Royal Borough of Greenwich: Responses to First Written Questions for submission 15th November 2016

<table>
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<tr>
<th>Question directed to</th>
<th>Issue relevant to RBG</th>
<th>RBG Comments</th>
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<tr>
<td>A6(1) Q2</td>
<td>All. In the light of Mr Justice Garnham’s High Court judgement of 13 November 2016, in relation to the Department of the Environment, Food and Rural Affairs (DEFRA) 2013 Air Quality Plan (APP-780), this judgment requires the Local Planning Authorities to provide further information. Under Rule 27 of the Infrastructure Planning (Examination Procedure) Rules 2010.</td>
<td>The RBG is of the view that none of the terrestrial SSSI, NNRs or SINCs would be affected by the development. The adjacent River Thames and Tidal Tributaries SINC may be a sensitive nature area and may be negatively impacted. The RBG would prefer to see this as a DCO requirement. It could form part of the certified CoCP (Schedule 14) which would then be submitted for approval by LPA via dDCO.</td>
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<tr>
<td>DC11</td>
<td>Applicant and Local Planning Authorities (LPAs) Article 2(1) “the Blackwall Tunnel area” means the Blackwall Tunnel and the Blackwall Tunnel approaches. Under the Silvertown Tunnel, the Blackwall Tunnel and its approaches are only defined by lines rather than area on the Silvertown esc Plan (Doc 2) [APP-848].</td>
<td>The AQA explains that, 'the modelling has assumed that not all buses using the tunnel will be Euro VI', and hence the impacts of using more pessimistic emission forecasts will be expected to be less dramatic.</td>
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<tr>
<td>T64</td>
<td>London Borough of Newham, London Borough of Tower Hamlets, the Royal Borough of Greenwich and any other LPA who has an interest in air quality matters in relation to the application. The arboricultural survey (6) Appendix 9A[APP-061] recommends in paragraph 5.1.1 that an arboricultural impact assessment is prepared when the proposed layout is Baseline, with the assessment including a schedule of trees to be retained and removed. Here is the last to be secured in the DDO’s Area by the LPA’s in this approach?</td>
<td>RBG is of the view that none of the terrestrial SSSI, NNRs or SINCs would be affected by the development. The adjacent River Thames and Tidal Tributaries SINC may be a sensitive nature area and may be negatively impacted. The RBG would prefer to see this as a DCO requirement. It could form part of the certified CoCP (Schedule 14) which would then be submitted for approval by LPA via dDCO.</td>
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<tr>
<td>T65</td>
<td>HL. London Borough of Newham, Royal Borough of Greenwich and other LPAs with an interest in nature conservation. Do you agree with the Applicant’s statement in paragraph 9.4.4 of the ES, that none of the nearby Sites of Special Scientific Interest (SSIS), Natural Nature Reserves (NNRs) and non-statutory Sites of Interest for Nature Conservation (SINCs) would be directly affected by the proposed development?</td>
<td>RBG is of the view that none of the terrestrial SSSI, NNRs or SINCs would be affected by the development. The adjacent River Thames and Tidal Tributaries SINC may be a sensitive nature area and may be negatively impacted. The RBG would prefer to see this as a DCO requirement. It could form part of the certified CoCP (Schedule 14) which would then be submitted for approval by LPA via dDCO.</td>
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<tr>
<td>T67</td>
<td>HL. London Borough of Newham, Royal Borough of Greenwich and other LPAs with an interest in nature conservation.</td>
<td>The Code of Constructive Practice indicates that method statements will be included in the Ecology Management Plan developed by the contractor. This is satisfactory, but should be signed off by Natural England.</td>
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<tr>
<td>T68</td>
<td>HL. London Borough of Newham, Royal Borough of Greenwich and other LPAs with an interest in nature conservation.</td>
<td>RBG is satisfied that the CoCP addresses timing of vegetation clearing; monitoring of roost activity; target surveys for protected species; and the mitigation measures for habitats of value.</td>
</tr>
<tr>
<td>T69</td>
<td>HL. London Borough of Newham, Royal Borough of Greenwich and other LPAs with an interest in nature conservation.</td>
<td>Interactions not addressed in the CoCP, although habitat of value beyond the works footprint are mentioned. It is not clear if this “habitat of value” includes the habitats suitable for the two red data book species.</td>
</tr>
<tr>
<td>T71</td>
<td>HL. London Borough of Newham, Royal Borough of Greenwich and other LPAs with an interest in nature conservation.</td>
<td>RBG is satisfied with the measures set out at section 7.3 of the CoCP (APP-892) proposed by the Applicant for checking whether there are any black redstarts breeding within the order limits before construction commences.</td>
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<tr>
<td>A37.1</td>
<td>Applicants, Greater London Authority (GLA), London Borough of Newham, Royal Borough of Greenwich, London Borough ofTower Hamlets and other LPAs with an interest in air quality. Article 4.1 of the GLA (APP-634) requires that the air quality environment into 2030 as the year for the base of modelling air quality levels for both the proposed scheme and the situation without the scheme.</td>
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</table>
A03  Applicant, GLA, London Borough of Newham, Royal Borough of Greenwich, London Borough of Tower Hamlets and other IPs (who have an interest in air quality)

