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Subject: SILVERTOWN TUNNEL - Further representations on behalf of U+I Group PLC [NLP-DMS.FID150477]
Date: 20 March 2017 12:54:05
Attachments: [image001.png](#)
[image002.png](#)
[Letter to RB Greenwich .pdf](#)
[Silvertown Deadline 4 response Mar 17.pdf](#)

Sirs –

Tunnel Avenue

We have previously made representations on behalf of U+I and had been awaiting clarification of proposals from TfL in respect of some of the details of accommodation works caused by the re-opening of Tunnel Avenue and the re-positioning of the Boord Street Overbridge. Further material issued by TfL on 06 March 2017 included Report 7.4, which we had hoped would offer some support to the clear new requirements.

Unfortunately, there remains only a general statement, putting the onus on the prospective delivery contractor to solve the detail – but only with a limited land-take within which to do so. U+I has engaged with TfL for over two years since pre-application started but is still no further forward in achieving clarification that the standards and approaches which TfL would seek to impose on others are being carried through in this, its own, scheme.

We therefore enclose further representations on this point.

HSE Consultation Zones

We have also raised with the Examination the unsatisfactory nature of the prospective Grampian-style condition being discussed in private, relating to possible resolution routes for the HSE's maintained position of Advise Against.

Greater clarity would be appreciated.

In short, it currently seems that the suggested two-part such condition could allow for a later establishment that adequate safety could be achieved whilst there is still an Advise Against HSE position; this still appears unsatisfactory as the position should be capable of being resolved now, prior to any decision to proceed; it would be entirely unsatisfactory for construction to be committed and underway before such fundamental matters are resolved.

U+I has therefore asked its lawyers Gowling WLG to clarify to RB Greenwich that it lies within the HSA's powers effectively to lift the Advise Against position by imposing a further condition on the still-current application for HSC by Brenntag, restricting the concentration and container capacities for hydrofluoric acid to those which are already specified as being applied for safety reasons in the recently-submitted floor risk assessment associated with that application.

The application of such a condition would thus avoid the need for a Grampian-style condition.

We therefore also enclose a copy of the letter to RBG.

We trust that the Examination will give meaningful consideration to these representations and offer clear responses in its reporting, in order that

- a) The detailed safety concerns raised are adequately controlled from information still to be supplied by TfL, rather than being sought from a later contractor and
- b) The need for subsequent release for construction and/or opening of the new Tunnel from a Grampian-style condition be avoided, as is now possible.

With thanks,
Malcolm Hockaday

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We note and have reviewed the interim response issued by TfL in the form of Report 7.4.

We welcome the fact that U+I is to be invited to be included in the Initial Stakeholder Design Consultation Group but remain concerned that the Group's terms of reference do not go sufficiently far in addressing key design concerns over the extent of land take to achieve a safe and satisfactory scheme in the Tunnel Avenue area.

The following key points are offered as the interim response, focussing on Appendix C C.6.2 Tunnel Ave:

- The scheme description mentions neither the continuing absence of bus stops for two-way services nor the fact that the Boord St footbridge will land here at a location too short to allow for proper and safe bus, cycle and pedestrian facilities
- Carriageway two-way width of 6.0m and a shared cycle/ped footpath widths of between 2.5m to 3.0m are given but fall short of required standards of 6.5m for a flow including buses and heavy lorries and a cycle/ped shared surface of 4.5m

This report therefore does not take our previously-expressed concerns into account, including scope for bus stops on Tunnel Avenue, and does not reflect our previous advice on critical widths. In response:

- To reduce the carriageway width to 6.0m will marginally further constrain the safe operation of the road considering it will carry a mix of light vehicles, buses, HGVs and cyclists.
- To reduce the shared cycle/pedestrian route below 4.5m reflects neither the requirement to optimise for future demands due to land-use change/regeneration nor provides an attractive off-street option for cyclists.
- There needs to be clear confirmation from TfL to the Examination that two-way bus stops are to be provided on Tunnel Ave; we note the previous comments from Lucy Duglinson et al (see attached) which suggested this is to be the case but report 7.4 does not reflect this.

