



SCOPING OPINION:

Proposed Teddington Direct River Abstraction

Case Reference: WA010006

Adopted by the Planning Inspectorate (on behalf of the Secretary of State)
pursuant to Regulation 10 of The Infrastructure Planning (Environmental
Impact Assessment) Regulations 2017

20 November 2024

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1. INTRODUCTION

- 1.0.1 On 10 October 2024, the Planning Inspectorate (the Inspectorate) received an application for a Scoping Opinion from Thames Water Utilities Limited (the Applicant) under Regulation 10 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) for the proposed Teddington Direct River Abstraction (the Proposed Development). The Applicant notified the Secretary of State (SoS) under Regulation 8(1)(b) of those regulations that they propose to provide an Environmental Statement (ES) in respect of the Proposed Development and by virtue of Regulation 6(2)(a), the Proposed Development is 'EIA development'.
- 1.0.2 The Applicant provided the necessary information to inform a request under EIA Regulation 10(3) in the form of a Scoping Report. The Scoping Report is submitted as a main report accompanied by seven appendices (A to G), available from the following link:
- <https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/WA010006/documents>
- 1.0.3 This document is the Scoping Opinion (the Opinion) adopted by the Inspectorate on behalf of the SoS. This Opinion is made on the basis of the information provided in the Scoping Report, reflecting the Proposed Development as currently described by the Applicant. This Opinion should be read in conjunction with the Applicant's Scoping Report.
- 1.0.4 The Inspectorate has set out in the following sections of this Opinion where it has / has not agreed to scope out certain aspects / matters on the basis of the information provided as part of the Scoping Report. The Inspectorate is content that the receipt of this Scoping Opinion should not prevent the Applicant from subsequently agreeing with the relevant consultation bodies to scope such aspects / matters out of the ES, where further evidence has been provided to justify this approach. However, in order to demonstrate that the aspects / matters have been appropriately addressed, the ES should explain the reasoning for scoping them out and justify the approach taken.
- 1.0.5 Before adopting this Opinion, the Inspectorate has consulted the 'consultation bodies' listed in Appendix 1 in accordance with EIA Regulation 10(6). A list of those consultation bodies who replied within the statutory timeframe (along with copies of their comments) is provided in Appendix 2. These comments have been taken into account in the preparation of this Opinion.
- 1.0.6 The Inspectorate has published a series of advice pages, including [Advice Note 7: Environmental Impact Assessment: Preliminary Environmental Information, Screening and Scoping \(AN7\)](#). AN7 and its annexes provide guidance on EIA processes during the pre-application stages and advice to support applicants in the preparation of their ES.

- 1.0.7 Applicants should have particular regard to the standing advice in AN7, alongside other advice notes on the Planning Act 2008 (PA2008) process, available from:

<https://www.gov.uk/government/collections/national-infrastructure-planning-advice-notes>

- 1.0.8 This Opinion should not be construed as implying that the Inspectorate agrees with the information or comments provided by the Applicant in their request for an opinion from the Inspectorate. In particular, comments from the Inspectorate in this Opinion are without prejudice to any later decisions taken (e.g. on formal submission of the application) that any development identified by the Applicant is necessarily to be treated as part of a Nationally Significant Infrastructure Project (NSIP) or Associated Development or development that does not require development consent.

2. OVERARCHING COMMENTS

2.1 Description of the Proposed Development

(Scoping Report Section 2)

ID	Ref	Description	Inspectorate's comments
21.1	Section 2.2	Maximum output through pipelines	<p>The approximate maximum output of the Proposed Development is proposed to be 75 mega litres per day (Ml/d). It is stated that this would be during drought conditions, anticipated to be once in every two years and between August and November. There would be a continuous sweetening flow of approximately 15 Ml/d.</p> <p>The ES should explain what would comprise drought conditions and the basis of any assumptions made about the frequency and duration of such conditions for the purposes of assessment. The maximum output for the sweetening flow should be confirmed and an explanation as to why this volume is required. The ES should clearly define the worst case scenario allowed for within the draft Development Consent Order (dDCO) and use that as the basis for the study areas selected for assessment of effects arising from operation of the Proposed Development.</p>
212	Section 2.2	Water transferral	<p>Paragraph 2.2.1 of the Scoping Report states that the Proposed Development would intermittently supply up to a maximum of 75 Ml/d. The ES should explain the transferral of this water including whether the inflow and outflow would operate at the same time, what the flow rate of transferral would be, if there would be any changes in thermal properties and if this has potential to alter flow rates within the River Thames. This should be used to inform relevant ES aspect assessments such as terrestrial and aquatic ecology, and water environment and flood risk.</p>
213	Section 2.2	Works to existing infrastructure	<p>The Proposed Development would connect into existing infrastructure, including at Mogden Sewage Treatment Works (STW), where eg modification of storm tanks and the existing embankment is proposed. It would result in abstracted water from the River Thames being conveyed to the existing Lee Valley reservoirs via Lockwood Pumping</p>

ID	Ref	Description	Inspectorate's comments
			<p>Station. It may interact with existing flood defences on the Tidal Thames and affect future raising of flood defences, as outlined in the Thames Estuary 2100 Plan.</p> <p>The ES should identify and describe all consequential or related works to existing infrastructure and any changes to permits required, including those proposed to be delivered outside of the DCO. It should confirm the mechanism for delivering these works and status of any application(s). Any likely significant effects arising from the cumulation of the Proposed Development and such works during construction, and operation and maintenance, should be assessed in the ES. The ES should explain how any temporary construction activity would be managed to avoid or reduce effects to existing infrastructure.</p> <p>The ES should include diagrams and figures to illustrate how the different components of the Proposed Development interact with existing infrastructure, including modifications required to the existing storm tanks and embankment at Mogden STW.</p>
214	Section 2.2	Development parameters for underground pipelines	<p>The ES should confirm the final parameters (minimum and maximum dimensions) of the underground pipelines and any associated components. It should also include details of required easements for pipeline maintenance, to ensure that the likely impacts from the Proposed Development are fully understood.</p>
215	Section 2.2	Above ground infrastructure	<p>The ES should confirm the maximum number, location and final parameters (minimum and maximum dimensions) of all above ground infrastructure, such as the pumping station(s), telemetry kiosks, and any new access roads (if required). It should assess any likely significant effects from construction, and operation and maintenance of these components.</p>
216	Sections 2.2 and 2.4	Optionality	<p>The Scoping Report indicates that options remain under consideration for several components of the Proposed Development, including the connection location and construction method for intermediate shafts and the Thames Lee Tunnel (TLT), and the outfall discharge design.</p> <p>The ES should include an indication of the main reasons for the final option(s) chosen, including how environmental effects have been considered. If final options have not been</p>

ID	Ref	Description	Inspectorate's comments
			selected at the point of application, the ES should assess all remaining options and identify any measures proposed to mitigate significant adverse effects.
21.7	Paragraph 2.2.6	Works to utilities	Paragraph 2.2.6 of the Scoping Report states that the EIA scoping boundary is sufficient to include any expected works to utilities. The ES should provide a clear description of the physical characteristics of all elements of the Proposed Development, including any necessary removals, diversions, modifications or upgrades of existing utilities, so that the likely significant effects from their construction and operation can be ascertained.
21.8	Paragraphs 2.2.12 and 2.2.18	Ancillary infrastructure	The Scoping Report refers to ancillary infrastructure associated with the proposed tertiary treatment plant (TTP) at Mogden STW but does not fully describe what this would comprise. The ES should include a description of all proposed ancillary infrastructure.
21.9	Paragraph 2.2.13 and Figure 2.5	Existing wastewater discharge	The Scoping Report states that existing wastewater is discharged at an outfall location within the Tideway and that the Proposed Development would treat this effluent to a higher water quality to discharge at the proposed Teddington outfall. The ES should describe the existing discharge process, including the volume of wastewater discharged, and how the Proposed Development would affect that process including any reduction in discharge at the existing outfall. It should identify and describe any consequential changes to existing permits required and the status of the related process. The ES should assess any likely significant effects arising from changes to the existing wastewater discharge process.
21.10	Table 2.2	Commissioning and performance testing	The indicative construction programme shows a period of commissioning and performance testing between Q4 2031 and Q4 2032. The ES should describe the activities and works required as part of this phase of the Proposed Development, and it should assess any likely significant effects that could occur.
21.11	Paragraph 2.2.39	Construction days and hours	The ES should confirm what construction days and hours have been assumed in the assessments and how these would be secured in the dDCO. This should include a description of the proposed standard construction working hours and itemised hours in respect of any activity proposed outside of the standard hours. Effort should be made to agree the proposed construction hours with the host local authorities; if these are not

ID	Ref	Description	Inspectorate's comments
			agreed, the ES should explain the implications for the assessment conclusions if alternative construction hours were to be adopted.
21.12	Section 2.4	Construction transport modes	The Scoping Report states that access for material delivery and construction workers could be via several different modes, including rail (railhead for construction material), river and road. The ES should describe the predicted number of movements, proposed routes and any works proposed to existing infrastructure and access points to facilitate construction for each mode. Where the split between modes is not known, the ES should set out parameters representing the worst case. Any likely significant effects resulting from their use should be assessed. Any assumptions, for instance in relation to the volume of tunnel arising to be removed from the Mogden STW, should be explained.
21.13	Paragraph 2.4.6	Cofferdams	Paragraph 2.4.6 of the Scoping Report states that cofferdams may be required for construction works in the River Thames. Relevant parameters for cofferdams, including the maximum number and dimensions, should be described in the ES. Any likely significant effects associated with use of cofferdams should be assessed in the relevant ES chapters eg impacts to flood risk, ecology etc.
21.14	Paragraph 2.4.10	Abnormal indivisible loads (AILs)	The ES should confirm the predicted number and route of AILs that would be required for construction, together with any highway works required to facilitate the movements. Any likely significant effects resulting from AILs should be assessed.
21.15	Chapter 3	Alternatives	<p>Chapter 3 of the Scoping Report provides information about alternatives assessed during the development of the project to date, including identification of the maximum potential output of the scheme based on assessment of size increments (from 50MI/d up to 150MI/d) as part of the Regulator's Alliance for Progressing Infrastructure Development (RAPID) gated process. Reference is made to reports produced as part of this process; the Inspectorate advises that relevant reports should be submitted as part of the ES.</p> <p>The Inspectorate would expect to see a discrete section in the ES that provides details of the reasonable alternatives studied and the reasoning for the selection of the chosen option(s), including a comparison of the environmental effects.</p>

ID	Ref	Description	Inspectorate's comments
21.16	Section 5.6	Flexibility	<p>The Inspectorate notes the Applicant's desire to incorporate flexibility into their dDCO and its intention to apply a 'Rochdale Envelope' approach for this purpose.</p> <p>The development parameters, and any limits of deviation, defined in the dDCO should be consistent with those assessed in the ES.</p> <p>It is a matter for the Applicant, in preparing an ES, to consider whether it is possible to robustly assess a range of impacts resulting from many undecided parameters. The description of the Proposed Development in the ES must not be so wide that it is insufficiently certain to comply with the requirements of Regulation 14 of the EIA Regulations.</p>
21.17	n/a	Demolition	<p>The ES should include a description of any demolition works required to facilitate construction of the Proposed Development. Any likely significant effects resulting from demolition works should be assessed.</p>
21.18	n/a	Residues and emissions	<p>The ES should include an estimate of expected residues and emissions produced during the construction, and operation and maintenance of the Proposed Development. It should confirm the predicted volume of soil excavated from the shaft and pipeline components and the likely residues and emissions from the water recycling process (if any), and how these would be managed or disposed of. Any likely significant effects arising from these matters should be assessed in the ES.</p>
21.19	n/a	Natural resources	<p>The ES should include a description of the nature and quantity of natural resources proposed to be used during construction, and operation and maintenance, including:</p> <ul style="list-style-type: none"> ▪ Any additional water supply required (including for concrete production), including the predicted volume and source. ▪ Substances required for the water recycling processes, including the predicted volume and source of supply. ▪ Energy requirements for the operation of the TTP and effluent pumping station(s), including the predicted demand and source.

ID	Ref	Description	Inspectorate's comments
			Any likely significant effects arising from these matters should be assessed in the ES.
2120	n/a	External lighting	<p>The ES should describe the location and design of any external lighting required during construction, and operation and maintenance, including along construction working widths and at construction compounds. Any likely significant effects should be assessed.</p> <p>The design standards that any additional lighting required during construction and operation will be required to meet should also be described in the ES, including any measures incorporated to avoid intrusive lighting impacts for sensitive receptors.</p>
2121	n/a	Water quality failure event	The Scoping Report does not describe whether there is potential for a water quality failure event arising from the Proposed Development, or what measures would be in place if the recycled water did not meet the required environmental standard. The ES should confirm if such an event is possible and, if so, assess any likely significant effects that could occur and identify mitigation as relevant.
2122	n/a	Construction compounds	The ES should describe what parameters have been used in the assessment for temporary site compounds, including the total number, locations, dimensions of any buildings and parking numbers.
2123	n/a	Public rights of way (PRoW)	The ES should describe any proposed PRoW diversions, including the expected length and duration of diversion, and any temporary or permanent changes proposed to existing PRoWs, including towpaths. Any likely significant effects arising from PRoW diversions or changes should be assessed. The ES should set out the measures proposed to manage diversions or mitigate changes and confirm how these would be secured in the DCO.

