

# Development consent for our major road schemes



## What is development consent?

Nationally Significant Infrastructure Projects (NSIPs) are major infrastructure projects such as new harbours, roads, power generating stations (including offshore wind farms) and electricity transmission lines. These need development consent before construction can start.

Under the Planning Act 2008, development consent is granted through a Development Consent Order (DCO). This gives permission to construct and maintain projects categorised as NSIPs.

Some of our major road projects are NSIPs, which means we need to apply for and get a DCO before we can start construction.

We submit a DCO application to the Planning Inspectorate, the government agency responsible for operating the planning process for NSIPs. Before we do this, we hold consultations as part of our wider engagement activity. This is in advance of the request for representations and the examination of the application that the Planning Inspectorate organises once it accepts an application.

## How do I have my say on road projects that affect me or my community?

We engage and consult with relevant local authorities, anyone with an interest in the affected land, statutory consultees such as the Environment Agency, local communities and our customers on the proposals for all our major road projects.

Where we consult the local community under the Planning Act, we work with the relevant local authorities to prepare a statement. This sets out how we will consult people living near the project. To ensure people are aware of consultations that affect them and how they can take part, we place notices in local and national press to advertise the consultation.

We sometimes carry out consultation in stages. This is so that feedback can influence the type, geographical route and design of the project that we take forward. Sometimes that may mean that having consulted, we announce a preferred route for a project. We will then carry out further consultation to inform the proposals before we finalise our DCO application.

During our consultations, stakeholders and customers can respond to our pre-application consultation. This gives you an opportunity to influence and improve the project, as well as tell us whether you agree or disagree with it.

The best time to influence and improve a project is before the DCO application. There is limited time and scope for change after an application is made. This is because of the maximum time legally allowed for an examination.

To ensure transparency, we publish a consultation report to set out how we have considered responses following each round of consultation. We must include a consultation report in our application to the Planning Inspectorate for the DCO.

## How does it work?

When the Planning Inspectorate receives and accepts an application, they will appoint an independent Examining Authority to carry out the examination. Before the examination starts, we contact statutory consultees, relevant local authorities and anyone with an interest in the affected land. This is to notify them of their opportunity to register to take part in the examination of the project and to make representations on the DCO

application. We also publicise this opportunity in local and national press.

The Examining Authority considers contributions, including any Local Impact Reports received from local authorities, representations from interested parties, written answers provided to written questions, and evidence provided at hearings. The Examining Authority manages the examination of applications and decides which main issues it will examine.

At the end of an examination, the Examining Authority submits a report to the relevant Secretary of State. This includes a recommendation on whether to grant development consent. The Secretary of State decides to grant or refuse development consent. The proposals in a granted DCO may differ from those in the DCO application. This may be due to input from registered persons during the examination.

The Planning Inspectorate has a public register of applications received on their webpage. There is a specific page for each DCO application where the public can access and read applications and accompanying documents, including reports of pre-application consultations.



If you need help accessing this or any other Highways England information, please call **0300 123 5000** and we will help you.

For more information about the planning process for Nationally Significant Infrastructure Projects, please visit:

*<https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes>*

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