These responses follow concerns expressed in a telephone conversation with TfL and Argent on 06 Feb 17:

1. It appears that TfL is still not intending to offer bus stop creation on Tunnel Avenue
2. It nevertheless believes that a southbound stop can be accommodated by changing the alignment of Tunnel Avenue through a minor diversion or chicane into the 'Brenntag bulge' of footway where the existing footbridge ramp sits, allowing establishment of sufficient length of pedestrian refuge for bus users on the southbound side of Tunnel Avenue
3. It intends to provide only for a 3m wide shared surface footway/cycle path on the western side of Tunnel Avenue as far as the southern extremity of the scheme's land take, with a pinch point at the Brenntag office building which it indicated RBG and TfL are both content to live with (rather than knock down an office building) – but still only to a 3m wide shared surface standard elsewhere rather than the desirable 4.5m width.

In summary, taking the whole of the above comments on report 7.4:

- Whilst the TfL Design Principles are below our reasonable expectations to achieve safety standards and report 7.4 does stress the design as being flexible and ready to expand to meet future demands, there remains the clear question as to whether the Examination can be satisfied that this is achievable.
- Despite direct engagement with TfL both before and after submission of the application, we are all now towards the close of the Examination without any drawing showing that a safe solution is possible.
- We therefore remain cautious that TfL can actually deliver these elements as part of the Silvertown Tunnel, until we see an updated plan of the scheme indicating
 - a) the ability to provide the suggested chicane to create a short section of pavement to allow a southbound bus stop, with resultant lengthening of the proposed Boord Street overbridge and
 - b) that such a solution is in accordance with normal TfL standards.

Whilst it is suggested in para 1.1.2.4 of report 7.4 that the Design Principles *'set out TfL design related commitments made in response to public consultation and ensure that these are followed through to detailed design'*, we note in particular that Table 2-6 Boord Street Pedestrian and Cycle Bridge Design Principles includes no reference anywhere in its 13 no. principles referring to these essential matters, including –

- a) adequate bridge length to accommodate safe southbound bus footway refuge
- b) adequate footpath/cycle widths around the ramps/stairs at each end,

whilst still referring to lesser issues such as the quality of views from the bridge.

We note that Tunnel Avenue is proposed to remain as an unnecessarily narrow carriageway, unsuited to the inclusion of heavy goods vehicles newly allowed southbound from the busy Safeguarded Wharves, without segregated footpath cycleway or adequate bus stop provision and, in these respects, still falls far short of the diagrams in Figure C2-5 as proposed for Dock Avenue and C2-6 for Tidal Basin Roundabout North.

No explanation is given to the great disparity in proposed outcomes between these two affected roads and that in C2-7 Tunnel Avenue, itself showing a 'rosy' generalise cross-section ignoring the constraints referred to above (localised narrowings arising from overbridge support, stairs and ramps, whether the 'variable' verge on the eastern side can allow for bus stop set-down/pickup refuge, and whether the 3m shared surface is available throughout the affected length).

Your Reference



Our Reference
2631470/VJF01/VJF01

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By e-mail and Post

10 March 2017

Dear Madam

**Town and Country Planning Act 1990 (as Amended)
Town and Country Planning (Development Management Procedure) (England) Order 2010
Brenntag UK Limited, 215 Tunnel Avenue Greenwich SE10 0QW
Consent for the storage of hazardous substances**

We are instructed by U and I Group plc and write in relation to the above application and the re-consultation on the same. My client has previously made representations in relation to the application given its proposals for the redevelopment of Morden Wharf and the effect the hazardous substances stored on the above site would have on that redevelopment.