2.2 EIA Methodology and Scope of Assessment

(Scoping Report Section 5)

ID	Ref	Description	Inspectorate's comments
221	Paragraphs 1.5.12 and 1.5.13	Project need	<p>The Scoping Report describes the need for the Proposed Development by reference to information in the Water Resource Management Plan and National Policy Statement (NPS) for Water Resources Infrastructure. It is stated that it is not expected that the EIA would set out the need for the Proposed Development.</p> <p>The Inspectorate is content with this approach but advises that project need should be explained in other relevant DCO application documents.</p>
222	Paragraph 2.2.6	Refinement of EIA scoping boundary	<p>The Scoping Report states that the boundary used for scoping is larger in some locations than may ultimately be required and would be refined as design and assessment progresses. The Applicant's attention is drawn to the comments of London Borough of Hounslow (Appendix 2 of this Opinion) regarding flexibility of the scoping boundary to accommodate design refinements, ie potential that the final DCO boundary might need to be larger than the scoping boundary. The ES should include an explanation of any changes made following scoping, including how environmental effects have been considered in finalising the Order limits.</p>
223	Table 3.1	Embedded measures	<p>The Scoping Report summarises several proposed embedded measures, which it states would design out potential effects. Only measures which are a firm commitment and can be shown to be deliverable should be taken into account in the assessment. The DCO application should set out how embedded measures proposed in the ES are secured.</p>
224	Paragraph 5.2.6	Transboundary	<p>The Inspectorate on behalf of the SoS has considered the Proposed Development and concludes that the Proposed Development is unlikely to have a significant effect either alone or cumulatively on the environment in a European Economic Area State. In reaching this conclusion the Inspectorate has identified and considered the Proposed</p>

ID	Ref	Description	Inspectorate's comments
			<p>Development's likely impacts including consideration of potential pathways and the extent, magnitude, probability, duration, frequency and reversibility of the impacts.</p> <p>The Inspectorate considers that the likelihood of transboundary effects resulting from the Proposed Development is so low that it does not warrant the issue of a detailed transboundary screening. However, this position will remain under review and will have regard to any new or materially different information coming to light which may alter that decision.</p> <p>Note: The SoS' duty under Regulation 32 of the 2017 EIA Regulations continues throughout the application process.</p> <p>The Inspectorate's screening of transboundary issues is based on the relevant considerations specified in the Annex to its Advice Page 'Nationally Significant Infrastructure Projects: Advice on Transboundary Impacts and Process', links for which can be found in paragraph 1.0.7 above.</p>
225	Paragraph 5.3.3	Equality Impact Assessment (EqIA)	<p>The Scoping Report states that equality effects would be considered in a separate EqIA (outside of the EIA) where significant impacts are identified at EqIA screening stage. The Inspectorate is content with this approach but advises that the ES should summarise the outcome of the EqIA screening where no significant effects are concluded, and explain the implications of this for ES assessment of human health and socio-economic effects.</p>
226	Paragraph 5.3.4	Downstream effects	<p>The Scoping Report states that the recent judgment in Finch v Surrey County Council [2024] UKSC 20 has been considered in setting out the proposed scope and method for each aspect. Scoping Report section 15 does not refer specifically to indirect effects from downstream greenhouse gas (GHG) emissions. The ES should confirm if the Proposed Development could give rise to any significant indirect effects from downstream GHG emissions, and provide an assessment where this is the case, or otherwise explain why such effects are not likely.</p>
227	Section 5.6	Decommissioning effects	<p>The Scoping Report seeks to scope out decommissioning effects on the basis that the Proposed Development will be operated indefinitely. It is stated that the ES would assess</p>

ID	Ref	Description	Inspectorate's comments
			<p>effects associated with the dismantling and replacing of equipment as part of the operational phase.</p> <p>The Inspectorate agrees that decommissioning effects can be scoped out of the ES on the basis set out in the Scoping Report.</p> <p>The Inspectorate advises that the ES project description should clearly set out the predicted requirements and timescales for dismantling and replacement of equipment during operation, including the process and methods, and any land use requirements. Where this information is not known, parameters representing a worst-case scenario should be provided. The ES should assess any likely significant effects arising from this activity (even where it is otherwise agreed in this Opinion) that operational phase effects can be scoped out). Any measures required to mitigate significant adverse effects from such activity should be described and demonstrably secured in the DCO.</p>
228	Paragraph 5.11.1	Monitoring of significant adverse effects	The Inspectorate welcomes the Applicant's commitment to setting out clear and proportionate objectives for monitoring, where required, in the ES. It should also be clear how any monitoring and remedial action would be secured in the DCO.
229	Appendices E and F	Habitats Regulations Assessment (HRA) and Water Framework Directive (WFD) screening	The Inspectorate notes that these draft screening reports are provided as appendices to the Scoping Report. As these reports relate to assessments that sit outside of the EIA process and to which this Opinion relates, the Inspectorate has not commented on these reports.
2210	n/a	Discrepancies between section discussions and scoping summary tables	There are discrepancies between the section discussions and scoping summary tables. For example, Scoping Report paragraph 10.4.31 proposes to scope out impacts during construction on the River Crane and Whitton Brook for aquatic ecology, however, this is not included in the summary table at the end of the section and there is no discussion on impacts during operation.

ID	Ref	Description	Inspectorate's comments
			The ES should ensure that tables summarising or concluding on textual discussion are appropriately cross referencing and addressing all relevant matters within the discussion.
2211	n/a	Figures	The Inspectorate notes that some figures embedded in the Scoping Report are at low resolution and not fully legible. Figures in the ES should be clearly legible and should include labelling of features as relevant.
2212	n/a	Road traffic conditions on event days	Section 18.4 of the Scoping Report describes the existing traffic baseline and the proposed data collection to inform assessment. The Inspectorate advises that the ES should explain the potential for construction traffic movements to overlap with road traffic conditions affected by events at the Allianz Stadium, Twickenham Stoop and the Great River Race. Where this could occur, the traffic assessment and any assessments that use traffic data, including air quality and noise, should consider the combined effects as part of the assessment including adjustment for low speed.
2213	n/a	Code of construction practice (CoCP)	The Scoping Report refers to a CoCP. The Inspectorate advises that an outline CoCP should be submitted with the ES. It should incorporate a dewatering management plan if dewatering is required.

3. ENVIRONMENTAL ASPECT COMMENTS

3.1 Air Quality

(Scoping Report Section 6)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
31.1	Paragraphs 6.5.7, 6.5.8 and 6.5.10 and Table 6.5	Odour impacts – all phases	<p>It is proposed to scope out odour impacts on human receptors during construction and operation on the basis that the impacts are anticipated to not be significant. An odour risk assessment has been provided at Appendix D of the Scoping Report, which determines that addition of the Proposed Development at Mogden STW during operation would not be significant based on outline design information and sniffing assessments carried out at Thames Water's Benson STW.</p> <p>Limited details provided regarding the potential for odour to be released from historic landfill sites during construction. The Inspectorate considers that there is insufficient detail about how the proposed construction works and operational development would interact with the existing Mogden STW (including any existing permits) to confirm the absence of likely significant effects. The Applicant's attention is drawn to ID 2.1.3 of this Opinion. On this basis, the Inspectorate is not able to agree to scope this matter out of the ES at this stage. An assessment should be provided unless it can be demonstrated that significant effects would not occur, with evidence of agreement from relevant consultation bodies. The final odour risk assessment, together with details of odour surveys should be provided within the ES.</p>
31.2	Paragraph 6.5.9 and Table 6.5	Vehicle exhaust emission impacts - operation	<p>The Scoping Report states that as the number of HGV movements per day during operation is anticipated to be less than 25, this would be deemed negligible in accordance with Institute of Air Quality Management (IAQM) guidance applicable to Air Quality Management Areas (AQMAs). It is proposed to scope this matter out of the ES.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			The Inspectorate agrees that providing operational traffic flows, inclusive of light duty vehicles (LDV) and HGVs, are confirmed as being less than the IAQM criteria for detailed assessment, this matter can be scoped out.

ID	Ref	Description	Inspectorate's comments
313	Table 6.2	Methodology and baseline data collection	Effort should be made to agree the extent of the study are with relevant consultation bodies, including the local authorities; evidence of any agreement reached should be included within the ES. The Applicant's attention is drawn to the responses provided by London Boroughs of Hounslow and Richmond upon Thames, and Royal Borough of Kingston upon Thames (Appendix 2 of this Opinion), in which additional sensitive receptors are identified. These receptors should be considered in the assessment or the ES should otherwise explain why significant effects are not likely to those receptors.
314	Paragraphs 6.4.8 and 6.4.13	Baseline data collection	<p>It is proposed to use local authority monitoring data, data from the London Air Quality Monitoring Network and Defra background mapping to establish the air quality baseline. No project specific baseline monitoring is proposed.</p> <p>The Inspectorate considers that this is an acceptable approach given the nature of the Proposed Development and availability of other data sources but advises that the ES should explain how the baseline for impacts in the vicinity of Ham Lands, Burnell, Broom Water and Tudor Drive is to established in the absence of nearby monitoring points. The ES should explain what approach was taken to use of baseline data affected by restrictions during the Covid-19 pandemic. Reference should be made to relevant guidance and any agreement reached with consultation bodies.</p> <p>The Inspectorate advises that data available from the Air Pollution Information System (APIS) for background air quality at designated nature conservation sites should be used where relevant.</p>

3.2 Noise and Vibration

(Scoping Report Section 7)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
321	Table 7.13	Vibration from the pumping stations and outfall structure - operation	The Scoping Report states that there is expected to be limited operational vibration from the pumping stations and outfall structure. Further details are required regarding how this would be appropriately mitigated, and agreement of this approach is required with the relevant consultation bodies. Until these details are provided and agreed, the Inspectorate is unable to scope this matter out.
322	Table 7.13	Noise and vibration from the flow of water within the underground tunnel and pipeline - operation	It is proposed to scope out this matter on the basis that the water will be flowing underground and therefore not perceptible to receptors. The Inspectorate is content to scope this matter out on that basis but advises that any measures required to ensure smooth flow should be described in the ES and demonstrably secured in the DCO.
323	Table 7.13	Noise during emergency conditions - operation	<p>The Scoping Report states that typical emergency conditions would occur infrequently and where testing of equipment can be scheduled, it would be undertaken during the daytime and occur for a short period of time. It seeks to scope this matter out on that basis.</p> <p>The Inspectorate considers that significant effects are unlikely to occur in relation to this matter based on the information presented but advises that an indicative schedule of typical and planned emergency conditions should be included within the ES to confirm the assumptions listed in the Scoping Report. On that basis, the Inspectorate is agreeable to scope this matter out.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
324	Table 7.13	Road traffic noise - operation	The Scoping Report proposes to scope out impacts from road traffic noise due to minimal traffic being anticipated during operation. Paragraph 6.5.9 of the Scoping Report provides an indication of the expected vehicle movements. The Inspectorate agrees to scope this matter out on the basis presented.

ID	Ref	Description	Inspectorate's comments
325	Paragraphs 7.4.6 and 7.4.7	Construction river traffic noise study area	The Applicant should make effort to agree the study area with the relevant consultation bodies in the absence of specific guidance and is encouraged to consider a wider study area due to the potential lower background noise levels on the river. Equally, the river freight movements should be explored further in relation to vibration effects in comparison with the existing baseline levels on the river. The Inspectorate advises that this should be discussed with the relevant consultation bodies.
326	Paragraph 7.4.8	Operational noise study area	Effort should be made to agree the study area with the relevant consultation bodies, including consideration of any general guidance that might be of relevance. The ES should describe how the final study area has been defined taking into consideration the predicted operational noise levels against the baseline noise levels.
327	Paragraph 7.4.15	Baseline vibration levels	The Inspectorate is content that an absolute criterion (ie negligible or zero vibration) is proposed for the baseline in locations where no appreciable level of vibration exists. For locations where a change-based criteria is used, the ES should explain with reference to relevant guidance how the baseline has been established. Consideration should be given to the need for a baseline vibration survey in these locations. Effort should be made to agree the approach for these locations with relevant consultation bodies.

ID	Ref	Description	Inspectorate's comments
328	Paragraph 7.6.25	Vibration calculations	Where assumptions or precedent are used to calculate suitable vibration limitations, effort should be made to agree these in advance with the relevant consultation bodies and this should be justified in the ES.
329	n/a	Receptors	The Applicant's attention is drawn to the response provided by London Borough of Richmond upon Thames (Appendix 2 of this Opinion), in which additional sensitive receptors are identified. These should be considered in the assessment or the ES should otherwise explain why significant effects are not likely to those receptors.
3210	n/a	Operational noise assessment	The Applicant's attention is drawn to the response provided by London Borough of Richmond upon Thames and Royal Borough of Kingston upon Thames (Appendix 2 of this Opinion), in which it is noted that dependent on the technology type selected for the TTP large transformers could be required and low frequency noise is possible. The scope of the operational phase noise assessment should include consideration of these matters.

