragraph 70)
13. The Government must undertake a thorough assessment of the implications of the Finch judgment for the National Policy Statement for Ports and, where necessary, amends the draft revised NPS to ensure it is legally robust and fit for purpose in reducing the potential for judicial review. Clear guidance must be inserted in the revised NPS on the implications of the ruling, and on how emissions should be assessed for the purposes of Environmental Impact Assessments. (Recommendation, Paragraph 71)
14. The Development Consent Order process is meant to streamline the planning approval process for nationally significant infrastructure. To achieve this and to reduce duplication of regulatory burdens, the National Policy Statement for Ports should contain similar provisions on deemed marine licences to those in the NPS for renewable energy infrastructure. The provisions about dredging should also be made less onerous, given its strict regulation through other mechanisms. (Conclusion, Paragraph 84)

Formal minutes

Tuesday 11 November 2025

Members present:

Ruth Cadbury, in the Chair

Dr Scott Arthur

Mrs Elsie Blundell

Jacob Collier

Olly Glover

Alex Mayer

Baggy Shanker

National Policy Statement for Ports

Draft Report (*National Policy Statement for Ports*), proposed by the Chair, brought up and read.

Ordered, That the draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 84 read and agreed to.

Summary agreed to.

Resolved, That the Report be the Fourth Report to the House.

Ordered, That embargoed copies of the Report be made available, in accordance with the provisions of Standing Order No. 134.

Adjournment

Adjourned till tomorrow at 9.15 am

Witnesses

The following witnesses gave evidence. Transcripts can be viewed on the [inquiry publications page](#) of the Committee's website.

Wednesday 10 September 2025

Mark Simmonds, Director of Policy, British Ports Association;
Ms Stephanie Kenyon, Director of External Affairs, UK Chamber of Shipping;
Cathy Hall, Senior Masterplanner, UK Major Ports Group;
Robbie Owen, Head of Infrastructure Planning, Pinsent Masons [Q1-59](#)

Tuesday 16 September 2025

Keir Mather MP, Parliamentary Under-Secretary of State, Department for Transport; **Mike Alcock**, Head of Ports and Shipping, Department for Transport; **Philip Grindrod**, Ports and Shipping Division, Department for Transport [Q60-99](#)

Published written evidence

The following written evidence was received and can be viewed on the [inquiry publications page](#) of the Committee's website.

PRT numbers are generated by the evidence processing system and so may not be complete.

1	Associated British Ports	PRT0012
2	British Ports Association	PRT0013
3	Forth Ports Limited	PRT0001
4	Harwich Haven Authority	PRT0010
5	National Infrastructure Planning Association	PRT0006
6	National Union of Rail, Maritime & Transport Workers (RMT Union)	PRT0005
7	Port of London Authority	PRT0003
8	RenewableUK	PRT0008
9	Rimrose Valley Friends	PRT0007
10	Royal Town Planning Institute	PRT0004
11	UK Chamber of Shipping	PRT0009
12	UK Major Ports Group	PRT0011
13	Unite the Union	PRT0002

List of Reports from the Committee during the current Parliament

All publications from the Committee are available on the [publications page](#) of the Committee's website.

Session 2024–26

Number	Title	Reference
3rd	Buses connecting communities	HC 494
2nd	Managing the impact of street works	HC 522
1st	Access denied: rights versus reality in disabled people's access to transport	HC 770
3rd Special	Buses connecting communities: Government Response	HC 1419
2nd Special	Managing the impact of street works: Government Response	HC 1318
1st Special	Access denied: rights versus reality in disabled people's access to transport: Government Response	HC 931