You will also be aware that since the above application was made TfL has made an application for a development consent order for the Silvertown Tunnel. The Silvertown Tunnel is a nationally significant infrastructure project and is designed to directly address the severe and ongoing lack of resilience in the cross river network in East London by adding a new tunnel adjacent to the Blackwall Tunnel. The Health and Safety Executive ("HSE") inner ring consultation zone associated with the Brenntag UK Limited facility impinges on both Tunnel Avenue and the tunnel approach road. While the current application proposed by Brenntag would reduce the inner ring consultation zone the tunnel approach road would still be affected by the inner ring consultation zone and, therefore, within the "advise against" designation.

Previously we have advocated that the consent should be conditioned so that the storage of hydrofluoric acid within the site is reduced to containers with a maximum capacity of 24kg and the acid itself to a maximum concentration of 60%. This would also have the effect of ensuring that the tunnel approach road lays outside of the inner road consultation zone. The important thing is that the consent is appropriately conditioned having regard to known developments. Questions have, however, been raised by officers at your Council as to the appropriateness of such a condition.

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Brenntag's application relates to a hazardous substance consent for the storage of sodium hypochlorite following this chemical being reclassified. In addition to this chemical, however, the applicant has a number of hazardous materials at the site. The storage of sodium hypochlorite as now sought would increase the overall level of risk associated with the storage and handling operations on site. It is necessary to ensure that the overall potential risk associated with those operations is not to be increased through the absence of control over hazardous substances.

Hydrofluoric acid is also stored and handled on site, and the necessity to control risk can be addressed through the imposition of a limitation of the potential risks associated with that acid to that which exists presently. The HSE has in fact proposed a condition limiting the storage of hydrofluoric acid requiring this to be stored in cages.

Since the previous representations the applicant has submitted a new flood risk assessment which raises new facts. This assessment rightly considers the storage of all hazardous substances on site, the nature and quantity of materials and identifies and assesses the potential hazardous events that would arise in the event of a flood. Central to that assessment is how the site currently operates and how the chemicals are stored. In the case of hydrofluoric acid the assessment notes:

"Concentrated 60% hydrofluoric acid is held on site in 24litre (28kg) drums for onward transportation. The material does not get removed from the packaging which is a polyethylene drum with screw cap and seal. The drums are stored in a dedicated external bunded area surrounded by steel fencing approximately six feet in height access is via a locked gateway"

The risk assessment in the flood risk assessment notes that hydrofluoric acid is classified as toxic to aquatic organisms and container failure would result in dilution by flood waters. The severity of the event is considered to be serious and the preventative measures are that the material is stored in locked caged, bunded areas.

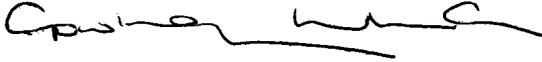
In respect of the risk of container flotation the assessment notes that hydrofluoric acid is the worst case material. The rest are diluted materials. The assessment notes Hydrofluoric acid is contained in plastic containers with lids and seals. The density is similar to that of water and it is likely that containers will float. A maximum holding of approximately three tonnes held in 28kg drums is indicated. Given the specific reference to the concentration of the acid and the size of the drums store on site these existing conditions should be secured by condition. Otherwise if the storage conditions change the conclusions of the risk assessment could also change. Clearly the greater the volume stored the greater the severity of a flood event. The approach, therefore, should be to adopt the condition put forward by the HSE for caging but also to make specific reference to the concentration and the size of the containers using the concentration and size put forward by the applicant in their application material, namely limiting the concentration of hydrofluoric acid stored to 60% and the size of the containers to 24 litre (28kg) drums.

The Environmental Agency have also previously commented on the application. In the context of protecting ground water they indicated that they had no objection to the proposal for a range of acidic and alkaline substances being stored on the site, provided appropriate containment measures are observed.

If there continues to be nervousness about imposing a condition restricting the concentration and size of drums, the Council should approach the HSE and seek agreement to the condition. The imposition of such a condition, expanding on that proposed by the HSE, is the only way to ensure that there is no overall increase in acceptable risk to local public health and safety.

Alternatively as a minimum the applicant needs to be tied to the arrangements in the flood risk assessment which indirectly ensures that the existing site arrangements set out in that assessment are observed.

Yours faithfully



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