**Paragraph 6.3.40 of the ES [APP-031] states that** "In order to undertake the air quality modelling, detailed traffic data was obtained for the Base Year..." This term is derived from the Mayor’s Air Quality Policy.

(a) Please can the Applicant provide a copy of the following ES references [APP-031], Mayor’s Air Quality Strategy, Greater London Authority (Ref 6.13) and GLA Air Quality Neutral Planning Support, Air Quality Consultations Ltd 2013 (Ref 6.14) to the ExA for examination as PEDs?

(b) Please can the Applicant explain why it has not provided assessment of the scheme in terms of whether it is “air quality neutral”? This term is derived from the Mayor’s Air Quality Policy...

(c) Please can the GLA and the Local Authorities confirm the assessment of air quality impacts undertaken by the Applicant is sufficiently robust in the absence of this information?

**RBG are unable to confirm that the impacts are robust if the development is required to be air quality neutral. The red line for the scheme only includes the tunnel itself - not the existing Blackwall Tunnel. TfL forecast overall air quality improvements for the scheme as a whole. Clarification over the inclusion of projected improvements to air quality in Tower Hamlets due to projected traffic reductions at the existing tunnel (which is outside the red line) would be sought. In addition benefits and disbenefits are not equal scheme wide. If the AC Model is accurate (and this is still being questioned) RBG will probably not be significantly affected. Newham on the other hand believe to have significant disbenefits. No air quality mitigation for Nitrogen Dioxide is proposed, therefore questioning the role and application of the London Wide Air Quality Neutral Strategy. Some of the questions that have been raised in respect of the quality of traffic forecasts that have been used to inform the air quality dispersion modelling process and the status of major schemes within environmental approved.**

Please can the GLA and the Local Authorities confirm whether these documents remain extant and whether there are any other London based air quality policy documents (apart from the London Plan and their own Local Plan) that are relevant to the examination.

**The Mayor of London’s emerging Air Quality consultations and their subsequent results, whilst not policy documents, indicate the direction of travel of the GLA and Mayor Khan.**

A04  Local Planning Authorities

**Paragraph 6.3.40 of the ES [APP-031] states that** "In order to undertake the air quality modelling, detailed traffic data was obtained for the Base Year..." This term is derived from the Mayor’s Air Quality Policy.

Do the relevant highway/planning authorities agree to the approach taken by the Applicant in the ES in trusting the air quality modelling work on these traffic data sets?

**They modelling follows national guidelines - its the input data to the model which is key, and the Assessed Case is still not agreed by the Host Boroughs. The use of the 2021 base line for AQ models is acceptable however this is assessed on the acceptability of the traffic model for the Assessed Case outputs, which are not yet agreed.**

A08  London Borough of Newham, Royal Borough of Greenwich, London Borough of Tower Hamlets

**Are the LPAs satisfied with the locations chosen for the identification of sensitive receptors? If not, why not?**

**The methodology is satisfactory, but concerned nonetheless as it is based on TfL’s (yet agreed) Assessed Case model Outputs.**

(a) Are the LPAs satisfied with the methodology used for the assessment of air quality? If not, why not?

(b) Are the LPAs satisfied with the methodology used for the assessment of air quality? If not, why not?

(c) Are the LPAs satisfied with the Applicant’s conclusions in relation to the predicted potential impacts in relation to air quality at or near sensitive receptors? If not, why not?

(d) Are the LPAs satisfied with the Applicant’s conclusions in relation to the predicted potential impacts in relation to air quality impacts in relation to sensitive receptors? If not, why not?