3.3 Historic Environment

(Scoping Report Section 8)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
33.1	Paragraph 8.5.6	Effects to archaeological remains from construction of the tunnel - construction	<p>The Scoping Report states that the proposed recycled water conveyance tunnel would be bored at a depth of 20m to 30m for most of the route, which would be below the depth of any surviving archaeological deposits within the archaeologically sterile London Clay.</p> <p>Noting that effects to archaeological remains within Archaeological Potential Areas (APAs) are proposed to be scoped in for other construction activities including installation of the shafts, and on the basis that the tunnel would be bored at the depth specified in the Scoping Report, the Inspectorate agrees that this matter can be scoped out of the ES.</p>
33.2	Paragraph 8.5.7	Effects on above ground heritage assets from tunnelling works - construction	<p>The Scoping Report states that potential land stability issues would be investigated as part of the ground investigation and presented in a Ground Investigation Report to be summarised in the ES, but that no significant effects on heritage assets on the surface are expected because of tunnelling. It seeks to scope this matter out.</p> <p>In the absence of detailed evidence regarding land stability and noting that the scoping boundary includes several listed buildings, under which the proposed tunnel would run, the Inspectorate is not able to agree to scope this matter out at this stage. The ES should assess impacts on above ground heritage assets within the tunnel route study area unless robust justification is provided to demonstrate that significant effects are unlikely to occur. Agreement should be sought with the relevant statutory consultation bodies.</p>
33.3	Paragraph 8.5.9 and Table 8.4	Effects to non-designated archaeological remains - operation	<p>The Scoping Report proposes to scope out this matter on the basis that further effects following construction are unlikely. No evidence has been provided to support this and the extent of impacts during operation are currently unknown. Due to the lack of justification, the Inspectorate does not agree to scope this matter out. The ES should assess impacts on non-designated archaeological remains during operation unless robust justification is</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			provided to demonstrate that significant effects are unlikely to occur. Agreement on this matter should be sought with the relevant statutory consultation bodies.
334	Paragraph 8.5.9	Effects to the setting of designated heritage assets from below-ground components - operation	<p>The Scoping Report states that it is unlikely that the tunnels and pipeline would have any effect on the setting of designated heritage assets once constructed and seeks to scope this matter out of the ES.</p> <p>The Inspectorate considers it is unlikely that the presence of below-ground components would result in significant effects to the setting of above ground designated heritage assets and agrees that this matter can be scoped out of the assessment. However, the ES should also describe any operational maintenance or repair proposed for below-ground components and confirm if this activity could affect the setting of above-ground designated heritage assets. Where significant effects are likely, the ES should provide an assessment and identify mitigation as relevant. The Inspectorate's comments at ID 2.2.7 of this Opinion are relevant to this matter.</p>
335	Table 8.4	Effects to designated heritage assets near to Mogden STW – all phases	<p>The Scoping Report seeks to scope this matter out for construction on the basis that the existing embankments and vegetation at Mogden STW would provide screening and that no change to setting is predicted as a result. No justification is provided for the operational phase of the Proposed Development.</p> <p>Noting the proximity of three Grade II listed buildings to Mogden STW as shown on Plan 8.1 (Appendix A of the Scoping Report) and in the absence of final details of the infrastructure proposed, the changes that might be needed to the embankment and the predicted extent of visibility, the Inspectorate does not agree to scope these matters out. The ES should assess setting effects to designated heritage assets within the final study area for Mogden STW during construction and operation unless robust justification is provided to demonstrate that significant effects are unlikely to occur, with evidence of agreement with the relevant statutory consultation bodies.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			The ES should also describe if there is potential for any physical effects to designated heritage assets within the final study area eg from vibration associated with piling or traffic movements, and dust.
336	Table 8.4	Setting effects to Ham Common and Parkleys Estate Conservation Areas and associated listed buildings - construction	<p>The Scoping Report seeks to scope out setting effects to these receptors from temporary change during construction activity at Burnell Avenue, Northweald Lane and Tudor Drive. It is stated that distance and screening by intervening buildings would result in no significant change to the setting of the assets.</p> <p>The Inspectorate is content that this matter can be scoped out on the basis described in the Scoping Report.</p>
337	Table 8.4	Effects to identified designated heritage assets from the presence of infrastructure at Ham Playing Fields and Ham Street Car Park - operation	<p>The Scoping Report seeks to scope out effects to the listed receptors based on the scale of the permanent infrastructure proposed in this location, described as a small partially buried shaft hatch. Figure 2.11 of the Scoping Report is a photograph of a typical shaft access hatch.</p> <ul style="list-style-type: none"> ▪ Ham House Grade II* registered park and garden (setting change); ▪ Ham House Conservation Area and associated listed buildings (setting change and physical change to conservation area); and ▪ Twickenham Riverside Conservation Area (setting change). <p>On the basis described in the Scoping Report, the Inspectorate agrees that significant effects are unlikely and is content for this matter to be scoped out of further assessment.</p>
338	Table 8.4	Effects to Ham Fields and Ham House APAs from the presence of infrastructure at Ham Playing Fields and	The Scoping Report seeks to scope this matter out on the same basis as described at ID 3.3.7 of this Opinion. The Inspectorate notes that paragraph 8.4.17 of the Scoping Report describes Ham Fields APA as having high potential to contain multi-period archaeological remains and that further archaeological assessment is proposed to inform the baseline (Table 8.4). The Inspectorate does not consider that the justification presented addresses the potential for the presence of below-ground infrastructure to affect the APAs during operation. In the absence of this detail and a full understanding of the baseline, it is

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		Ham Street Car Park - operation	unclear if significant effects could arise. This matter should be assessed in the ES unless robust justification is provided to demonstrate that significant effects are unlikely to occur. Agreement should be sought with the relevant consultation bodies.
33.9	Table 8.4	Setting effects to Ham Common and Parkleys Estate Conservation Areas and associated listed buildings due to infrastructure at Burnell Avenue and Tudor Drive - operation	<p>The Scoping Report seeks to scope out setting effects to these receptors due to the presence of the outfall and intake at Burnell Avenue and TLT connection shaft at Tudor Drive based on distance and screening by intervening buildings.</p> <p>Based on the nature and scale of the relevant project components as described in Section 2 of the Scoping Report, including images at Figures 2.8 and 2.10, the Inspectorate considers it unlikely there would be a significant setting effect during operation to assets that are more distant than the Riverside North and Teddington Lock Conservation Areas and is content for this matter to be scoped out of further assessment.</p>
33.10	Table 8.4	Effects to Riverside North and Teddington Lock Conservation Areas, and Ham Common and Parkleys Estate Conservation Area and associated listed buildings due to infrastructure at Burnell Avenue and Northweald Lane - operation	<p>The Scoping Report seeks to scope out effects from change to setting and development within the conservation areas due to presence of the shafts at Burnell Avenue and TLT connection at Northweald Lane based on the scale of the permanent infrastructure, described as a small partially buried shaft hatch. Figure 2.11 of the Scoping Report is a photograph of a typical shaft access hatch.</p> <p>On the basis described in the Scoping Report, the Inspectorate agrees that significant effects are unlikely and is content for this matter to be scoped out of further assessment.</p>

ID	Ref	Description	Inspectorate's comments
33.11	Paragraphs 8.4.1 to 8.4.4	Study area	<p>The Scoping Report applies a 500m study area around key above ground infrastructure sites, stating that this is appropriate to capture all heritage assets that could be affected and a sufficient sample to assess potential for previously unknown archaeological assets. It is stated that the study area does not extend around tunnelled elements as there is limited potential for impacts due to the proposed tunnel depth and that tunnelling would be through London Clay, which has no archaeological interest or potential. The Inspectorate advises that a study of available borehole data should be undertaken in the desk-based assessment to establish confidence in the assumption.</p> <p>The Inspectorate notes from Scoping Report, section 12 that it is not proposed to produce a zone of theoretical visibility (ZTV) model but that a 2.5km study area from the scoping boundary has been proposed for townscape and visual receptors, with effects unlikely beyond 1km due to the nature of the Proposed Development. As such, the Inspectorate is unclear how the 500m study area has been determined for above ground heritage assets. The ES should establish the study area with reference to the extent of the likely impacts and informed by fieldwork and the likely zone of visibility. Effort should be made to agree this study area with relevant consultation bodies.</p>
33.12	Section 8.4	Baseline data	<p>The Inspectorate advises that the assessment must be undertaken from a robust baseline and that consideration should be given to the need for site investigation including geophysical survey, a geo-archaeological deposit model and trial trenching to inform the EIA. This should be informed by the conclusions of the archaeological desk-based assessment. Effort should be made to agree the scope of the desk-based assessment and any subsequent survey work with relevant consultation bodies and this should be evidenced in the ES.</p>
33.13	Section 8.4	Receptors and baseline data	<p>The Scoping Report includes a broad description of heritage assets within the study area but does not present detailed information about their significance. The Inspectorate advises that this information should be presented in the ES for all receptors scoped into the assessment.</p>

ID	Ref	Description	Inspectorate's comments
33.14	Table 8.2	Criteria for determining importance of historical receptors	It is proposed that conservation areas with buildings that contribute significantly to their historic character and potentially some Grade II listed buildings are assigned a sensitivity of medium. The Inspectorate advises that, in recognition of their national designation, a high value should be assigned to these assets, or justification, by reference to relevant guidance and agreement with relevant consultation bodies, should be provided in the ES as to why a medium value is appropriate.
33.15	Section 8.7	Mitigation	It is stated that mitigation proposals would be established in consultation with relevant consultation bodies but limited information is presented about what these would comprise. The ES should describe mitigation proposed for any significant adverse effects concluded and confirm how it would be secured in the DCO.
33.16	Table 8.4	Receptors	The Inspectorate considers that there is potential for significant effects to the setting of the Grade II* Marble Hill Registered Park and Garden, Grade II Teddington footbridge and Broom Water Conservation Area during the construction phase of the Proposed Development. These heritage assets should be considered for the relevant impact pathways scoped into the ES, as set out in Table 8.4 of the Scoping Report. The Applicant's attention is drawn to the comments of Historic England and London Borough of Richmond upon Thames (Appendix 2 of this Opinion).
33.17	Plans 2.1 and 8.1 (Appendix A)	Figures	Figures in the ES should include labelling of heritage assets to aid understanding.
33.18	n/a	Non-designated above ground heritage assets	The ES should confirm if there are any non-designated or locally listed buildings within the study area and indicate their location on a plan. Where significant effects are likely to any assets identified, these should be assessed in the ES. The Applicant's attention is drawn to the comments of Historic England and London Borough of Richmond upon Thames (Appendix 2 of this Opinion).

3.4 Terrestrial Ecology

(Scoping Report Section 9)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
34.1	Table 9.6	Impacts from pollution and Invasive Non-Native Species (INNS) on species	Impacts from pollution and INNS on species are not addressed in Scoping Report Table 9.6 without explanation. This is also not captured in the assessment on Aquatic Ecology. The ES should assess associated significant effects on species as well as habitats, where they are likely to occur.
34.2	Paragraph 9.4.6	Impacts from activity associated with the tunnelled conveyance route – all phases	The Scoping Report states that above ground works are the only element of the Proposed Development with potential implications on terrestrial ecology. The Inspectorate agrees that impacts associated with the tunnelled conveyance route can be scoped out on the basis presented in the Scoping Report.
34.3	Paragraph 9.4.12 and Table 9.6	Ancient Woodland – all phases	The Inspectorate agrees this receptor can be scoped out on the basis that no ancient woodland is identified within the study area.
34.4	Paragraph 9.4.12 and Table 9.6	Ancient and veteran trees – all phases	The Inspectorate agrees this receptor can be scoped out on the basis that the ancient and veteran trees identified in the scoping boundary are not within the zone of influence of the above ground works.
34.5	Paragraph 9.5.3 and Table 9.6	Great Crested Newts (GCN) – all phases	The Inspectorate agrees that this matter can be scoped out on the basis that there are no suitable waterbodies for GCNs located within the study area.
34.6	Paragraph 9.5.4 and	Water vole – all phases	The Inspectorate does not agree to scope out impacts to water vole. The proposed study area for protected and notable species set out in Table 9.3 is 2km whereas the justification for scoping water vole out of further assessment is that no supporting habitat for water vole

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
	Tables 9.6 and 13.10		<p>is identified around the Burnell Avenue site where above ground works are proposed. The extent of the Burnell Avenue site is not defined and impacts such as pollution and INNS have not been taken into consideration (please see ID 3.4.1 of this Opinion).</p> <p>The ES should define an appropriate study area based on the zone of influence to water vole and assess any significant effects where they are likely to occur. This should include potential impacts from INNS and pollution where relevant.</p>
34.7	Paragraph 9.5.10	Impacts from flow regime changes on otter - operation	<p>Impacts from changes in flow regime are anticipated to be infrequent, with Scoping Report paragraph 2.2.1 stating that modelling scenarios indicate the Proposed Development would typically be in operation on average once in every two years, transferring 75 Ml/d at times of low flows (each for abstraction and importation of recycled water).</p> <p>The Scoping Report identifies that otters are highly adaptable and the Inspectorate agrees that on this basis, impacts from flow regime changes on otter may be scoped out. However, this matter should be scoped in for other riverine receptors such as water vole where significant effects are likely to occur.</p>
34.8	Paragraph 9.5.11 and 9.5.12	Impacts on all terrestrial ecology receptors - operation	<p>Maintenance is anticipated to require minimal lighting and noise disturbance due to operating infrequently and in areas of existing high levels of disturbance. Maintenance is described in Scoping Report section 2.3 as located at the TTP, the recycled water tunnel and shafts and the intake and outfall connections. On this basis, the Inspectorate agrees that this matter can be scoped out.</p>
34.9	Table 9.8	Impacts from temporary habitat loss on habitats and species at the Tudor Drive TLT connection shaft - construction	<p>The Scoping Report seeks to scope this matter out as the site is urban, habitats present are for amenity purposes, and include non-native species of low biodiversity value, and the potential for protected species is low.</p> <p>The Inspectorate agrees that this matter can be scoped out on the basis presented but advises that the ES should confirm the assumptions with evidence from the updated preliminary ecological assessment as proposed in Scoping Report paragraph 9.4.4.</p>

ID	Ref	Description	Inspectorate's comments
34.10	Paragraph 9.5.7 and Table 9.8	Permanent habitat loss	Construction impacts identified in Scoping Report paragraph 9.5.7 include permanent habitat loss. In Table 9.8 habitat loss during construction for the Mogden STW Western Work Area is only identified as temporary but it is identified as permanent for Mogden STW Eastern Work Area. The ES should explain why habitat loss is only temporary for the Western area or assess habitat loss as a permanent effect.
34.11	n/a	Preliminary ecological appraisal (PEA)	The Applicant should make effort to agree the location and extent of updated surveys for PEA with relevant consultation bodies. Coverage should include any offsite locations required eg for mitigation identified in the ES.
34.12	n/a	Confidential annexes	Public bodies have a responsibility to avoid releasing environmental information that could bring about harm to sensitive or vulnerable ecological features. Specific survey and assessment data relating to the presence and locations of species such as badgers, rare birds and plants that could be subject to disturbance, damage, persecution, or commercial exploitation resulting from publication of the information, should be provided in the ES as a confidential annex. All other assessment information should be included in an ES chapter, as normal, with a placeholder explaining that a confidential annex has been submitted to the Inspectorate and may be made available subject to request.
34.13	n/a	Protected species	The Applicant's attention is drawn to the comments of London Borough of Richmond upon Thames (Appendix 2 of this Opinion) regarding additional protected species in the study area, including two lipped door snail. The ES should include an assessment of likely significant effects to this species, or otherwise explain with reference to relevant guidance why these are not likely to occur.

