

Issue Specific Hearing 5 – Action 16 – Detailed design requirements

1. Following the discussions at ISH5, the ExA requested that the Applicant and interested parties provide comparison information with other Nationally Significant Infrastructure Project linear road schemes, such as for the A14, in terms of consultation undertaken at detailed design stage.
2. In this regard, Cambridgeshire County Council (**CCC**), Huntingdonshire District Council (**HDC**) and South Cambridgeshire District Council (**SCDC**) (together, the **Councils**) draw the ExA's attention to three categories of detailed design requirements from other NSIP schemes, summarised as follows:
 - 2.1 **Category A** - Schemes where the relevant requirement provides for the consultation of the Design Council's Design Review panel on the detailed design and for the panel's comments to be taken into account. This approach was taken in relation to the DCO granted for the A14 Cambridge to Huntingdon Improvement Scheme and the Silvertown Tunnel scheme.
 - 2.2 **Category B** - Schemes where the relevant requirement provides for the approval of the detailed design by the Secretary of State, following consultation with relevant parties including the relevant planning authority and the local highway authority on matters relating to their functions. This approach was adopted in relation to the A303 Sparkford to Ilchester Dualling.
 - 2.3 **Category C** – Schemes where approval by the planning authority of part of the detailed design for the scheme is required prior to commencement of construction of the relevant part. This approach was adopted in relation to the Silvertown Tunnel scheme.
3. CCC is seeking approval of the detailed design of local highways assets ultimately to be adopted by CCC through the legal agreement. CCC's ability to approve the design of local highways may need to be secured through an amendment to requirement 12 of the dDCO [**REP4-006**] should agreement not be reached on this point.
4. The Councils note that the Applicant intends to amend requirement 12 so that the Scheme Design Principles document [**REP3-014**] is secured. The Councils will comment further on the wording of the amended requirement following submission of the updated draft DCO at Deadline 6.
5. The wording of the relevant requirement is set out alongside the relevant Order in the table below.

Category	Order	Requirement
A	The A14 Cambridge to Huntingdon Improvement Scheme Development Consent Order 2016	Preparation of detailed design, etc. 3.—(1) The authorised development must be designed in detail and carried out so that it is compatible with the preliminary scheme design shown on the works plans and the engineering section drawings unless otherwise agreed in writing by the Secretary of State following consultation with the relevant planning authority on matters related to its functions and provided that the Secretary of State is satisfied that any amendments to the works plans and the engineering

		<p>section drawings showing departures from the preliminary design would not give rise to any materially new or materially worse adverse environmental effects in comparison with those reported in the environmental statement.</p> <p>(2) Where amended details are approved by the Secretary of State under sub-paragraph (1), those details are deemed to be substituted for the corresponding works plans or engineering section drawings and the undertaker must make those amended details available in electronic form for inspection by members of the public.</p> <p>(3) No part of the authorised development is to commence until options for the detailed design of that part of the authorised development have been submitted to the Design Council’s Design Review panel and the undertaker has received and considered the advice of the Design Council’s Design Review panel in respect of the detailed design of that part of the authorised development.</p> <p>(4) The undertaker must, in the course of developing the detailed design of the authorised development, consult with the relevant planning authorities, the Parish Forums, the Community Forums, the Landowner Forums and the Environment Forum in accordance with the provisions of the code of construction practice.</p> <p>(5) No part of the authorised development is to commence until details of the external appearance of the viaduct to be constructed as Work No. 5(gg) have been submitted to and approved in writing by the Secretary of State, following consultation with the relevant planning authority.</p>
A and C	The Silvertown Tunnel Order 2018	<p>Design principles and design review panel</p> <p>3.—(1) The authorised development must be designed and implemented—</p> <p>(a) in accordance with the design principles; and</p> <p>(b) in general accordance with the general arrangement plans.</p> <p>(2) TfL must consult with—</p> <p>(a) the Silvertown Tunnel Design Review Panel; and</p> <p>(b) the Silvertown Tunnel Stakeholder Design Consultation Group, during the detailed design of the authorised development and in the manner provided for by the design principles and have regard to the responses received.</p> <p>Detailed design of above ground buildings and structures</p>