**As above**

**As above**

**As above**

A09  London Borough of Newham, Royal Borough of Greenwich, London Borough of Tower Hamlets

**Are the LPAs satisfied with the methodology used for the assessment of air quality? If not, why not?**

**The methodology is satisfactory, but concerned nonetheless as it is based on TfL’s (yet agreed) Assessed Case model Outputs.**

**The LPAs are unable to confirm that the impacts are robust if the development is required to be air quality neutral. The red line for the scheme only includes the tunnel itself - not the existing Blackwall Tunnel. TfL forecast overall air quality improvements for the scheme as a whole. Clarification over the inclusion of projected improvements to air quality in Tower Hamlets due to projected traffic reductions at the existing tunnel (which is outside the red line) would be sought. In addition benefits and disbenefits are not equal scheme wide. If the AC Model is accurate (and this is still being questioned) RBG will probably not be significantly affected. Newham on the other hand believe to have significant disbenefits. No air quality mitigation for Nitrogen Dioxide is proposed, therefore questioning the role and application of the London Wide Air Quality Neutral Strategy. Some of the questions that have been raised in respect of the quality of traffic forecasts that have been used to inform the air quality dispersion modelling process and the status of major schemes within environmental approved.**

**7.5% traffic forecast errors are accepted there would be limited impacts in RBG so mitigation would not be necessary in this case, however the Assessed Case is not agreed, no clarification in terms of the monitoring and mitigation need to be defined within the DCO. Additionally a committed sum - in the form of a Community Fund for unforeseen circumstances would be an acceptable way of addressing this.**

A10  Applicant, London Borough of Newham, Royal Borough of Greenwich, London Borough of Tower Hamlets

**Would the proposed development create any linkages to the LPAs achieving targets or in relation to demonstrating best efforts in achieving Air Quality Standards objectives?**

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A14  Applicant, London Borough of Newham, Royal Borough of Greenwich, London Borough of Tower Hamlets

**Is the EA requesting the Applicant, LPAs and other IPs (who have included representations about air quality in their RRs) to confirm that they are satisfied that the proposed development would not lead to a significant air quality impact? If not, why not?**

**Is the EA requesting the Applicant, LPAs and other IPs (who have included representations about air quality in their RRs) to confirm that they are satisfied that the proposed development would not lead to a significant air quality impact? If not, why not?**

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**See AQ14**

**See AQ14**

**See AQ14**

**See AQ14**

**See AQ14**
NYV

London Borough of Newham, Royal Borough of Greenwich and London Borough of Tower Hamlets.

Are the LPAs that would host the proposed development satisfied that the noise impacts arising from both the construction phase and operational phase have been assessed in accordance with the correct standards?

Yes

NYV5

London Borough of Newham, Royal Borough of Greenwich and London Borough of Tower Hamlets.

The ES (APP/01) in table H-4 describes the pre-application discussions that took place between the Applicant and the host boroughs in relation to noise and vibration assessment.

Are the LPAs satisfied with the locations chosen by the Applicant for assessment as noise sensitive receptors?

Yes

NYV10

London Borough of Newham, Royal Borough of Greenwich and London Borough of Tower Hamlets.

(a) Do the LPAs consider that the proposed hours of work for all nine 247 construction activities should be controlled through a requirement within the ECDO if so please indicate.

(b) The CoC (APP/01) in section 2.3 states that no new tunnelling construction activities should be carried out between the hours of 21:00 to 06:00 Mon to Fri and 21:00 to 04:00 on Saturdays, with up to an hour either side of those times for set up and clean down of activities. Additionally some activities may take place outside these core hours, in which case they would be subject to agreement with the local Environmental Health Officers. Are the LPAs satisfied with these timings for all nine 24 hour access?

NYV11

London Borough of Newham, Royal Borough of Greenwich and London Borough of Tower Hamlets.

The ES tables 14-15 and 14-18 (APP/01) relate to tunnelling noise and vibration. Table 14-15 is based on “professional judgement” and table 14-18 is based on “professional judgement and input from HS2 Information Paper 127”.

Please can the LAs provide their views on the acceptability (otherwise) of using “professional judgement” in these tables in ES Chapter 14?

NYV17

London Borough of Newham, Royal Borough of Greenwich and London Borough of Tower Hamlets.

A number of limitations and assumptions are presented in paragraph H-3.102 - H-3.105 of the ES (and in table H-22 (APP/01))

Please can LAs comment on the acceptability of an assumed 80% “on-time” being described as “conservative” in relation to construction plant noise?

NYV19

London Borough of Newham, Royal Borough of Greenwich and London Borough of Tower Hamlets.

The detail set out in section 5 appears to incorporate the latest London and National best practice and policy guidance for the control of dust and odour. It deals with maintenance and operational issues, waste and earthworks movement, track-out effects and monitoring.

NYV20

Applicant, LPA, Public Health England and other lso

NPR 123 requires planning policies and decisions to be based on health evidence.

(a) Please can the Applicant explain how the proposed development would meet this aspect of the NPR?

