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Secretary of State for Transport  
c/o Transport and Works Act Orders Unit / Kayla Marks  
Department for Transport  
Great Minster House  
33 Horseferry Road  
London SW1P 4DR

A122 Lower Thames Crossing  
Bridge House,  
1 Walnut Tree Close  
Guildford  
Surrey  
GU1 4LZ

National Highways Customer Contact  
Centre: 0300 123 5000

By email: [transportinfrastructure@dft.gov.uk](mailto:transportinfrastructure@dft.gov.uk)

17 September 2025

Dear Sir/Madam,

**The A122 (Lower Thames Crossing) Development Consent Order 2025 – Application for a Non Material Change under Schedule 6 to the Planning Act 2008 – (Application NMC-1)**

**1 Proposed Non-Material Change Application**

- 1.1 In March 2025, the Secretary of State for Transport made the DCO authorising the construction and operation of the authorised development of the A122 (**Lower Thames Crossing**). The DCO came into force on 15 April 2025.
- 1.2 National Highways (the **Applicant**) is now proposing to apply to the Secretary of State to make two non-material changes to the DCO in accordance with the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011, as amended (**2011 Regulations**). This application (**Application NMC-1**) sets out Non-Material Change Application 1.

**Non-Material Change Application 1 – NMC-1**

- 1.3 Application NMC-1 comprises modification of the wording at Schedule 2, Part 3, Table 2 of the DCO in relation to the mitigation of in-combination air quality effects on Epping Forest SAC along part of the M25, with the intent of:
  - a. Changing the timing of the monitoring requirement
  - b. Removing the obligation to consult Natural England on the design of the enforcement technology and infrastructure
  - c. Correcting the wording to reflect how the requirement can be implemented
  - d. Amendments to provide clarity on the process for removing the requirement for mitigation

## Application

- 1.4 Accompanying this application are:
- a. a Supporting Statement, setting out details of the change being applied for;
  - b. a draft Amendment Order which would implement the amendment proposed to reflect the change sought; and
  - c. a copy of the Regulation 6 Notice.

## Regulation 4 compliance

- 1.5 Compliance with the requirements of regulation 4 of the 2011 Regulations is set out in Annex A - Compliance with Regulation 4 of the 2011 Regulations.

## Consultation

- 1.6 The consultation period will run between **18 September 2025 and 23:59 on 23 October 2025**. The Applicant requests that the application be made available to view electronically and download, free of charge, on the Lower Thames Crossing project page of the Planning Inspectorate's National Infrastructure Planning website under the tab "Documents" at:
- <https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/TR010032>
- 1.7 The Regulation 6 Notice will be published in the Epping Forest Gazette on **Thursday 18 September** and **Thursday 25 September 2025**.
- 1.8 The Applicant sought direction from the Secretary of State for a reduced consultee list in accordance with the paragraph 7(3) of the 2011 Regulations. Following direction of the Secretary of State the Applicant is consulting directly the following organisations:
- a. Natural England
  - b. Essex County Council
  - c. Epping Forest District Council
  - d. Forestry Commission
  - e. City of London Corporation
  - f. Waltham Abbey Parish Council
  - g. Epping Upland Parish Council
  - h. Theydon Bois Parish Council
  - i. Epping Parish Council

j. Theydon Garnon Parish Council

**Application Fee**

- 1.9 The Applicant confirms that the application fee of £6,891.00, as required by Regulation 5 of the 2011 Regulations has been paid to the Department for Transport.

Yours sincerely

Dr Tim Wright

Head of Consents – Lower Thames Crossing



Regulation		Compliance
(1)	The application must be made to the Secretary of State	This application is made to the Secretary of State for Transport
(2)	The application must be in writing and must contain the following	The application is being made directly by the Applicant: National Highways Bridge House, 1 Walnut Tree Close Guildford Surrey GU1 4LZ
2(a)	(a)the name and address of the applicant;	
2(b)	(b)the name and address of an agent, if appointed,	
2(c)	the Secretary of State's reference for the development consent order to which the application relates;	Application NMC-1 is for a non-material change to the A122 (Lower Thames Crossing) Development Consent Order 2025  Reference: TR010032
2(d)	details of the change being applied for;	Details of the change being applied for are set out in the Supporting Statement accompanying this application
2(e)	any documents and plans considered necessary to support the application;	Accompanying this application are: <ul style="list-style-type: none"> <li>- the Supporting Statement, setting out details of the change being applied for;</li> <li>- a draft Amendment Order which would implement the amendment proposed to reflect the change sought; and</li> <li>- a copy of the Regulation 6 Notice</li> </ul>

Regulation		Compliance
2(f)	<p>a statement that the applicant is either—</p> <p>(i) the person who applied for the development consent order to which the application relates or a successor in title;</p> <p>(ii) a person with an interest in the land to which the development consent order relates; or</p> <p>(iii) any other person for whose benefit the development consent order has effect</p>	<p>The Applicant is the person who applied for the development consent order to which the application relates.</p>
2(ff)	<p>the consultation and publicity statement referred to in regulation 7A;</p>	<p>The Consultation and Publicity Statement will follow; the Applicant intends to submit copies of all published newspaper notices to the Secretary of State once published. A copy of the Regulation 6 Notice accompanies this Application NMC-1.</p> <p>The Regulation 6 notice publication schedule and list of consultees is set out in this application.</p>
2(g)	<p>details of the applicant's interest in the land; and</p>	<p>The application does not result in a change in the land, interest in or rights over land being acquired, to that presented in the DCO</p>
2(h)	<p>if requested by the Secretary of State, 3 paper copies of the application and other supporting documents and plans.</p>	<p>The application is being made digitally. Paper copies will be made available to the Secretary of State on request.</p>

Regulation		Compliance
(3)	Unless the Secretary of State specifies otherwise, any plans, drawings or sections provided shall be no larger than A0 size, shall be drawn to an identified scale and, in the case of plans, shall show the direction of North.	No plans, drawings or sections are included with this application.
(4)	Where a plan comprises 3 or more separate sheets a key plan must be provided showing the relationship between the different sheets.	
(4A)	Subject to paragraph (4B), unless the Secretary of State specifies otherwise any plans, drawings or sections required to be provided under paragraph (2) shall be provided at a scale not smaller than 1:2500.	
4(B)	Paragraph (4A) does not apply to a plan or to a sheet of a plan where the matters shown or identified on the plan or sheet are entirely in the UK marine area.	
(4C)	In paragraph (4B), "UK marine area" has the same meaning as in section 42 of the Marine and Coastal Access Act 2009.	