

On 31st October 2022, National Highways submitted their application for a Development Consent Order (DCO) to the Planning Inspectorate for permission to proceed with the construction of the Lower Thames Crossing.

Acceptance: The Inspectorate has 28 days to decide whether the application meets the required standards to proceed to examination.

Pre-Examination: If accepted, the process will move into the Pre-Examination stage, when the public will be able to register with the Planning Inspectorate to become an Interested Party by making a Relevant Representation. All Interested Parties will be invited to attend a Preliminary Meeting, run and chaired by the Examining Authority. Although there is no statutory timescale for the pre-examination stage, it usually takes approximately three months from notification of an accepted application.

Examination: The Planning Inspectorate has up to six months to carry out the examination. During this stage Interested Parties who have registered by making a Relevant Representation are invited to provide more details of their views in writing.

Recommendation: The Planning Inspectorate must prepare a report to the relevant Secretary of State, including a recommendation, within three months of the close of the six month Examination stage.

Decision: The Secretary of State then has a further three months to make the decision on whether to grant or refuse development consent.

Post decision: Once a decision has been issued by the Secretary of State, there is a six week period during which the decision may be challenged in the High Court. This process of legal challenge is known as Judicial Review.

We could be just 18 months away from the commencement of the work to build the Lower Thames Crossing.