(b) There is a significant evidence base for the risks to population health from road transport noise, including on sleep disturbance, cardiovascular disease, elevated hormone levels, psychological problems and premature death. It is also clear that the impacts are disproportionately felt by protected equality groups and with an associated risk to increase health inequalities, eg: Children and young people - studies suggest risks include cognitive impairment, worsening behaviour and diminished quality of life and poorer educational attainment; and people with existing mental or physical health problems - they are disproportionately sensitive to traffic noise. (IAQMV, 1997; ensuite residents are already exposed to daily road noise levels above the lower EU benchmark for excess exposure. Any potential increased exposure for residents can be expected to have significant deleterious impacts on health and health inequalities of the impacted residents. Resident Greenwich is already one of the most deprived boroughs in London and pollution impacts are disproportionately felt in deprived communities.

Reviewing the proposed and associated noise modelling from TII for the Silvertown Tunnel demonstrates MBG significant concerns regarding the reliability of the traffic modelling, specifically the suggestion that there will be no increase in traffic and therefore traffic noise. This is particularly pertinent with respect to the likely increase in HGVs and buses using Silvertown than is possible through Blackwall. Both of which are noise vehicle types that can including with respect to tyre road interaction. There is further ongoing concern about displacement of vehicle traffic and congestion with associated vehicle noise as a result of different routes used to access Silvertown. Driver choice about which routes to use in the island crossing and predicted change in traffic flow.
International evidence highlights that it is a false hypothesis that increasing road traffic capacity in urban areas reduces congestion and that the reality is increased traffic due to previously unmet demand and generating new demand. (Lutter, T. (2016) Generated Traffic and Induced Travel Implications for Transport Planning, Victoria Policy Institute). A close to home case study of this phenomenon is the 1966 opening of the second Blackwall Tunnel, which lead to a greater than 100% increase in traffic (Greater London Council) (Nnami Research Memoranda Vol 1115). It should be noted that these points were also made in November 2015 by Professor Steven TIL - https://www.nature.org/sites/default/files/images/files_1115_blackwall_tunnel20150926_research_briefing201511Response.pdf

Vehicle noise is the consequence of a number of factors: primarily components within the vehicle (e.g. engine and brakes) and interaction between the tyres and the road. In vehicles travelling over 55mph (which will be the case for traffic approaching the Silvertown tunnel), the noise is predominantly from the road-tyre interaction. Although technological advances over the last two decades have reduced noise from car components, there has been negligible improvements in cutting noisy roads (Transport and Health Study Group, 2011). Health on the Move. 2. http://www.transportandhealth.org.uk and this is likely to persist for the foreseeable future. Again the issue is more significant for larger, heavier vehicles.

In this instance the relevant sections of NPPF paragraph 123:
- avoid noise from going rise to significant adverse impacts on health and quality of life as a result of new development;
- mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions

(b) As present it is not possible to comment with confidence on whether the applicant has fulfilled these requirements due to the quality of the noise projections. The lack of an accurate picture of the quantum of the associated traffic noise raises it impossibly to reasonably consider the risks to health and the likely success of any mitigation steps in the short, medium and long terms. RBG would like to be reassured that the noise monitoring at the Silvertown Tunnel southern approach road is adequately covered. NPPF is likely to be significantly impacted by noise from the existing approach road. The masterplan for the area includes housing from floor level on the northern side of the approach road, and will also have housing on the south side of the approach road close to the tunnel. RBG would like noise monitoring to reflect the significant changes in noise levels where the new southern approach road will be built. The exact location of any additional monitoring will depend on where the council site.

(c) Are IPs satisfied that if the Order was made, the development would meet this aspect of the NPPF? (if not, why not?)

11.1 Applicant, Historic England, Royal Borough of Greenwich and London Borough of Newham

DCO Requirement 5 states that a Written Scheme of Investigation (WSI) is required as part of the CoCP, prior to commencement. As currently drafted, this would be produced in consultation with Historic England.

Historic England has requested to approve/discharge the WSI, not just to be a consultee. Please can the relevant LPAs, Historic England and the Applicant provide their views on the appropriate approval body for the WSI and how this is to be secured in the CoCP, bearing in mind that the current definition of "commencement" would allow archeological investigations in advance of approval of the CoCP?

It is accepted that HGVs may produce greater wear and tear on the tunnel structures, but this would not appear to justify a charging schedule that would run counter to an objective for the scheme.

RBG agrees that HE should approve/discharge this rather than only being consulted during the preparation. The authorised development would fall within a defined Area of Archaeological Potential in terms of Policy E91 of our Core Strategy as shown on Figure 4, p. 111. We would normally require any necessary pre-development works to be approved by ourselves. As we have no archeological expertise we would defer to the views of EH.