3.5 Aquatic Ecology

(Scoping Report Section 10)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
351	Paragraph 10.4.8	Lockwood Pumping Station, impacts to associated reservoir ecology - operation	<p>The Scoping Report states that water quality at Teddington is like that of the current TLT abstraction location and, when operational, abstracted water from the Proposed Development would form only a portion of the water in the TLT, mixed with abstracted water from Hampton on the River Thames. It seeks to scope out change in water quality from water at Lockwood Pumping Station as an impact pathway to effects on aquatic ecology in the reservoirs as there is low risk of significant change on that basis.</p> <p>Based on information in the Scoping Report, the Inspectorate agrees that there would be no pathways to effect and that this matter can be scoped out of further assessment.</p>
352	Paragraph 10.4.31	Statutory and non-statutory designated sites (River Crane and Whitton Brook) – all phases	<p>Scoping Report paragraph 10.4.31 states that although these waterbodies are in the study area, no construction works are proposed that would have hydrological connection to them. It is not stated as to whether this matter is proposed to be scoped out during operation.</p> <p>The Inspectorate agrees based on no hydrological connectivity between the Proposed Development and the waterbodies that impacts during operation can be scoped out of further assessment. However, for the reasons stated at ID 3.5.6 of this Opinion, the Inspectorate does not agree to scope this matter out for construction.</p>
353	Table 10.4	Impacts to wetland features of Ham Lands Local Nature Reserve	<p>The Inspectorate agrees that this matter can be scoped out on the basis that it will be assessed in the ES terrestrial ecology Chapter.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
354	Paragraph 2.2.3 and Table 10.7	Impacts from the intermediate shaft and Northweald Lane site on phytoplankton, phytobenthos, (diatoms), macroinvertebrates, fish, macrophytes, macroalgae, protected and notable species, INNS, habitats and priority habitats and statutory and non-statutory designated sites - operation	<p>The Scoping Report seeks to scope out impacts to these receptors as no operational activities at these locations would be linked to the water environment. During operation the intermediate shaft would be used for inspection.</p> <p>On this basis, the Inspectorate agrees that there would be no pathway for effect during operation and agrees that this matter can be scoped out.</p>
355	Table 10.7	Impacts at the TLT connection shaft and Mogden STW on phytoplankton, phytobenthos, (diatoms), macroinvertebrates, fish, macrophytes, macroalgae, protected and notable species,	<p>Considering the nature of activities associated with construction and operation of the Proposed Development at these sites, and the lack of hydraulic connection, the Inspectorate agrees there would be no pathways to significant effects and that these matters can be scoped out of the ES.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		INNS, habitats and priority habitats and statutory and non-statutory designated sites – all phases	
356	Table 10.7	Impacts from the conveyance tunnel on all identified aquatic receptors – all phases	The Inspectorate disagrees that there would be no pathway for effect during construction as additional noise and vibration and potential pollution from increased runoff may be introduced where the River Crane and Whitton Brook cross the River Thames. On this basis, the Inspectorate considers that this matter should be scoped in and the ES should include an assessment of significant effects where they are likely to occur.
357	Paragraph 10.4.38	In-combination effects from the Proposed Development and climate change on aquatic ecology receptors	The Inspectorate considers no evidence has been provided to substantiate that there would be no difference to the impact of climate change in isolation or in combination with the Proposed Development given that it would include potential changes in water properties eg temperature increases from discharge. On this basis, the Inspectorate considers that this matter should be scoped in and the ES should include an assessment of significant effects where they are likely to occur.

ID	Ref	Description	Inspectorate's comments
358	Paragraphs 10.4.1 to 10.4.7	Study areas	<p>The Scoping Report identifies two overlapping study areas for assessment of aquatic ecology. These are 2km from the scoping boundary and 2km upstream and downstream of the proposed intake and outfall at Teddington Weir.</p> <p>It is not explained why 2km is an appropriate study area. As construction potentially includes deliveries via river, this may lead to increases in boat traffic (Scoping Report paragraph 10.5.15) which has potential to impact aquatic ecology beyond 2km.</p>

ID	Ref	Description	Inspectorate's comments
			<p>Scoping Report paragraph 10.4.7 states that the operational study area may extend based on the outcomes of hydraulic modelling.</p> <p>The ES should identify and justify an appropriate study area for construction and operation based on the anticipated impacts and effects.</p> <p>If the study area extends because of hydrological modelling, the ES should explain how this influences the scope of assessment and how this has been accounted for in the assessment of likely significant effects.</p>
35.9	Paragraph 10.4.33	INNS	<p>The baseline identifies that surveys have been undertaken between 2020 and 2022 and further surveys are proposed to inform the EIA. However, the Scoping Report does not identify what INNS are present based on current data. The ES should identify which INNS species are present and use this to form the basis of any relevant assessment of likely significant effects.</p>
35.10	n/a	Watercourse buffers	<p>Consideration should be given to the use of watercourse buffers as a best practice measure where working within relevant proximity to a watercourse; the need for buffer mitigation should be agreed with the relevant consultation bodies.</p>
35.11	n/a	Receptors	<p>The Applicant's attention is drawn to the comments of the Environment Agency (EA) and London Borough of Richmond upon Thames (Appendix 2 of this Opinion) regarding fish species present in the study area. The Inspectorate advises that these fish species should be considered in the assessment where significant effects are likely to occur.</p>

3.6 Ground Conditions and Contaminated Land

(Scoping Report Section 11)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
361	Paragraph 11.3.6 and Table 11.10	Effects to land and property from embankment instability, collapsible ground or ground subsidence due to tunnelling - construction	The Scoping Report states that this would be assessed further through ground investigation but that any potential risks would be mitigated by design alteration. In the absence of the ground investigation and detailed mitigation proposals, the Inspectorate does not agree to scope this matter out. The ES should assess effects from potential impacts to ground instability during construction unless robust justification is provided to demonstrate that significant effects are unlikely to occur, with evidence of agreement from the relevant consultation bodies.
362	Paragraph 11.4.18 and Table 11.10	Effects from damage or sterilisation of high grade agricultural land - construction	The Scoping Report states that there is no high grade agricultural land (ie agricultural land classification (ALC) Grade 1 to 3 land) within the study area; based on ALC Provisional mapping data, the study area is classed as urban land. The Inspectorate is content that this matter can be scoped out of further assessment on that basis.
363	Paragraph 11.4.20 and Table 11.10	Effects from damage to designated geological sites - construction	The Scoping Report states that no sites of geological importance have been identified within the study area based on review of Defra MAGIC geological places mapping and London Geodiversity Partnership's list of London geological sites. The Inspectorate is content that this matter can be scoped out of further assessment on that basis.
364	Paragraphs 11.7.9, 11.7.10,	Effects from impacts of ground conditions and contaminated	The Scoping Report states that most effects related to land contamination would be controlled by mitigation and through remediation during construction. It states that standard controls would be in place including appropriate drainage and pollution control, and

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
	11.8.4 and 11.8.5	land during operation - operation	<p>industrial processes would be controlled under an environmental permit. Potential for contamination from spillages and leaks would be managed through working practices, monitoring and emergency responses.</p> <p>The Inspectorate is content with this approach and agrees to scope this matter out of further assessment. However, the ES should describe the measures required to avoid effects and confirm how these would be secured in the DCO. The ES should describe the progress made towards securing the environmental permit and where this may impact on the effectiveness or delivery of avoidance or mitigation measures.</p>

ID	Ref	Description	Inspectorate's comments
365	Paragraph 11.4.1	Study area	<p>A study area of 250m from the scoping boundary is proposed based on guidance from National House Building Council and the EA. It is stated that this is appropriate and proportionate considering the distance over which contamination is likely to migrate and the location and type of off-site receptors.</p> <p>The study area and scope of ground investigation should have sufficient coverage to ensure that the baseline conditions are understood for all areas where significant effects are likely to occur. The Applicant should make effort to agree the study area with relevant consultation bodies, including local authorities.</p>
366	Paragraph 11.6.3	Ground investigation works	<p>The Scoping Report states that ground investigation is ongoing but does not specify the survey location(s). It is stated that the need for further ground investigation would be considered as part of a land contamination risk assessment, after current ground investigation work.</p> <p>The Inspectorate advises that the scope of ground investigation should be sufficient to establish a robust baseline from which to assess likely significant effects. The Applicant</p>

ID	Ref	Description	Inspectorate's comments
			should make effort to agree the scope of ground investigation with relevant consultation bodies, including local authorities.
36.7	Paragraph 11.6.4	Risks from ground gas	The Scoping Report states that risks arising from gas in the ground would be assessed and managed in accordance with guidance in BS8485 and BS8576. The Inspectorate advises that the ES should describe the baseline condition for ground gas, including the results of any monitoring undertaken. The assessment should consider the effects arising from potential release of gases from construction at or near to former landfill sites.
36.8	Paragraph 11.7.4	Remediation strategies	The ES should include a full description of any remediation which may be required and confirm how this is to be secured. The ES should assess any likely significant effects which could occur because of remediation. Any assumptions in this regard (for example, traffic movements, waste handling, and contaminated land) should be clearly stated in the ES.
36.9	Paragraph 11.7.7	Management plans	The Inspectorate advises that outline versions of the materials management plan and soil resource plan should be provided with the ES. It should be clear how this would be secured through the DCO.
36.10	n/a	Baseline information	The Applicant's attention is drawn to the comments of London Borough of Richmond upon Thames (Appendix 2 of this Opinion) regarding historic sand and gravel workings and landfill at the former Ham Gravel Pits, and an aircraft factory in the Burnell and Northweald area. This should be accurately reflected in the ES as the baseline from which assessment is taken.

3.7 Townscape and Visual Amenity

(Scoping Report Section 12)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
37.1	Paragraph 12.4.6	Townscape and visual effects from underground tunnels – all phases	Whilst this matter is not addressed in Table 12.11, the Inspectorate has assumed for the purpose of this Opinion that the Applicant is seeking to scope this matter out of the ES as the Scoping Report states that all proposed tunnel infrastructure will be underground and not experienced by townscape or visual receptors, and underground elements are not considered as development that informs the assessment. The Inspectorate agrees that this matter can be scoped out of further assessment on the basis presented.
37.2	Paragraph 12.5.2	Townscape effects to published townscape character areas (TCAs) outside of the scoping boundary but within the study area, other than those identified in Table 12.11 – all phases	<p>The Scoping Report states that most of the published TCAs are self-contained and that the existing urban context and Mogden STW embankment mean that the Proposed Development (both cranes during construction and new built form) would be imperceptible or would not alter the overarching townscape character.</p> <p>Based on the information presented in the Scoping Report, the Inspectorate agrees that this matter can be scoped out of further assessment.</p>
37.3	Table 12.11	Townscape and visual effects due to the presence of infrastructure at Ham Lands and Northweald Lane or Tudor Drive - operation	<p>The Scoping Report seeks to scope out effects to townscape and visual receptors listed below based on the scale of the permanent infrastructure proposed in these locations, which is described as access hatches that are not out of character with the existing urban setting. Figure 2.11 of the Scoping Report is a photograph of a typical shaft access hatch. It is assumed that any planting lost would be replaced and that, once matured, there would be no change to baseline because of the Proposed Development.</p> <ul style="list-style-type: none"> ▪ TCA E2 Ham Common and Riverside;

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			<ul style="list-style-type: none"> ▪ TCA 1 Tudor and Sub Area 3 YMCA Riverside Lands; ▪ 108 designated views across the River Thames outside the Hawker Centre YMCA near Lower Ham; ▪ residential receptors at Northweald Lane or Tudor Drive; ▪ recreational users of the Thames Path, including north and south bank; ▪ recreational users of Sustrans Route 4; ▪ users of National Trust Ham Street Car Park; ▪ recreational users on the River Thames; ▪ designated view E1.1 Ham House to River Thames; ▪ designated view E3.2 Petersham Park; and ▪ designated view F1.1 Richmond Terrace and Richmond Hill. <p>On the basis described in the Scoping Report, the Inspectorate agrees that significant effects are unlikely and is content for this matter to be scoped out of further assessment but advises that it should be clear in the ES what assumptions have been made about replacement planting and how this measure is proposed to be delivered.</p>

ID	Ref	Description	Inspectorate's comments
37.4	Paragraph 12.4.2	Study area	<p>A study area of 2.5km offset from the scoping boundary is proposed. It is stated that for this case a ZTV model would not be a useful basis to understand likely visibility of the Proposed Development due to the densely developed nature of the surroundings and the predominantly flat topography. Professional experience and understanding of the baseline context have instead been used to determine the study area.</p>

ID	Ref	Description	Inspectorate's comments
			<p>The Inspectorate advises that the final study area selected for visual effects from Mogden STW should reflect the extent of land from which there is a visual connection with the Proposed Development. If ZTV modelling is not used to inform this, then an alternative approach should be used and the ES should explain, with reference to relevant guidance, why this approach is appropriate. Effort should be made to agree the study area, and the approach to establishing it, with relevant consultation bodies.</p>
375	Figure 12.3 and Table 12.7	Viewpoint locations	<p>Eight representative viewpoints are proposed to support the assessment of visual effects. Locations are shown on Figures 12.3 and described in Table 12.7. Effort should be made to agree the final viewpoint selection with the local authorities and the ES should include evidence of any agreement reached. Where agreement is not reached, the ES should explain the basis on which a suggested viewpoint was discounted. The Applicant's attention is drawn to the comments of London Borough of Richmond upon Thames (Appendix 2 of this Opinion) regarding proposed additional viewpoint locations.</p> <p>Viewpoints 3 to 7 are proposed from designated viewpoints in London Borough of Richmond upon Thames to take in construction activity at Ham Lands. It is not proposed to produce operational phase visualisations from these viewpoints. Based on the description of permanent infrastructure proposed at Ham Lands in Scoping Report, section 2, which states that it would be limited to access hatches, the Inspectorate is content with this approach.</p>
376	Paragraph 12.6.29 and Table 12.7	Visualisation types	<p>The Inspectorate considers that effort should be made to agree the number and location of photomontages, including Type 4 photomontages (as defined by the Landscape Institute's Technical Guidance Note (TGN) 06/19), with relevant consultation bodies.</p>
377	Section 12.7	Mitigation planting	<p>The ES should set out what opportunities have been considered for advanced planting and confirm which are proposed to be taken forward and which have been discounted, together with the reasons.</p>

ID	Ref	Description	Inspectorate's comments
			The ES should include a management plan for mitigation planting demonstrating how it will be maintained to ensure it reaches the extent and quality of mitigation assumed in the assessment of residual effects at Year 15 of operation of the Proposed Development.
37.8	Paragraph 12.7.2	Lighting design	The Scoping Report states that lighting design is a proposed secondary mitigation to reduce light spill. The design standards that lighting during construction and operation will be required to meet should be described in the ES, including any measures incorporated to avoid intrusive lighting impacts for sensitive receptors.
37.9	Table 12.11	Existing trees	The Inspectorate notes that the Proposed Development has potential to affect existing trees at Mogden STW, with some potentially being removed. In addition, London Borough of Richmond upon Thames (Appendix 2 of this Opinion) identifies that there are protected trees at Park Gate woods. The ES should describe the contribution these trees make to the existing townscape character, if any, and confirm if they are subject to any designations. Any likely significant effects should be assessed in the ES, including consideration of the duration that any replacement planting would take to mature.
37.10	n/a	Receptors	The Applicant's attention is drawn to the comments of London Borough of Richmond upon Thames (Appendix 2 of this Opinion), in which several additional townscape and visual receptors are identified. These receptors should be assessed in the ES or it should explain why significant effects are not likely to occur to them.

