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Ian Fletcher  
Thames Water Utilities Limited  
Thames Tideway Tunnel  
The Point (7<sup>th</sup> Floor)  
37 North Wharf Road  
Paddington  
London  
W2 1AF

Your Ref: 100-CO-PNC-PINSP-000001

Our Ref: WW010001

Date: 27 March 2013

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Dear Mr Fletcher

**Planning Act 2008 as amended ('PA2008') - notification of decision under s55 as to whether or not to accept an application for an order granting development consent.**

**Application by Thames Water Utilities Limited for a Development Consent Order for the proposed Thames Tideway Tunnel.**

I refer to your application for an order granting development consent made under s37(2) of the PA2008, and received by the Planning Inspectorate on 28 February 2013.

The Secretary of State has decided to accept this application for examination. In reaching this decision, the Secretary of State has:

- in respect of s55(3)(e), had regard to the matters set out in s55(4), and concluded that the applicant has complied with Chapter 2 of Part 5 of the PA2008; and
- in respect of s55(3)(f), had regard to the extent to which those matters set out in s55(5A) have either been complied with or followed, and concluded that the application (including accompaniments) is of a satisfactory standard.

It is noted that the draft Development Consent Order (DCO) contains blank schedules where it is intended to insert protective provisions. To ensure that the Examining authority, once appointed, is able to examine the DCO efficiently within the statutory timetable the applicant will need to make significant progress on the drafting of such provisions in advance of the examination.

In accordance with Planning Inspectorate advice applicants should be well prepared and deal with matters relating to protected land or interests under s127, s131, s132 and s138 to avoid delay or duplication of process, and to ensure that all matters will be before the examining authority and relevant Secretary of State should the application be accepted and proceed to examination.

The Planning Inspectorate's decision to accept the application in accordance with s55 of the PA2008 does not fetter the competent authority's subsequent consideration of likely significant effects. If the Examining authority is unable to conclude any

necessary 'appropriate assessment' prior to making a recommendation it would be required to conclude that the competent authority under the Conservation of Habitats and Species Regulations 2010 should refuse to authorise the project.

Nothing in this acceptance will fetter the examining authority in consideration of any matters, including the assessment of environmental or other information.

Please be aware of your duties under s56, s58 and s59 of the PA2008 and Regulations 8, 9 and 10 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 as amended.

Yours sincerely

*Mark Southgate*

**Mark Southgate**  
**Director of Major Applications and Plans**

**For and on behalf of the Secretary of State for Communities and Local Government**

Advice may be given about applying for an order granting development consent or making representations about an application (or a proposed application). This communication does not however constitute legal advice upon which you can rely and you should obtain your own legal advice and professional advice as required.

A record of the advice which is provided will be recorded on the Planning Inspectorate website together with the name of the person or organisation who asked for the advice. The privacy of any other personal information will be protected in accordance with our Information Charter which you should view before sending information to the Planning Inspectorate.