11.1 London Borough of Newham, Royal Borough of Greenwich and London Borough of Tower Hamlets

Do the LAs agree with the Applicant's assessment of impacts from the proposed development upon townscape as "slight" and therefore not significant?

This is dependent on the ability to manage traffic and ensuring the monitoring and mitigating is fit for purpose. RBG has not accepted the Assessed Case Outputs and elements of the Planning Strategy and Traffic Impact Mitigation Measures detailed in the Written Representation and Sacred Impact Report.

11.2 Applicant & IPs

Is there any evidence which indicates that if the proposed development was constructed and operational, there would be a risk to the World Heritage Site?

No surveys were undertaken to establish the marine baseline. The data is limited to & based on research.

Please can IPs confirm that they are content with this approach?

11.3 Applicant & relevant IPs

One of the objectives for the Silvertown Tunnels scheme is to support economic growth (FOIS).

Can the Applicant please explain how this is compatible with the assessment of a negative cost benefit for commercial traffic which would use the tunnels as a consequence of the user charges envisaged to fund the scheme and control traffic flows to meet environmental objectives?

It is accepted that M25 may produce greater wear and tear on the tunnel structure, but this would not appear to justify a charging schedule that would run counter to an objective for the scheme.

Please expand on the justification for the charging schedule that has been provided to date.

RBG is not yet satisfied with the information regarding alternatives and value of time applied to the charge rates in the Assessed Case. As a result, this will have an impact on the schemes and effects on businesses and residents locally.

11.4 Applicant & relevant IPs

These sections refer to highway lighting and although not specifically asked for comments RBG would be content for the standards quoted to be used. RBG would reserve the right to approve the design to ensure our spec is adopted.

TBIL is a highway authority for the scheme serving the new tunnel and would normally apply for RBG to consider as this technical approval or design processes (and these requirements therein). The design standards: TBIL does are in conformity with those used by RBG. If however TBIL are amending any RBG roads and have to relight them then we would be content for the standards quoted to be used. RBG would reserve the right to approve the design to ensure ourspec is adopted.

11.6 Applicant, Royal Borough of Greenwich and London Borough of Newham

Paragraph 19.3-50 of the DCO notes that the "design of lighting for方案s building should be not be commenced at this stage and therefore not been assessed - detailed lighting design would be carried out in accordance with guidelines for the reduction of obtrusive light (Refer to Section 15.3.7)."

Please can the Applicant explain why a lighting assessment could not be undertaken on the basis of the information provided within Doc 6.3.4.2 [APP-047]?

RBG reserves the right to approve the design to ensure our spec is adopted.

11.7 Historic England (HE), Marine Management Organisation (MMO) and other IPs with an interest in marine ecology

Noise surveys were undertaken to establish the marine baseline. The data is limited to & based on research.

Please can IPs confirm that they are content with this approach?
The Applicant, EA, the MMO, London Borough of Newham and Royal Borough of Greenwich

The EA, in its RR [RR-299] identifies a discrepancy between the information provided in the CMS [APP-046] in relation to the techniques to be used in piling and that described in paragraph 10.6.89 of the ES [APP-021]. The EA also makes a request for a piling method statement to be issued through the CoCP.

(a) Can the Applicant please confirm the techniques to be used for piling, including providing a map showing the location and duration at each piling site.

(b) Should this be different to that assessed by the EA, the Applicant is requested to provide a revised assessment.

(c) On other infrastructures, consider that there should be a piling method statement secured through a Requirement in the dDCO or condition in the dDCO, which defines piling locations, locations, duration (number of days and hours per day) and seasonal limitations on piling and other details. Such procedures would be implemented?

RBG would refer to EA and MMO in this regard.

The EA, London Borough of Newham, Royal Borough of Greenwich and London Borough of Tower Hamlets and other IPs.

Please can the EA and LPAs and any other IPs interested in surface drainage matters provide their views on the disapplication of section 24 of the Water Resources Act 1991 (regarding the need for an abstraction licence), as currently drafted in Article 3(n) in the dDCO. The Applicant’s proposal is that these matters would be enforced through the CoCP (Groundwater Monitoring and Verification Plan).

RBG refers to EA on these issues.

DC20

Applicant

Article 31(1) “the relevant local planning authority” is only cited as being either the Royal Borough of Greenwich or the London Borough of Newham. Should the London Borough of Tower Hamlets be added to the list of relevant Local Planning Authorities (LPAs) given that the central pedestrian and approaches to the Blackwall Tunnels are within that authority’s area?