		<p>4.—(1) Construction of each part of the authorised development specified in column (1) of the table below must not commence until the details of the elements specified in relation to that part in column (2) of that table have been submitted to and approved in writing by the relevant planning authority.</p> <table border="1" data-bbox="582 472 1369 1261"> <thead> <tr> <th data-bbox="582 472 978 524"><i>(1)</i> <i>Part of the authorised development</i></th> <th data-bbox="978 472 1369 524"><i>(2)</i> <i>Elements to be approved</i></th> </tr> </thead> <tbody> <tr><td>Work No. 1(d)</td><td>External appearance</td></tr> <tr><td>Work No. 5(a)</td><td>External appearance of the retaining wall</td></tr> <tr><td>Work No. 6(a)</td><td>External appearance of the retaining wall</td></tr> <tr><td>Work No. 10(b)</td><td>External appearance of the retaining wall</td></tr> <tr><td>Work No. 11(b)</td><td>Siting, design and external appearance</td></tr> <tr><td>Work No. 11(c)</td><td>Siting, design and external appearance</td></tr> <tr><td>Work No. 12(a)</td><td>Siting, design and external appearance</td></tr> <tr><td>Work No. 12(c)</td><td>Siting, design and external appearance of the operational parking facilities</td></tr> <tr><td>Work No. 12(e)</td><td>Siting, design and external appearance</td></tr> <tr><td>Work No. 13</td><td>Siting, design and external appearance</td></tr> <tr><td>Work No. 15(c)</td><td>External appearance of the retaining walls</td></tr> <tr><td>Work No. 15(d)</td><td>External appearance</td></tr> <tr><td>Work No. 17(a)</td><td>Siting, design and external appearance</td></tr> <tr><td>Work No. 17(c)</td><td>Siting, design and external appearance of the operational parking facilities</td></tr> <tr><td>Work No. 17(e)</td><td>Siting, design and external appearance</td></tr> <tr><td>Work No.18(d)</td><td>External appearance of the retaining wall</td></tr> <tr><td>Any above ground permanent work constructed as ancillary or related development under paragraph(c)(i) – (xii) of Schedule 1 which constitutes a viaduct, bridge, retaining wall or wing wall, or under paragraph (c)(xiii) of Schedule 1 which constitutes a permanent above ground building or structure, and ordinarily would not benefit from planning permission granted under article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015(a), unless otherwise agreed in writing between the relevant planning authority and TfL.</td><td>External appearance</td></tr> </tbody> </table> <p>(2) The authorised development must be carried out in accordance with details approved by the relevant planning authority under sub-paragraph (1).</p>	<i>(1)</i> <i>Part of the authorised development</i>	<i>(2)</i> <i>Elements to be approved</i>	Work No. 1(d)	External appearance	Work No. 5(a)	External appearance of the retaining wall	Work No. 6(a)	External appearance of the retaining wall	Work No. 10(b)	External appearance of the retaining wall	Work No. 11(b)	Siting, design and external appearance	Work No. 11(c)	Siting, design and external appearance	Work No. 12(a)	Siting, design and external appearance	Work No. 12(c)	Siting, design and external appearance of the operational parking facilities	Work No. 12(e)	Siting, design and external appearance	Work No. 13	Siting, design and external appearance	Work No. 15(c)	External appearance of the retaining walls	Work No. 15(d)	External appearance	Work No. 17(a)	Siting, design and external appearance	Work No. 17(c)	Siting, design and external appearance of the operational parking facilities	Work No. 17(e)	Siting, design and external appearance	Work No.18(d)	External appearance of the retaining wall	Any above ground permanent work constructed as ancillary or related development under paragraph(c)(i) – (xii) of Schedule 1 which constitutes a viaduct, bridge, retaining wall or wing wall, or under paragraph (c)(xiii) of Schedule 1 which constitutes a permanent above ground building or structure, and ordinarily would not benefit from planning permission granted under article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015(a), unless otherwise agreed in writing between the relevant planning authority and TfL.	External appearance
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B	The A303 Sparkford to Ilchester Dualling Development Consent Order 2021	<p>Detailed design</p> <p>12.—(1) No part of the authorised development is to commence until the detailed design of that part has, after consultation with the Defence Infrastructure Organisation, the relevant planning authority and local highway authority on matters related to their functions, been approved in writing by the Secretary of State.</p> <p>(2) The details to be approved under this requirement must include— (a) plans, with annotations where required, showing the limits of responsibility for the operational maintenance of any work and which person or body is responsible for maintaining any part; (b) a signage strategy for the authorised development, including two information boards in the vicinity of the authorised development and which are accessible by the public to set out the history of</p>																																				

		<p>the road; and (c) the width and limitations of any public rights of way which are created or altered by this Order.</p> <p>(3) Where protective works under article 21 are required to a listed building within the meaning of the Planning (Listed Buildings and Conservation Areas) Act 1990(a), and such works would cause or require to be caused permanent change or alteration of the listed features in any manner which would affect its character as a building of special architectural or historic interest, the protective works must be set out in the detailed design submitted under sub-paragraph (1) and consultation on the relevant details must be undertaken with the Historic Buildings and Monuments Commission for England in addition to the bodies listed in sub-paragraph (1).</p> <p>(4) Following approval of detailed design under sub-paragraph (1), the undertaker may, after further consultation with the relevant planning authority and local highway authority on matters related to their functions, submit in writing amended detailed design for any part of the authorised development to the Secretary of State.</p> <p>(5) The details to be approved under sub-paragraph (1) or any subsequent amendment of those details approved under sub-paragraph (4) may depart from the preliminary scheme design shown on the works plans and the engineering section drawings only where the Secretary of State is satisfied that departures from the preliminary scheme design would not give rise to any materially new or materially different environmental effects in comparison with those reported in the environmental statement.</p> <p>(6) Where amended details are approved by the Secretary of State under sub-paragraph (1), those details are deemed to be substituted for the approved details, corresponding works plans or engineering section drawings and the undertaker must make those amended details available in electronic form for inspection by members of the public and must be notified by means of electronic transmission to the Environment Agency, the local highway authority, the relevant planning authority, and where works relate to the Hazlegrove House Registered Park and Garden, the Historic Buildings and Monuments Commission for England.</p>
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