3.8 Water Resources and Flood Risk

(Scoping Report Section 13)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
381	Paragraph 13.4.43	Impacts to Lockwood, Banbury and High Maynard reservoirs from flood risk - all phases	The discharge rate to these reservoirs is not proposed to exceed the current permitted discharge rates and therefore there would be no potential for flood risk effects. Additionally, water would only be transferred during periods of low flow. On this basis the Inspectorate agrees to scope this matter out.
382	Paragraph 13.4.35	Impacts from conveyance route tunnels from flood risk - all phases	The conveyance tunnels are proposed to be built at a depth of 20m to 30m and would pass below the Rivers Thames and Crane and associated flood defences. The proposed construction techniques will avoid potential impacts to these features. Provided that impacts to existing defences are avoided and that this is demonstrated in the ES, the Inspectorate agrees that this matter can be scoped out. Please see the Inspectorate's comments at ID 2.1.3 of this Opinion regarding interaction with existing infrastructure.
383	Paragraphs 13.5.4 and 13.5.14 and Table 13.10	Impacts to Duke of Northumberland's River, Freshwater Thames and Thames Tideway from water use (surface water resources) - construction	The Proposed Development is not anticipated to require significant volumes of water during construction. Subject to confirmation of this assumption in the ES (please see the Inspectorate's comments at ID 2.1.19 of this Opinion), the Inspectorate agrees to scope this matter out.
384	Paragraph 13.5.14	Impacts from water use from all above ground sites on public	The Proposed Development is not anticipated to require significant volumes of water during operation. Subject to confirmation of this assumption in the ES (please see the

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		water supply infrastructure (water resources) - operation	Inspectorate's comments at ID 2.1.19 of this Opinion), the Inspectorate agrees to scope this matter out.
385	Paragraphs 13.5.5 and 13.5.14 and Table 13.10	Impacts on foul water sewer infrastructure from Proposed Development (surface water resources) – all phases	Scoping Report Table 13.10 states that the Proposed Development will not discharge foul wastewater. On this basis, the Inspectorate agrees to scope this matter out.
386	Paragraph 13.5.6 and Table 13.10	Impacts from Mogden STW and Tudor Drive sites (surface water resources) - construction	<p>Scoping Report paragraph 13.5.6 states that these sites are low risk during construction because they are not hydrologically connected to any watercourses.</p> <p>The Inspectorate notes that the EA (Appendix 2 of this Opinion) advises that dewatering of gravels (if required) may be in hydrological continuity with surface waters and the risk of impact has not been considered. Therefore, the Inspectorate does not have enough evidence to scope this matter out. The ES should identify if there is hydrological continuity and where there is potential for likely significant effect, this should be assessed in the ES.</p>
387	Paragraph 13.5.15 and Table 13.10	Impacts to Lockwood, Banbury and High Maynard Reservoirs from water transfer (surface water resources) - operation	The Scoping Report states that the abstracted water would only form a portion of the water transferred to Lockwood Pumping Station. Water quality at the proposed intake and outfall and the existing Hampton intake are stated to be similar based on current monitoring programmes. The final outfall at the pumping station means that this water would be further diluted and therefore the potential for significant effects is considered in the Scoping Report to be minimal. On the basis that the ES confirms that water quality at both abstraction intakes for the reservoirs remains similar at the time of submission, the Inspectorate agrees to scope this matter out.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
388	Paragraph 13.5.16 and Table 13.10	Impact to surface water resources at the off site developed areas - operation	Considering the nature of the Proposed Development's operation and the location of surface water sources in relation to the off site developed areas, the Inspectorate agrees that this matter can be scoped out.
389	Paragraph 13.5.21 and Table 13.10	Impacts from the water conveyance tunnel on principal bedrock aquifer (groundwater resources) - construction	The conveyance tunnel is proposed to be constructed using tunnel boring technique and would be located within London Clay, which is stated to provide an appropriate barrier to underlying aquifers due to its thickness and impermeability. On this basis, the Inspectorate agrees to scope this matter out. However, the ES should confirm the assumptions made about locating the tunnel within London Clay following completion of further ground investigation. If it is subsequently determined that the tunnel needs to enter or pass within influencing distance of underlying Chalk (principal aquifer) or could be affected by piezometric pressure within the aquifers, then this matter should be assessed in the ES supported by a hydrogeological risk assessment.
38.10	Paragraph 13.5.23 and Table 13.10	Impacts on all aquifers from operation of the project except the intake to TLT pipeline (groundwater resources) - operation	<p>The Inspectorate considers that where there is potential for significant effects at the intake, it is likely there would be potential for significant effects at the outfall. Scoping Report paragraph 13.5.23 does not explain why the outfall specifically is scoped out of further assessment.</p> <p>The Inspectorate agrees that impacts from the operation of the Proposed Development on groundwater sources can be scoped out except for impacts at the intake and outfall, and the area between the two locations and up to Teddington Weir. The ES should either provide evidence that there is no impact pathway for these locations or assess significant effects where they are likely to occur.</p>
38.11	Paragraph 13.5.27 and Table 13.10	Impacts on drainage infrastructure and flood defences from machinery and	The Scoping Report commits to good practice construction techniques eg tunnel boring machine to avoid potential damage to infrastructure and measures to avoid increases in

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		equipment (flood risk) - construction	<p>surface water discharge and sedimentation affecting infrastructure. Additionally, tunnels are proposed to pass beneath flood risk infrastructure.</p> <p>On the basis that the ES confirms the details of the measures and identifies where they are proposed to be secured in the DCO, the Inspectorate agrees to scope this matter out. Please see the Inspectorate's comments at ID 2.1.3 of this Opinion regarding interaction with existing infrastructure.</p>
38.12	Paragraph 13.5.29 and Table 13.10	Impacts at Tudor Drive site (flood risk) - construction	The Inspectorate agrees that this matter can be scoped out on the basis that the proposed site is located outside of any zone at risk of flooding and there is no hydrological pathway to the site.
38.13	Paragraph 13.5.30 and Table 13.10	Impacts from riverbed and/ or bank stability change from project construction sites (flood risk) - construction and operation (except Burnell Avenue)	The Inspectorate agrees that all construction sites, except Burnell Avenue where the infall and outfall infrastructure is proposed, may be scoped out of assessment on the basis that there are no direct impact pathways and areas of hardstanding would be very limited.
38.14	Paragraphs 13.5.32 and 17.4.27	Impacts from discharge of water from the outfall to the River Thames (flood risk) - operation	<p>The Scoping Report states that the Proposed Development will operate at times of low flow but does not define what this constitutes. Paragraph 17.4.27 states that 15 MI/d could be discharged during operation in periods of non-drought, which could result in a net increase in flow to the River Thames.</p> <p>On this basis, the Inspectorate does not agree to scope this matter out. The ES should assess impacts to flood risk from the discharge of water from the outfall during operation where significant effects are likely to occur.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
38.15	Paragraph 13.4.19	Impacts from discharge of water from existing Mogden STW outfall to the River Thames (flood risk) - operation	<p>When the Proposed Development is not operational, 15 Ml/d would be flushed through the TTP to maintain biomass within the moving bed biofilm reactor, which could result in a net increase in flow to the River Thames at the Mogden STW outfall.</p> <p>The ES should assess impacts to flood risk from the discharge of water from the Mogden STW outfall during operation where significant effects are likely to occur.</p>
38.16	Paragraph 13.6.89	Climate change impacts on the future baseline of water availability and water quality	<p>Climate change impacts on the future baseline for flood risk are proposed to be scoped in in Scoping Report paragraph 13.6.89 but there is no reference to other potential effects from climate change such as water availability or water quality which could affect the operation of the Proposed Development and the water environment.</p> <p>The ES should assess climate change impacts on the future baseline for water resources where significant effects are likely to occur.</p>

ID	Ref	Description	Inspectorate's comments
38.17	Paragraph 13.4.2	Study area	The Applicant should make effort to agree the study area with the EA and to confirm that it is based on an appropriate zone of influence.
38.18	Paragraph 13.6.7	Gate reports	Scoping Report paragraph 13.6.7 refers to the survey results from RAPID gate reports, which would be used to determine magnitude of effect on the water environment. Where these reports are used, the relevant information should be summarised in the ES so that it is clear what is being used to inform the assessment of significant effects.
38.19	n/a	Weirs	The operation of weirs is proposed to be used to maintain levels and assist navigation. Any relevant modelling should take such operation into account.

ID	Ref	Description	Inspectorate's comments
3820	n/a	Impact of the use of the Thames Barrier	The Inspectorate notes the advice from London Borough of Richmond upon Thames (Appendix 2 of this Opinion), that the Thames Barrier controls water flow levels in the River Thames and its use is likely to change over time with a changing climate. The ES assessment of water resources and flood risk should account for the impact changing use of the Thames Barrier would have on the operation of the Proposed Development.

3.9 Human Health

(Scoping Report Section 14)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
391	Table 14.3	Health related behaviours: Risk taking, and diet and nutrition - all phases	The Inspectorate agrees to scope this matter out during all phases on the basis that significant effects are not expected due to the nature of the Proposed Development.
392	Table 14.3	Social environment: Housing and relocation - all phases	The Inspectorate agrees to scope this matter out during all phases on the basis that significant effects are not expected due to the nature of the Proposed Development.
393	Table 14.3	Social environment: Transport modes, access and connection, and community safety - operation	The Inspectorate agrees to scope this matter out for operation and maintenance on the basis that significant effects are not expected due to the nature of the Proposed Development.
394	Table 14.3	Bio-physical environment: Climate change, mitigation and adaption, and water	The Scoping Report seeks to scope this matter out on the basis that significant effects are not expected during construction due to the nature of the Proposed Development. The Inspectorate's comments at ID 3.10.7 of this Opinion apply equally to this matter. On that basis, the Inspectorate does not agree to scope this matter out at this stage.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		quality or availability - construction	
395	Table 14.3	Biophysical environment: Air quality, land quality, and light pollution - operation	The Inspectorate agrees to scope this matter out during the operational phase on the basis that significant effects are not expected due to the nature of the Proposed Development.
396	Table 14.3	Biophysical environment: Radiation - all phases	The Inspectorate agrees to scope this matter out during the operational phase on the basis that significant effects are not expected due to the nature of the Proposed Development.
397	Table 14.3	Biophysical environment: Odour - all phases	The Scoping Report seeks to scope this matter out for operation based on information in the odour risk assessment (Appendix D of the Scoping Report). No justification is presented in Table 14.3 for scoping out construction phase odour. For the reasons presented at ID 3.1.1 of this Opinion, the Inspectorate does not agree that this matter can be scoped out.
398	Table 14.3	Institutional and built environment: Health and social care services, and built environment - all phases	The Scoping Report seeks to scope this matter out of all phases on the basis that significant effects are not expected as it the Proposed Development is not expected to result in a large influx of workers placing demand on services or influence the spatial planning and design context that influences public health. The Inspectorate agrees to scope this matter out on this basis.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
39.9	Table 14.3	Institutional and built environment: Wider societal infrastructure and resources - construction	The Scoping Report seeks to scope this matter out for the construction phase on the basis that significant effects are not expected. The Inspectorate agrees to scope this matter out on this basis.

ID	Ref	Description	Inspectorate's comments
39.10	Table 14.8	Summary scope for human health	The Inspectorate notes discrepancies between the scoped summarised in Table 14.8 and the matters proposed to be scoped out in Table 14.3. The Inspectorate has based its comments on the scope of the human health assessment on information in Table 14.3.

3.10 Carbon and Climate Change

(Scoping Report Section 15)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.101	Paragraph 15.5.4	Emissions from changes in land use – all phases	The Scoping Report states that the proposed land use change will not be substantial and therefore would not lead to likely significant effects. The Inspectorate agrees that this matter can be scoped out.
3.102	Paragraph 15.5.4	Emissions associated with the disturbance of carbon stores eg soils and vegetation – all phases	The Proposed Development would be in an urban area and therefore no substantial carbon stores are anticipated to be disturbed. The Inspectorate agrees that this matter can be scoped out.
3.103	Table 15.3	Transportation of survey staff to and from site during preliminary studies - construction	The Inspectorate agrees that this matter may be scoped out on the assumption that it would be a negligible impact.
3.104	Paragraph 15.5.3 and Table 15.3	GHG emissions from replacement and refurbishment during operation beyond the anticipated 60 year lifetime of the Proposed	<p>Embodied carbon in building materials from infrastructure replacement and refurbishment is proposed to be scoped out on the basis it is likely to be required beyond the project lifetime; the Scoping Report only proposes to scope matters within a 60 year lifetime, but Scoping Report paragraph 15.5.3 states that operation is likely to extend beyond 60 years. Additionally, whilst replacement is proposed to be scoped out in Scoping Report paragraph 15.5.3 this does not correlate with Table 15.3, which proposes to scope the matter in.</p> <p>On that basis, the Inspectorate does not agree to scope this matter out. The ES should assess significant effects associated with embodied carbon in building materials from</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		Development - operation	replacement and refurbishment of infrastructure for the lifetime of the Proposed Development based on a worst-case scenario.
3.105	Table 15.3	GHG emissions from potable water consumption - operation	Scoping Report paragraph 15.4.4 sets out the baseline of carbon dioxide emissions from potable water use. Taking this into account, the Inspectorate agrees to scope this matter out on the basis that the impacts from the Proposed Development would be negligible.
3.106	Paragraphs 15.5.1 and 15.5.16 and Table 15.4	Impacts related to the vulnerability of the Proposed Development to climate change - construction	Scoping Report Table 15.4 sets out the potential impacts from climate change on the vulnerability of the Proposed Development during construction. This is proposed to be scoped out as potential impacts could be managed through embedded mitigation such as best practice measures and on the basis that impacts from flooding are scoped into the ES water environment and flood risk chapter. Considering the potential impacts, the Inspectorate agrees with the approach and agrees to scope this matter out. However, it advises that for construction phase fluvial flood risk, a sensitivity assessment is undertaken based on climate change allowances applied in the FRA for the 2020s epoch.
3.107	Table 15.9	In-combination climate assessment - construction	The Scoping Report seeks to scope this matter out on the basis that projected changes in climate over the short term are minimal. Noting that the construction period could last up to ten years and section 15.6 of the Scoping Report indicates that aspects and receptors for the assessment have not yet been defined, the Inspectorate does not consider sufficient justification has been provided to scope this matter out. The ES should explain why the potential impact during the construction period is minimal and secure appropriate mitigation where required or provide an assessment of likely significant effects.