It is RBG’s view that LTHT should be given the same considerations as RBG and LBN, and for try purposes of the Scheme considered a ‘host borough’

DC27

Applicant

Article 31(1) “the traffic regulation measures.tap defined and restricted road plans” means the plans of that description set out in Schedule 14 certified by the Secretary of State as the traffic regulation measures plans for the purposes of this Order. Should this read “traffic regulation measures restricted road plans”?

RBG believes this should be the case.

DC35

Applicant

Article 6(1) “Horizontal limits to Deviation” In constructing or maintaining the authorised development, TfL may deviate—

(a) laterally from the lines, situations or positioning of the authorised development shown on the works plans to the extent of the limits of deviation shown on the plans and

(b) from the lines, situations or positioning of the works plans are co-extensive with the Order limits. This paragraph accordingly enables the authorised development to be carried out apart from the order limits.

Should this degree of deviation be assessed in the EU?

RBG would require limits of deviation to be specified.

DC38

Applicant

Article 6(1) “the monitoring strategy means the document of that description set out in Schedule 14 certified by the Secretary of State as the traffic regulation measures plans for the purposes of this Order. Should this read “traffic regulation measures restricted road plans”?

RBG would require limits of deviation to be specified.

DC39

Applicant

Article 11 [Access to Works]

This is a very wide power

(a) deviate from the points of commencement and termination of the authorised development shown on the works plans and

(b) laterally from the lines, situations or positioning of the authorised development shown on the engineering section drawings and plans.

Again this appears to allow significant deviation of the normal commencement and termination and significant variation of the schemes, in particular would it be the same scheme if there were a different number of tunnels and tunnel structures?

(c) What is the justification for this?

(c) From this degree of deviation been assessed in the EU?

RBG would prefer that the contents of the commitments are agreed by the relevant highway authority and planning authority in the form of a requirement.

DC40

Applicant

Article 17 [Deviation] This is a very wide power

Does this need to be an approval process by Local Planning Authorities (LPAs) and where appropriate Local Highway Authorities?

RBG would require an approval process defined and included in a requirement.

DC49

Applicant

Article 18

The Applicant’s proposal is that these matters would be enforced through the CoCP (Groundwater Monitoring and Verification Plan).

RBG would refer to EA on these issues.

DC70

Applicant

Article 39(1) The text described in the 9th of October 1962 that was on the silvertown London Authority (SLA) read on each day as TLA may observe, as if from that day it was the subject of an order directing the same under section 4 of the 1980 Act.

Is the local highway authority been asked to comment on this proposal?

Yes.

DC72

Applicant

Article 53(3)(a) TfL may review the charging policy but only after it has—

(a) consulted in relation to the proposed changes to the policy—

(i) organisations it considers to be representative of regular users of the Blackwall Tunnel and the Silvertown Tunnel and

(ii) the Councils of the London Boroughs of Newham and Tower Hamlets and the Royal Borough of Greenwich.

Should this paragraph also include a condition to the effect that TfL also needs to consider recommendations made by Silvertown Tunnel Implementation Group (STIG) under Article 65(2) before revising the charging policy?

Should this paragraph also include a condition to the effect that the level of charges from time to time required to be paid for use of the tunnels under Article 39 and any exemptions and discounts.

RBG would not wish STIG to take a view on this.
DC46 Applicant

Paragraph (a) No. The first meeting of STIG must be held not later than three years before the date on which theilihan Tunnel is expected to be open to public use. The frequency of the meetings will be determined by the relevant planning authority for TFL, but not more frequently than once a year.

The Charging Policy (Doc. 7.1 [APP-107]) in section 12 indicates that proposed changes to the Charging Policy will be put to STIG, who may make recommendations. In the interim, the frequency of STIG meetings likely to cause any difficulties in this context.

DC47 Applicant

Article 6(3) In order for a meeting of STIG to be quorate there must be present

(a) a representative from at least two of the Councils of the Royal Borough of Greenwich and the London Borough of Newham and Tower Hamlets;
(b) a representative from TFL; and
(c) two other representatives from the bodies listed in paragraph (2)(a) to (c) above.

As drafted, (b) could be met by two additional representatives from TFL or the Councils referred to in Article 65(7). Should (d) (e) two representatives from the other bodies listed?

The machinery needs to be defined and agreed.

DC48 Applicant

Article 65(7)(c) In order for a meeting of STIG to be quorate there must be present—

(a) a representative from at least two of the Councils of the Royal Borough of Greenwich and the London Borough of Newham and Tower Hamlets;
(b) a representative from TFL; and
(c) two other representatives from the bodies listed in paragraph (2)(a) to (c) above.

As drafted, (b) could be met by two additional representatives from TFL or the Councils referred to in Article 65(7). Should (d) (e) two representatives from the other bodies listed?

The machinery needs to be defined and agreed.

DC49 Applicant

Schedule 1: There is no distinction in Schedule 1 between integral works and associated development.

Should the Works Nos 20 for the proposed temporary jetty and ancillary and related development (b) construction compounds be noted as contained (a) elsewhere?

Yes

DC50 Applicant

Schedule 1 - 6. Works listed above: 26 - 28 being for the purposes of or in connection with the construction of any of the works or other development are very widely drawn, particularly (c).

Does there need to be a cause governing all these works indicating that they must fall within the parameters assessed in the ES and subject to the mitigation referred thereto and secured elsewhere in the draft Order?

The typographical error in the date cited in (c) should be corrected.

Yes

DC51 Applicant

Requirement 40(1) requires approval of...tions from the relevant LPA. However this is limited by Requirement 40(2).

Requirement 40(2) only applies Requirement 40(1) to works Nos 11(6) and 11(7) above. However, there are also local issues, postal/facsimile and long-distance, anti-infringements, and other new variants, and improvements building and removing works that fall outside the specified works.

DC52 Applicant

Schedule 1 No. 6(1)(f) and 3(1) (f,g, h) additionally need to be inserted into Requirement 5(3), probably together with a ‘catch all’ relating to other buildings or structures that form parts of other works.

Yes

DC53 Applicant

(a) - The ‘Construction Method Statement’ is not cited into this requirement whereas it defines significant aspects of the works described in the ES including temporary works compounds and the temporary jetty that need to be required by the provisions of the ARC/UK including the DDO.

(b) a representative from TfL; and
(c) the Construction Method Statement’ should be added in at the end of Requirement 5(1).

In the present case to Requirement 5(2) should the approval not specify the relevant LPA in every case, following consultation with the OA, Historic England, The Greater Archaeological Service and other statutory bodies as appropriate.

Should a revised FRA be included as one of the subsidiary plans in Requirement 5(2)?...f the LA (Ref. 2149) if not, then a process for approving a revised FRA to be inserted in Requirement 1(1)?

Yes

DC54 Applicant

Requirement 1(1) c) No. The ‘Construction Method Statement’ is not cited into this requirement whereas it defines significant aspects of the works described in the ES including temporary works compounds and the temporary jetty that need to be required by the provisions of the ARC/UK including the DDO.

(c) - A Piling Management Plan to include piling locations, types of piling proposed at each location, duration of piling (both in terms of number of days and dates) and the construction details of the piling equipment.

PLANS should be required to be approved by the LPA and other bodies.

DC55 Applicant

Schedule 3 Part 3 (Procedure for discharge of requirements)

Given the scale and scope of approvals and consents required e.g. under the GVGR, should this Part include provision for the submission of advance drafts of applications where otherwise agreed with the LPA (as paragraph 1 of Schedule 1 of the Thames Tideway Tunnel DCO)?

Yes

DC56 Applicant

Schedule 3 Part 3 (Procedure for discharge of requirements)

Given the scale and scope of approvals and consents required e.g. under the GVGR, should this Part include provision for the submission of advance drafts of applications where otherwise agreed with the LPA (as paragraph 1 of Schedule 1 of the Thames Tideway Tunnel DCO)?

Yes

DC57 Applicant

Schedule 3 Part 3 (Procedure for discharge of requirements)

Given the scale and scope of approvals and consents required e.g. under the GVGR, should this Part include provision for the submission of advance drafts of applications where otherwise agreed with the LPA (as paragraph 1 of Schedule 1 of the Thames Tideway Tunnel DCO)?

Yes

DC58 Applicant

Given the scale and scope of approvals and consents required e.g. under the GVGR, should this Part include provision for the submission of advance drafts of applications where otherwise agreed with the LPA (as paragraph 1 of Schedule 1 of the Thames Tideway Tunnel DCO)?

Yes

DC59 Applicant

Given the scale and scope of approvals and consents required e.g. under the GVGR, should this Part include provision for the submission of advance drafts of applications where otherwise agreed with the LPA (as paragraph 1 of Schedule 1 of the Thames Tideway Tunnel DCO)?

Yes

DC60 Applicant

Given the scale and scope of approvals and consents required e.g. under the GVGR, should this Part include provision for the submission of advance drafts of applications where otherwise agreed with the LPA (as paragraph 1 of Schedule 1 of the Thames Tideway Tunnel DCO)?