ID	Ref	Description	Inspectorate's comments
3.108	n/a	n/a	n/a

3.11 Socio-Economics, Community, Access and Recreation

(Scoping Report Section 16)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.11.1	Paragraph 16.6.10 and Table 16.5	Socio-economic effects on employment - operation	The Scoping Report seeks to scope this matter out on the basis that operational activities would be undertaken by existing Thames Water employees. Any employment generation is described as minimal and representing a no change scenario. The Inspectorate agrees to scope the matter out on this basis.
3.11.2	Table 16.5	Socio-economic effects on skills and education - operation	The Scoping Report seeks to scope this matter out on the basis that any employment generation and therefore skills development opportunities would be minimal during the operational phase of the Proposed Development and represent a no change scenario. The Inspectorate agrees to scope the matter out on this basis.
3.11.3	Table 16.5	Access effects on land take - operation	<p>The Scoping Report states that no significant land take effects are expected during operation. It is proposed to assess effects of temporary and permanent direct land take impacts on community and commercial receptors for the construction phase of the Proposed Development.</p> <p>On the basis that no further land take is required during operation, and that any ongoing effects from permanent land take during construction are assessed as part of the construction phase, the Inspectorate is content with this approach and agrees to scope this matter out of the ES.</p>

ID	Ref	Description	Inspectorate's comments
3.11.4	Section 16.6	Assessment criteria	For several impact pathways, the Scoping Report states that effect significance would not involve explicit assessment of sensitivity and magnitude but a comparison of impacts from the Proposed Development against the relevant baseline. The Inspectorate is content with

ID	Ref	Description	Inspectorate's comments
			this approach but advises that the ES should define the threshold at which the Applicant concludes an effect to be significant.
3.11.5	Paragraph 16.6.22	Community amenity	The Scoping Report states that the assessment of community amenity effects would be informed by the outputs of other ES assessments, including traffic and transport, air quality, noise and vibration and townscape and visual amenity. The Inspectorate notes in several instances it is proposed to scope out operational phase effects for these aspects. The ES should explain how the contribution of these aspects to effects on community amenity during operation of the Proposed Development has been ascertained.
3.11.6	Paragraph 16.6.31	Engagement with affected business and property owners	The Scoping Report states that it may be necessary to engage with affected business and property owners to understand the magnitude of impacts from direct temporary and permanent land take. The ES should describe the outcome of any engagement carried out or, where it is determined not to be required, explain why the desktop data is sufficient to inform the assessment.
3.11.7	Paragraph 16.6.37	Recreational resource use	The ES should set out how usage of recreational resources scoped into the assessment has been ascertained and any limitations with or assumptions made about the data used.
3.11.8	Paragraph 16.7.4	Mitigation and enhancement	The ES should distinguish between mitigation for significant adverse effects and any wider benefits or enhancement measures proposed.
3.11.9	n/a	Receptors	The Applicant's attention is drawn to the comments of London Borough of Richmond upon Thames (Appendix 2 of this Opinion), which identify additional recreational receptors that could be affected by the Proposed Development. The Inspectorate advises that these should be considered in the assessment where significant effects are likely to occur.

3.12 Waste and Materials

(Scoping Report Section 17)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.121	Paragraph 17.5.1 and Table 17.15	Minerals safeguarding areas and allocated mineral sites – all phases	The Scoping Report seeks to scope this matter out on the basis that there are no allocated mineral sites within or close to the primary study area. The Inspectorate agrees that this matter can be scoped out on the basis presented in the Scoping Report.
3.122	Paragraphs 17.5.3 and 17.5.4, and Table 17.15	Material availability - construction	<p>The Scoping Report seeks to scope this matter out on the basis that there is sufficient material in the regions of London and the South East of England, and there is an expected high recycled content and low use of primary resources due to the nature of the Proposed Development. The estimated tonnage of the main materials (concrete and steel) are predicted to equate to 0.1% and 0.2% of national production respectively.</p> <p>Based on the information presented in the Scoping Report, the Inspectorate is content that a significant effect is unlikely and this matter can be scoped out of the ES.</p>
3.123	Table 17.15	Material availability - operation	<p>The Scoping Report seeks to scope this matter out as operational material input will be minimal and mainly in the form of chemicals for the treatment process at the TTP, which are similar to existing requirements. Based on Institute of Environmental Management and Assessment (IEMA) guidance, professional judgement and the operational nature of the Proposed Development, it is considered unlikely that there will be significant materials consumption during the first three years of operation.</p> <p>The Inspectorate is content with this approach and agrees to scope this matter out subject to the materials, including chemicals required in the treatment process and materials for operational maintenance and repair, being quantified in the ES.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.124	Paragraphs 17.5.12 to 17.5.14 and Table 17.15	Void landfill capacity and expected waste arisings - operation	<p>The Scoping Report seeks to scope this matter on the basis that no significant waste arisings are expected during operation. Based on IEMA guidance, professional judgement and the operational nature of the Proposed Development, it is considered unlikely that there will be significant operational waste generation during any one full representative year within the first three years of operation. It is stated that sludge is the only waste type to be produced on a regular basis and using a worst case scenario of the TTP operating at maximum throughput of 75MI/d for four months and at 15MI/d for eight months, 590 tonnes of sludge would be produced annually altering landfill capacity by 0.003%.</p> <p>The Inspectorate is content with this approach and agrees to scope this matter out subject to an appropriate waste management plan being submitted and secured with the DCO application, and the ES confirming the worst-case parameters for sludge in line with the Inspectorate's comments at ID 3.12.5 of this Opinion.</p>

ID	Ref	Description	Inspectorate's comments
3.125	Paragraphs 17.4.27 and 17.4.28	Sludge volume and disposal	<p>The Scoping Report sets out the predicted volume of sludge generated from cleaning of filters at the TTP based on the maximum throughput of 75MI/d and during non-drought periods of 15MI/d. It is stated that the sludge is a valuable by-product and the Applicant has a well-established processing route, mainly via anaerobic digestion and as such it is unlikely to require disposal at a landfill site.</p> <p>The Inspectorate advises that the ES should confirm the worst-case parameters for the volume of sludge produced by the Proposed Development during operation and its processing, consistent with the powers sought in the DCO.</p>

3.13 Traffic and Transport

(Scoping Report Section 18)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.131	Table 18.13	Impact on rail operation - construction	<p>The Scoping Report states that there are no direct rail connections to above ground sites and proposes to scope out effects to rail operation on that basis. It seeks to scope out effects from the construction workforce using passenger rail as it would be at a low level. Paragraph 2.2.40 of the Scoping Report provides predicted construction workforce numbers at Mogden STW, Ham Street and Tudor Drive.</p> <p>On the basis that there are no impact pathways to the operational railway and the numbers of construction workers predicted, the Inspectorate is content to scope this matter out.</p>
3.132	Table 18.13	Traffic from operational and maintenance at Mogden STW, the intermediate shaft, intake and outfall and TLT connection - operation	<p>The Scoping Report proposes to scope out road traffic impacts on receptors during the operational and maintenance phase as it is anticipated that there will be negligible additional traffic on the existing road network, due to no additional workers at Mogden STW and the infrequency of activities required at the other sites. The Inspectorate agrees with this approach and is content to scope this matter out for day-to-day operation and maintenance.</p>

ID	Ref	Description	Inspectorate's comments
3.133	n/a	Methodology	<p>The ES should explain how consultation with the relevant consultation bodies has informed selection of an appropriate study area and methodology for assessing likely significant effects from traffic and transport. The Inspectorate's comments at ID 2.1.12 of this Opinion are relevant to this matter.</p>

ID	Ref	Description	Inspectorate's comments
3.134	Paragraph 18.4.19	Baseline data	A mixture of 2019 and 2022 data is proposed due to Covid-19 impacts, the Applicant should check whether 2023 data is available and compare this with the existing datasets to deduce the most appropriate baseline data to use in the assessment. Effort should be made to agree the location and method of traffic surveys with relevant consultation bodies.
3.135	Table 18.13	Hazardous or large loads	Consideration should be given for potential to transport hazardous or large loads via the river. Any likely significant effects arising from this activity should be assessed.

3.14 Cumulative Effects

(Scoping Report Section 19)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.14.1	n/a	n/a	No matters have been proposed to be scoped out of the assessment

ID	Ref	Description	Inspectorate's comments
3.14.2	Paragraph 19.6.5	Assessment methodology - intra-project cumulative effects	The Scoping Report states that professional judgement would be used to identify potential intra-project cumulative effects that could occur across aspects and that effects would be reported in the aspect chapter dealing with the affected receptor, with a summary in the cumulative effects ES chapter. The ES should set out the methodology for assessment of cumulative effects on individual receptors in combination with other environmental aspects, including how receptors would be selected.
3.14.3	Paragraph 19.6.11	Tier 1 developments	It should not be assumed that Tier 1 cumulative developments granted in 2024 or earlier form part of the baseline. Effort should be made to ascertain and report in the ES the status of Tier 1 projects scoped into the assessment. For Tier 1 projects where effects have not been fully determined, ie due to ongoing monitoring of mitigation effectiveness, consideration should be given to including these in the cumulative effects assessment or the ES should explain why it is appropriate to scope them out with evidence of agreement from relevant consultation bodies.
3.14.4	Appendix G	Cumulative assessment long and short list	Appendix G presents the Applicant's current Stage 1 and Stage 2 assessment of cumulative effects. The Applicant is advised to seek agreement regarding developments to be included in the assessment with relevant consultation bodies. The Applicant's attention is drawn to the comments of London Borough of Richmond upon Thames (Appendix 2 of this Opinion) identifying additional developments, including the Lower Thames Surbiton to

ID	Ref	Description	Inspectorate's comments
			Queen Mary reservoir scheme. The Inspectorate advises that these developments should be considered in the cumulative screening and assessed in the ES where significant effects are likely.

3.15 Major Accidents and Disasters

(Scoping Report Section 20)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.15.1	Tables 20.2 and 20.3 and paragraphs 20.6.23, 20.6.25 to 20.6.25 and 20.7.3	Risk of and vulnerability to major accidents and disasters	<p>The Scoping Report seeks to scope this aspect out of the ES on the basis that mitigation proposed as part of the design or other legislation and standards would prevent or reduce risks to a level that is not likely to cause a significant effect. Table 20.2 presents a long list of potential hazards and risks arising from the Proposed Development during construction and operation, together with proposed control measures. Table 20.3 presents the Applicant's refined short list of events and risks. Paragraph 20.6.25 states that the ES project description chapter would include a risk assessment and set out management controls, which are summarised in paragraph 20.6.26. Paragraph 20.7.3 states that other events and risks would be considered in other ES aspect chapters, including flooding, mobilisation of contamination and transport related accidents.</p> <p>The Inspectorate has considered the characteristics of the Proposed Development and agrees with the approach proposed in the Scoping Report for all potential effects identified in Table 20.3, other than those specified below (in ID 3.15.2 to 3.15.6). The ES should clearly signpost where other events and risks are assessed in other relevant aspect chapters. Any design or mitigation measures required to avoid significant effects should be clearly described in the ES and demonstrably secured in the DCO. The ES should identify any requirements of other regulatory regimes including relevant legislation and any permits or licences, together with any progress made towards securing these where they may impact on the effectiveness or delivery of avoidance or mitigation measures.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.152	Table 20.2	Ground collapse from tunnelling – all phases	The Scoping Report seeks to scope this matter out as risk would be managed through tunnel design and construction methods. In the absence of ground investigation results and tunnel design and installation method statements, the Inspectorate does not agree to scope this matter out. The ES should include an assessment of these matters and describe any mitigation required.
3.153	Table 20.3	Major accidents involving the new TTP process - operation	<p>Table 20.2 does not include a risk event that directly corresponds with the matter listed in Table 20.3, but it identifies the potential for impact on sewage treatment services from operation of the TTP. For the purposes of this Opinion, the Inspectorate has assumed that this is the impact pathway the Applicant seeks to scope out. Table 20.2 states that the reasonable worst case consequence from this risk event (release of untreated sewage, environmental contamination and public health risks) would be managed to an acceptable level with proposed mitigation, which includes stringent operational protocols, monitoring systems and emergency response plans.</p> <p>In the absence of detail about the proposed mitigation and monitoring, the Inspectorate does not agree to scope this matter out. The ES should include an assessment of these matters and describe any mitigation required.</p>
3.154	Table 20.3	Major accidents or disasters involving spill of chemicals or waste materials - operation	Table 20.2 does not include a risk event that directly corresponds with the matter listed in Table 20.3, so the Inspectorate is unclear as to the basis on which the Applicant seeks to scope this matter out. In the absence of this justification, the Inspectorate does not agree to scope this matter. An assessment should be presented in the ES, or it should otherwise be explained with reference to relevant guidance and agreement with relevant consultation bodies why significant effects are not likely to occur.
3.155	Table 20.3	Industrial accidents such as chemical	The Scoping Report states that the reasonable worst case consequence from this risk event would be managed to an acceptable level with mitigation, which includes robust health and safety protocols, containment systems and emergency response plans.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		spills or machinery failure – all phases	The Inspectorate notes that paragraph 20.4.3 of the Scoping Report states that Mogden STW is a lower tier Control of Major Accidents Hazards Regulations 2015 (COMAH) site due to dangerous substances being present at or above qualifying thresholds. Other COMAH sites near to the Proposed Development are also described. The Inspectorate does not have sufficient information about how the Proposed Development would affect the operation of the existing Mogden STW in terms of COMAH requirements and potential for domino effects with other COMAH sites to exclude the possibility of significant effects arising from chemical spills. In addition, the Inspectorate is unclear as to the potential for other forms of industrial accident, such as rupture of pipelines or sewage overflows. The ES should include an assessment of these matters and describe any mitigation required, or otherwise explain with reference to relevant guidance why significant effects are not likely.
3.156	Table 20.3	Major accidents or disasters leading to structural hazards, including seismic activities or subsidence – all phases	<p>The Scoping Report states that the reasonable worst case consequence from this risk event would be managed to an acceptable level with mitigation, which includes geological assessments, robust design standards and real-time monitoring technologies.</p> <p>The Inspectorate notes that paragraph 20.4.10 of the Scoping Report describes that the Proposed Development may interact with existing utilities. There is potential that existing structures such as the embankment at Mogden STW may be modified. The Inspectorate notes there have been recent incidents of riverbank and towpath collapse from subsidence. In the absence of geological assessments and mitigation measures, the Inspectorate does not have sufficient information to exclude the possibility of significant effects arising from structural hazards. The ES should include an assessment of this matter and describe any mitigation required.</p>

ID	Ref	Description	Inspectorate's comments
3.157	Paragraph 20.4.16	Navigational hazards for vessels	The Scoping Report identifies potential for increased navigational hazards for vessels from the presence of temporary and permanent in-water structures but does not state if a

ID	Ref	Description	Inspectorate's comments
			navigational risk assessment (NRA) is proposed to inform assessment in the ES. The Inspectorate advises that effort should be made to agree the requirement for an NRA with relevant consultation bodies, including the Port of London Authority (PLA).
3.158	Figure 20.2	Figure showing major utilities	Figure 20.2 in the Scoping Report shows the location of existing road and railways but not other utilities listed at paragraph 20.4.10, such as powerlines and tunnels. The ES should include a figure that clearly illustrates the interaction between the Proposed Development and all major utilities.
3.159	n/a	Assessment method	For the matters scoped into the assessment, the Inspectorate advises that effort should be made to agree the method with relevant consultation bodies including the local authorities, and that evidence of discussions should be presented in the ES.

APPENDIX 1: CONSULTATION BODIES FORMALLY CONSULTED

TABLE A1: PRESCRIBED CONSULTATION BODIES

Bodies prescribed in Schedule 1 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (as amended) (the 'APFP Regulations (as amended)')

SCHEDULE 1 DESCRIPTION	ORGANISATION
The Secretary of State for Defence	Ministry of Defence
The relevant parish council or, where the application relates to land in Wales or Scotland, the relevant community council	Claygate Parish Council
The Environment Agency	Environment Agency
Natural England	Natural England
The Forestry Commission	Forestry Commission - South East and London
The Historic Buildings and Monuments Commission for England (known as Historic England)	Historic England
The Canal and River Trust	The Canal and River Trust
Trinity House	Trinity House
The relevant Highways Authority	Hounslow Council London Borough Highway Department
	London Borough of Richmond upon Thames Highway Department
	Royal Borough of Kingston upon Thames Highway Department
	National Highways

SCHEDULE 1 DESCRIPTION	ORGANISATION
Transport for London	Transport for London
Civil Aviation Authority	Civil Aviation Authority
The Health and Safety Executive	Health and Safety Executive
NHS England	NHS England
The Crown Estate Commissioners	The Crown Estate
The relevant police authority	Mayor's Office for Policing and Crime (MOPAC)
The relevant ambulance service	London Ambulance Service NHS Trust
The relevant fire and rescue authority	London Fire Brigade

TABLE A2: RELEVANT STATUTORY UNDERTAKERS

'Statutory Undertaker' is defined in the APFP Regulations (as amended) as having the same meaning as in Section 127 of the Planning Act 2008 (PA2008)

STATUTORY UNDERTAKER	ORGANISATION
The relevant Integrated Care Board	NHS North West London Integrated Care Board
	NHS South West London Integrated Care Board
NHS England	NHS England
The relevant NHS Trust	West London NHS Trust
The relevant NHS Trust	London Ambulance Service NHS Trust
Railways	Network Rail Infrastructure Ltd
	National Highways Historical Railways Estate
Road Transport	Transport for London

STATUTORY UNDERTAKER	ORGANISATION
Canal Or Inland Navigation Authorities	The Canal and River Trust
Dock and Harbour authority	Port of London Authority
Civil Aviation Authority	Civil Aviation Authority
Universal Service Provider	Royal Mail Group
Homes and Communities Agency	Homes England
The relevant Environment Agency	The Environment Agency
The relevant water and sewage undertaker	Affinity Water
	Thames Water
	Thames Water Commercial Services
The relevant public gas transporter	Cadent Gas Limited
	Northern Gas Networks Limited
	Scotland Gas Networks Plc
	Southern Gas Networks Plc
	CNG Services Ltd
	Energy Assets Pipelines Limited
	ES Pipelines Ltd
	ESP Connections Ltd
	ESP Networks Ltd
	ESP Pipelines Ltd
	Fulcrum Pipelines Limited
	GTC Pipelines Limited
	Harlaxton Gas Networks Limited

STATUTORY UNDERTAKER	ORGANISATION
	Independent Pipelines Limited
	Indigo Pipelines Limited
	Inovyn Enterprises Ltd
	Last Mile Gas Ltd
	Leep Gas Networks Limited
	Mua Gas Limited
	Quadrant Pipelines Limited
	Stark Works
	National Gas
The relevant electricity distributor with CPO Powers	London Power Networks Plc
	South Eastern Power Networks Plc
	Southern Electric Power Distribution Plc
	Advanced Electricity Networks Ltd
	Aidien Ltd
	Aurora Utilities Ltd
	Eclipse Power Network Limited
	Energy Assets Networks Limited
	ESP Electricity Limited
	Fulcrum Electricity Assets Limited
	Harlaxton Energy Networks Limited
	Independent Distribution Connection Specialists Ltd
	Independent Power Networks Limited
	Indigo Power Limited
	Last Mile Electricity Ltd

STATUTORY UNDERTAKER	ORGANISATION
	Leep Electricity Networks Limited
	Mua Electricity Limited
	Optimal Power Networks Limited
	Stark Infra-Electricity Ltd
	The Electricity Network Company Limited
	UK Power Distribution Limited
	Utility Assets Limited
	Vattenfall Networks Limited
	UK Power Networks Limited
The relevant electricity transmitter with CPO Powers	National Grid Electricity Transmission Plc
	National Grid Electricity System Operation Limited

TABLE A3: LOCAL AUTHORITIES AS DEFINED IN SECTION 43(3) OF THE PA2008

LOCAL AUTHORITY
Ealing Council
Elmbridge Borough Council
Epsom and Ewell Borough Council
London Borough of Hammersmith and Fulham
London Borough of Hillingdon
London Borough of Hounslow
London Borough of Richmond upon Thames
London Borough of Merton
Mole Valley District Council
Royal Borough of Kingston upon Thames

LOCAL AUTHORITY
Spelthorne Borough Council
Surrey County Council
Sutton Council London Borough
Wandsworth Borough Council

TABLE A4: THE GREATER LONDON AUTHORITY

The EIA Regulations and Section 42(1)(a) of the PA2008 requires consultation with the Greater London Authority (GLA) if the land is in Greater London

ORGANISATION
The Greater London Authority

TABLE A5: THE MARINE MANAGEMENT ORGANISATION

Section 42(1)(a) of the PA2008 requires consultation with the Marine Management Organisation in any case where the proposed development would affect, or would be likely to affect, any of the areas specified in subsection 42(2).

ORGANISATION
The Marine Management Organisation

APPENDIX 2: RESPONDENTS TO CONSULTATION AND COPIES OF REPLIES

CONSULTATION BODIES WHO REPLIED BY THE STATUTORY DEADLINE:
Affinity Water
Canal and River Trust
Ealing Council
Elmbridge Borough Council
Environment Agency
Epsom and Ewell Borough Council
Health and Safety Executive
Historic England
London Borough of Hammersmith and Fulham
London Borough of Hounslow
London Borough of Merton
London Borough of Richmond upon Thames
London Fire Brigade
Ministry of Defence
National Gas Transmission
National Grid Electricity Transmission
Natural England
Northern Gas Networks
Royal Borough of Kingston upon Thames
Royal Mail
Surrey County Council
Transport for London

CONSULTATION BODIES WHO REPLIED BY THE STATUTORY DEADLINE:

Trinity House

UK Power Networks Limited

Wandsworth Borough Council

Environmental Services
Operations Group 3
Temple Quay House
2 The Square
Bristol, BS1 6PN

6 November 2024

Dear Sir/Madam,

Application by Thames Water Utilities Limited for an Order granting Development Consent for the Teddington Direct River Abstraction project

I am writing in response to your letter dated 11 October 2024, inviting comments on proposed scoping documents submitted by Thames Water relating to an Environmental Statement which will be produced to support the Teddington Direct River Abstraction project.

We are a licensed water undertaker, supplying drinking water to 3.9 million customers in the southeast of England. The water we supply to our customers is sourced from a combination of groundwater (predominately Chalk) sources and the River Thames. Along with Thames Water and four other water companies, we are part of Water Resource South East, which aims to ensure equitable and sustainable water resources management in the Southeast of England. Ensuring that the quality or quantity of water the River Thames does not deteriorate is therefore of critical importance to us.

We understand from the scoping document that both the water abstracted from the Thames under the scheme and the discharge from Mogden STW will be downstream of our most downstream abstraction at Walton. Despite this, we feel that it is important that the EIA specifically considers the surface water quality and the impact on other river users and abstractors. Deterioration in the quality of the River Thames could result in the need for additional storage or treatment investment at a regional water resources planning scale.

Thank you for the opportunity to comment on the proposals. We would like to continue to be briefed on the scheme as it evolves.

Please do not hesitate to contact me if you require any further information.

Yours faithfully,



Dan Yarker

Asset Manager – Water Resources - Asset Strategy & Capital Delivery

The Planning Inspectorate
Environmental Services
Operations Group 3
Temple Quay House
2 The Square
Bristol
BS1 6PN

Your Ref WA010006

Our Ref IPP-247

Friday 8 November 2024

Proposal: Scoping consultation - Application by Thames Water Utilities Limited for an Order granting Development Consent for the Teddington Direct River Abstraction project

Waterway: Grand Union Canal

Thank you for your consultation.

We are the charity who look after and bring to life 2000 miles of canals & rivers. Our waterways contribute to the health and wellbeing of local communities and economies, creating attractive and connected places to live, work, volunteer and spend leisure time. These historic, natural and cultural assets form part of the strategic and local green-blue infrastructure network, linking urban and rural communities as well as habitats. By caring for our waterways and promoting their use we believe we can improve the wellbeing of our nation. The Trust is a prescribed consultee in the Nationally Significant Infrastructure Projects (NSIPs) process.

The Canal & River Trust (the Trust) own and manage the Grand Union canal (also often referred to as the river Brent) and the Paddington Arm of the Grand Union canal which lie to the north of the site. There is significant distance between the site and the canal, though the canal does appear to fall within the study areas for some matters within the Scoping Report, such as air quality and the canal is also identified as an ecological receptor.

The Transport section refers to a railhead facility at Transport Avenue, which lies just to the west of the Grand Union canal. The document states that the use of barges and other river freight has been considered and will continue to be as the project develops. The Trust promote the use of our canals and waterways for the moving of freight, with materials such as building materials and waste, being suitable cargoes. The Trust are happy to discuss this potential, and any commercial agreements required further with the promoter as their scheme progresses.

Therefore, based on a review of the information provided within the Scoping consultation the Trust have no further comments to make at this time. We would however welcome re-consultation when further detail becomes available or if the proposals become significantly altered, in order that we can re-consider this position.

Please do not hesitate to contact me with any queries you may have.

Yours sincerely,

Anne Denby MRTPI
Area Planner

Canal & River Trust Planning Team

Canal & River Trust, National Waterways Museum, Ellesmere Port South Pier Road Ellesmere Port Cheshire CH65 4FW
T: 0151 355 5017 E: nationalwaterwaysmuseum@canalrivertrust.org.uk W: canalrivertrust.org.uk

The Planning Inspectorate
Environmental Services
Operations Group 3
Temple Quay House
2 The Square
Bristol, BS1 6PN

Ealing Council
Perceval House
14-16 Uxbridge Road
London W5 2HL

Tel 020 8825 6600
Email
planning@ealing.gov.uk

Our ref
243909CONS

Portal Ref

Date
6 November 2024

Dear sir/madam,

Town and Country Planning Act 1990 (as amended)

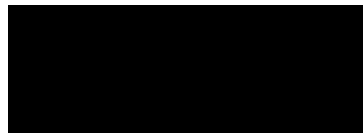
Ealing Council, the Local Planning Authority, have considered your application received on 11 October 2024 along with associated drawings and correspondence for **Site:** Clearwater Court, Vastern Road, Reading, Berkshire, RG1 8DB

Proposal: The Applicant has asked the Planning Inspectorate on behalf of the Secretary of State for its written opinion (a Scoping Opinion) as to the scope, and level of detail, of the information to be provided in the ES relating to the Proposed Development. The Applicant has set out its proposed scope of the ES in its Scoping Report which is published on the Find a National Infrastructure Project website link that can be found on the consultation letter. (Out of Borough)

On 6 November 2024 our determination in this instance is **No Objection**.

It is important that you read and understand all the conditions / reasons / informatives overleaf.

Yours sincerely



Head of Development Management
Email: planning@ealing.gov.uk

Drawings/Schedules References:

J698-AJ-C03X-TEDD-RP-EN-100007 Teddington Direct River Abstraction EIA Scoping Report, J698-AJ-C03X-TEDD-RP-EN-100007 Appendix D Odour Technical Note, J698-AJ-C03X-TEDD-RP-EN-100007 Appendix A Plans, J698-AJ-C03X-TEDD-RP-EN-100007 Appendix E HRA Screening, J698-AJ-C03X-TEDD-RP-EN-100007 Appendix B Relevant Legislation and Planning Policies, J698-AJ-C03X-TEDD-RP-EN-100007 Appendix C Air Quality Monitoring Data, J698-AJ-C03X-TEDD-RP-EN-100007 Appendix G Cumulative Assessment, J698-AJ-C03X-TEDD-RP-EN-100007 Appendix F WFD Screening, Teddington Direct River Abstraction S.35 Direction

Reference No: **243909CONS**

Site: **Clearwater Court, Vastern Road, Reading, Berkshire, RG1 8DB**

The proposal has been considered against Town and Country Planning Act 1990 (as amended) and is **No Objection**

Schedule of Reasons / Conditions

1 The Council does not raise an objection to the Environmental Impact Assessment Scoping Report provided that no objection is received from the council's pollution technical team, highways team, transport team and strategic planning team when a full planning application is submitted. As such, we advise you to continue to decide the application as per your adopted plan and relevant statutory guidance.

Appeals

You have a right to appeal this decision. Full details are available at www.planningportal.co.uk/planning/appeals



Elmbridge
Borough Council

... bridging the communities ...