Yes

DC61 Applicant

Given the scale and scope of approvals and consents required e.g. under the GVGR, should this Part include provision for the submission of advance drafts of applications where otherwise agreed with the LPA (as paragraph 1 of Schedule 1 of the Thames Tideway Tunnel DCO)?

Yes

DC62 Applicant

Given the scale and scope of approvals and consents required e.g. under the GVGR, should this Part include provision for the submission of advance drafts of applications where otherwise agreed with the LPA (as paragraph 1 of Schedule 1 of the Thames Tideway Tunnel DCO)?

Yes

DC63 Applicant

Given the scale and scope of approvals and consents required e.g. under the GVGR, should this Part include provision for the submission of advance drafts of applications where otherwise agreed with the LPA (as paragraph 1 of Schedule 1 of the Thames Tideway Tunnel DCO)?

Yes

DC64 Applicant

Given the scale and scope of approvals and consents required e.g. under the GVGR, should this Part include provision for the submission of advance drafts of applications where otherwise agreed with the LPA (as paragraph 1 of Schedule 1 of the Thames Tideway Tunnel DCO)?

Yes

DC65 Applicant

Given the scale and scope of approvals and consents required e.g. under the GVGR, should this Part include provision for the submission of advance drafts of applications where otherwise agreed with the LPA (as paragraph 1 of Schedule 1 of the Thames Tideway Tunnel DCO)?

Yes

DC66 Applicant

Given the scale and scope of approvals and consents required e.g. under the GVGR, should this Part include provision for the submission of advance drafts of applications where otherwise agreed with the LPA (as paragraph 1 of Schedule 1 of the Thames Tideway Tunnel DCO)?

Yes

DC67 Applicant

Given the scale and scope of approvals and consents required e.g. under the GVGR, should this Part include provision for the submission of advance drafts of applications where otherwise agreed with the LPA (as paragraph 1 of Schedule 1 of the Thames Tideway Tunnel DCO)?

Yes
The ExA would, in answering this question, like to draw the Applicant’s attention to its own documents “Gallions Reach and Belvedere Consultation Leaflet”; Gallions Reach and Belvedere River Crossings Option Assessment Report (Long List); and Option Assessment Report (Public Transport Interim List).

These documents indicate that consultations have been continuing, with proposals being refined for multi-modal crossings at both Gallions Reach and Belvedere. Although such proposals are stated to not provide complete solutions to the congestion and resilience issues in relation to the Blackwall tunnel, please provide a justification for the priority being afforded to the Silvertown Tunnel as opposed to spreading the benefits of further river crossings more widely as an earlier priority? To enable all Interested Parties to have clear access to the documents referenced above, the documents named in this question should be submitted to this Examination.

The case for the scheme (Document 7.1) indicates why a third bore for the Blackwall Tunnel is not considered feasible as a consequence of tie-in difficulties and need for tidal flow arrangements. However, it also indicates that provisional closure of the Blackwall Tunnel may be necessary for structural maintenance reasons given the age of the infrastructure in the relatively near future.

If such a closure is envisaged in the first instance for the much older and more restrictive northbound tunnel, no consideration appears to have been given as to whether such works might enable the current alignment, height and width restrictions to be overcome through a re-construction of that tunnel. That does not explain whether, if such work is possible, why the Silvertown Tunnel would still be required. If such an assessment has been made, please provide the documentation.

If such an assessment has not been undertaken, please indicate the feasibility of such a solution, in particular, how such works would assist the present problem of incidents caused by over-height vehicles?

Given the problems caused by over-height vehicles in the existing Blackwall Tunnel, please justify the lack of a proposal for a complete prohibition on Heavy Goods Vehicles (HGVs) and Public service Vehicles (PSVs) from using the existing Blackwall Tunnel once the Silvertown Tunnel is operational? This is also a concern for RBG and included in the LIR and WR.

If such an assessment has not been undertaken, please indicate the feasibility of such a solution, in particular, how such works would assist the present problem of incidents caused by over-height vehicles?

In the Update Report submitted following the Mayoral Review [AS-021], there is reference to a commitment to provide new bus services through the Silvertown Tunnel and also to the possibility of these including a cycle carrying bus service. Would the new services be secured through a Development Consent Obligation?

RBG would require these services incorporated into a Bus Strategy as a Requirement as included in LIR/WR.

How is the commitment of 50% (by weight) of waste arisings to be transported by river to be monitored and reported upon during the construction phase as set out in the CoCP [APP-092]?

How does this relate to the 100% of “suitable excavated material” referred to in the Update Report [AS-021].

This Report also refers to the amount of construction materials to be transported by river to be increased to 55%.

RBG would agree that these measures should be included in the DCO as set out in the LIR/WR.