Civic Centre
High Street, Esher
Surrey KT10 9SD
01372 474474

elmbridge.gov.uk/contactus

The Planning Inspectorate
F.A.O Laura Feekins-Bate
Environmental Services
Operations Group 3
Temple Quay House
2 The Square
Bristol
BS1 6PN

contact: Jack Trendall
phone: [REDACTED]
email: tplan@elmbridge.gov.uk

08 November 2024

Dear Sir/Madam

Town and Country Planning Act 1990 (as amended)

Application: 2024/2682

Proposal: Consultation from The Planning Inspectorate: EIA Scoping request relating to (PINS Ref WA010006).

Location: Teddington Direct River Abstraction

I refer to your recent consultation request regarding the EIA Scoping for the Teddington Direct River Abstraction.

Having considered the Teddington Direct River Abstraction EIA Scoping Report Elmbridge Borough Council has no comments upon the information set out in the Scoping Report other than to advise that EBC as both a promoter and regulator for the River Thames Scheme advises that this a matter that must be factored into the design and cumulative impacts assessment of this development. The River Thames Scheme is listed on the PINS list of Nationally significant infrastructure projects so it is presumed that it has been or will be identified, special consideration should be given to it as there is significant potential for both the construction phases to overlap and for the RTS to impact upon the operation of this development as the RTS is a flood alleviation scheme that would create two additional channels to manage augmented flow and is located upstream of this development.

Yours faithfully

[REDACTED]

Natalie Lynch
Team Leader

On behalf of Head of Planning and Environmental Health

Ms Laura Feekins-Bate
Environmental Services
Operations Group 3
Temple Quay House
2 The Square
Bristol, BS1 6PN

Our ref: XA/2024/100163/01-L01
Your ref: WA010006
Date: 08 November 2024

TeddingtonDRA@planninginspectorate.gov.uk

Dear Ms Feekins-Bate

**PLANNING ACT 2008 (AS AMENDED) AND THE INFRASTRUCTURE PLANNING
(ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017 (THE EIA
REGULATIONS) – REGULATIONS 10 AND 11**

**APPLICATION BY THAMES WATER UTILITIES LIMITED FOR AN ORDER
GRANTING DEVELOPMENT CONSENT FOR THE TEDDINGTON DIRECT RIVER
ABSTRACTION PROJECT**

**SCOPING CONSULTATION AND NOTIFICATION OF THE APPLICANT'S
CONTACT DETAILS AND DUTY TO MAKE AVAILABLE INFORMATION TO THE
APPLICANT IF REQUESTED**

Thank you for referring the above consultation which was received on 11 October 2024.

We have reviewed the Scoping Opinion J698-AJ-C03X-TEDD-RP-EN-100007, Revision C01 dated October 2024 and have the following comments to make.

Section 0-2 Scoping Summary provides a high-level description of what is proposed to be scoped in and out of the EIA and we broadly agree with this. However, we recommend the following issues are scoped in where they are currently proposed to be scoped out:

Climate Change – Construction Phase

Table 15.9 shows that vulnerability to climate change is scoped out for the construction phase of the development whilst the operation phase is scoped in.

Given the construction period is likely to extend for up to 10 years, climate change during this phase should be considered within the EIA and FRA and thus scoped in.

Impact on Fisheries – Construction Phase

We note that within Table 10.7 the construction of the conveyance tunnel on aquatic ecology receptors is scoped out. There is the potential for noise and vibration along with potential pollution from increased runoff to impact on fish species within the River Crane and Whitton Brook as well as where it crosses the River Thames. This should therefore be scoped in.

Further detailed comments on a range of issues within the remit of the Environment Agency can be found in Appendix 1.

Yours sincerely

Paul Gethins
Planning Specialist

Appendix 1: Detailed comments

Appendix 2: Licencing requirements

Appendix 1 - Detailed comments

Flood Risk

With regard to flood risk, we are generally in agreement with the aspects of the development to be scoped in and out of the EIA.

The proposed development includes water abstraction via a new intake structure upstream of Teddington Wier, with water returned to the River Thames via a new outfall, also located upstream of Teddington. Detail and exact locations of the proposed intake and outfall structures are still to be confirmed. These will potentially impact flows and flood risk so will need to be fully detailed within the EIA and flood risk assessment (FRA).

Teddington Wier represents the tidal limit of the River Thames. Therefore, given the proximity of the development to this, both fluvial and tidal flood risk should be considered. Climate change for the lifetime of the development will have an impact on both fluvial and tidal flood risk and will need to be carefully assessed given the site location.

A flood risk assessment will be required to support the EIA and DCO application. This will need to be based on available flood modelling information, and should include appropriate allowances for climate change. Paragraph 13.4.45 acknowledges that potential climate change impacts on sea levels, rainfall, and river flows will be assessed within the FRA using relevant EA guidance.

Plan 2.1 (sheet 4) shows the above ground sites and their situation relating to the published flood zones. Mogden STW and Tudor Drive are located within flood zone 1. Ham Street car park, Ham playing fields, Northweald Lane, and Burnell Avenue are located within flood zones 2 and 3.

It is acknowledged that the construction is largely conveyance tunnels bored at 20 – 30 m below ground level, with a number of shafts for construction purposes. Paragraph 13.4.35 states that the project is not expected to impact the flood defences due to the depth, tunnel design and utilisation of good construction practices. Further evidence will be required and the works will require Flood Risk Activity Permit applications: Flood risk activities: environmental permits - GOV.UK The works will involve both permanent and temporary works underneath and adjacent to the flood defences on the Tidal Thames. For the permanent works it is important they do not impact on future raisings outlined in the TE2100 Plan. Depending on the exact nature of the works we may also request that any flood defence raisings are undertaken as part of the project. Further information on the plan can be found at Thames Estuary 2100 (TE2100) - GOV.UK. There are various policy units.

Climate Change

Table 15.9 shows that vulnerability to climate change is scoped out for the construction phase of the development whilst the operation phase is scoped in.

Given the construction period is likely to extend for up to 10 years climate change during this phase should be considered within the EIA and FRA and thus scoped in.

Vulnerability Classification

The scheme has not yet been defined by the applicant in terms of its vulnerability classification in accordance with the National Planning Policy Framework (NPPF) Annex 3: Flood risk vulnerability classification.

The scheme may fall under Water Compatible (Water transmission infrastructure and pumping stations) or Essential Infrastructure (Essential utility infrastructure which has to be located in a flood risk area for operational reasons, including... water treatment works).

The classification of the scheme will affect the requirements of the exception test as outlined in Table 2. Please note that there are further comments relating to the vulnerability classification and how it affects flood modelling below under the heading 'Modelling and Climate Change'.

Exception Test

In line with Table 2: Flood Risk Vulnerability and Flood Zone Compatibility within the NPPG, the Exception Test will also be required for Essential Infrastructure proposals within these flood zones.

Please note, for any development within Flood Zone 3b (functional floodplain), that has passed both tests, it must be demonstrated that the scheme is designed and constructed to:

- Remain operational and safe for users in times of flood
- Result in no net loss of floodplain storage
- Not impede water flows and not increase flood risk elsewhere

It is also a requirement of National Planning Statement for Water Resources Infrastructure section 4.7 Flood risk (section 4.7.7) that the development should remain operational during the design flood plus climate change flood (where the lifetime of the development is agreed).

These matters should be further explored within the detailed FRA.

Flood Modelling

We broadly agree with what has been scoped in and out of the assessment from a flood risk modelling perspective in table 13.10.

During the operational phase the impact of the Burnell Avenue site on flood risk is scoped in which we welcome. However, the impact of the 15ML/day out of operation discharge rate on flood risk should be scoped into the assessment if this is a net increase in flow to the River Thames.

We agree with the aspects which are scoped in with regards to the construction impacts on flood risk as details in Section 13.5.24, 13.5.25, and 13.5.26, noting that all above ground sites (except for Tudor Drive) and the impact on flood risk of

displacing floodwaters has been scoped in for the construction phase. During construction the placement of materials, site equipment, and ancillary infrastructure could impact on flood flow routes. With regards to the Tudor Drive Thames Lee Tunnel (TLT) connection shaft, this area is within Flood Zone 1 and there are no ordinary watercourses or main rivers in the vicinity of this site so the proposal to scope this out of the assessment from a flood risk perspective is reasonable.

Any direct river abstraction and discharge must be resilient to the tidal range at this location and must not adversely affect the Teddington Tidal Flow.

Suitability of Existing Models

Section 13.4.37 notes that Product 4 information has been requested to determine the flood risk information held by the Environment Agency. These models will provide detailed baseline flow rates, flood levels, and flood extents to assess the fluvial and tidal flood risks. Please note, it is important to review any modelling information you use to ensure it is suitable for assessing site specific flood risk and uses the latest available data. The guidance on undertaking modelling for Flood Risk Assessment available online at [Using modelling for flood risk assessments - GOV.UK \(www.gov.uk\)](http://www.gov.uk/guidance/using-modelling-for-flood-risk-assessments) is a useful reference when developing or using existing hydraulic models for new development and should be considered.

Modelling and Climate Change

Section 15.5.3 notes that for the purposes of the assessment the projects infrastructure is assumed to have an operational lifetime of 60 years although it is likely to extend beyond this. Section 13.1.3 within the Water resources and flood risk chapter also describes how the project is assumed to be operated within its operational parameters indefinitely. We therefore note the potential that the development life may extend beyond 60 years.

The 2080's epoch should be reasonable for assessing climate change for the operating phase of the development. From a fluvial perspective the 2080's epoch runs from 2070 to 2125. If it is envisaged that the operating lifetime of the development would extend beyond 2125 then we would advise that the upper end projections are used as an extreme scenario. These could be a reasonable proxy for the longer term impact of climate change on peak river flow.

Section 15.5.7 describes how the climate change up to the end of the century will be considered. A high emissions (RCP 8.5) scenario at the 50% probability level will be used to assess changes in climate over the long term. It is important to note that the 50th percentile represents the central estimate for climate change. If the development were to be classed as essential infrastructure, then the higher central climate change allowance should be used (70th percentile) as well as a sensitivity test for the credible maximum scenario which in this case would be the upper climate change allowance for fluvial (95th percentile) or the H++ scenario for tidal flood risk.

If the development is classed as water compatible, then a central allowance would be appropriate although please note that if the development life were to extend past 2125 then we would recommend also testing the upper end fluvial scenario which could be a reasonable proxy for the longer-term impact of climate change.

It is noted in Section 15.5.16 that the potential impacts relating to the project's vulnerability to climate change during the construction phase are scoped out from further assessment. The rationale for this is that the projected key changes in climate parameters in the short term are assessed as being relatively minor. The EIA scoping report describes how completion of construction is expected in 2031, and operation is expected to start in 2033. The construction period falls within the 2020's epoch (2015 to 2039). The fluvial uplifts for the London management catchment are 10% (Central) and 14% (Higher Central) for the 2020's epoch.

We broadly agree with the rationale to scope out climate change impacts on flood risk during the construction phase on the basis that the construction period is relatively short and planned for the near future. We would however recommend an assessment is made with regards to the sensitivities associated with any fluvial modelling information you are using to inform the Flood Risk Assessment, particularly noting the 10% to 14% uplifts for fluvial flows with respect to climate change for the current epoch (2020s).

Tertiary Treatment Plant

Sections 2.3.1 and 13.4.19 of the scoping report describe how when the project is not operating, the Tertiary Treatment Plant (TTP) would operate at 15 Megalitres per day (ML/day) to maintain biomass within the moving bed biofilm reactor. This recycled water will be added to the final effluent channel to the current discharge point for Mogden STW. 15 ML/day equates to around 0.2 cubic metres per second (m³/s) if discharged at a flat rate over 24 hours.

Whilst this is a small flow contribution in the context of flood flows on the River Thames, if this is an additional net contribution to flow, then the impact of this on flood risk should be scoped into the assessment.

Impact Magnitude

With regards to impact magnitude as described within table 3.71 within the Design Manual for Roads and Bridges (DMRB) which is presented in table 13.8 of the EIA scoping report, increases in peak flood levels of less than 10 millimetres are described as negligible.

Please note that the classification presented within this table is at odds with the National Planning Policy Framework which details that there should be no increases to flood risk elsewhere because of new development. Any impacts to flood risk will need to be reviewed on a case-by-case basis as the spatial extent of any increase is also an important consideration not just the magnitude of any increase in peak water levels.

Furthermore, considerations around modelling precision may also influence what is classed as an observable increase or impact versus what might be attributable to model precision limitations and instability. There is a section on the impacts on off-site flood risk within the guidance on undertaking modelling for flood risk assessments which should be consulted and provides some useful considerations. This is available online at [Using modelling for flood risk assessments - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/using-modelling-for-flood-risk-assessments).

Flow Control Issues

Section 13.5.32 notes that the impacts on flood risk to the River Thames as a result from the discharge of water into the Thames are to be scoped out. This is on the basis that the project will only be operational during low flow conditions with the discharge rate equal to the abstraction upstream. This is considered reasonable for when the scheme is in operation although it will be important to consider continuity of discharge and abstraction and controls which will be put in place should one or the other stop operating.

Weirs

An important factor of note is the operation of weirs for maintaining levels and any lock operation for providing navigation. At times of truly low flows all gates will be closed, but there are very sensitive periods leading up to these conditions and as flows start to increase again, especially after rainfall events. These should be considered in sufficient detail in any modelling noting that the associated modelling must allow for a reasonable degree of precision so that variances can be properly understood.

Surface Water Flooding

Section 13.4.38 describes how the surface water flood maps (The Risk of Flooding from Surface Water mapping) are unlikely to have accounted for the surface water drainage system at the Mogden Sewage Treatment Works. This is correct as the current Risk of Flooding from Surface Water model outputs in this location are based on national scale modelling which assumed that the drainage system is at capacity. The Risk of Flooding from Surface Water Suitability and Risk of Flooding from Surface Water Input model details datasets may be of use. These are available on the Defra Data Services Platform at [Defra data services platform](#)

Protection of Controlled Waters

In relation to the Protection of Controlled Waters we have reviewed the Report (ref. J698-AJ-C03X-TEDD-RP-EN-100007) with particular focus on Chapters 1 Introduction, Chapter 2 The Project, Chapter 5 EIA Methodology, Chapter 11 Ground Conditions and Contaminated Land, and Chapter 13 Water Resources and Flood Risk. We provide the following comments on potential risks to groundwater and contaminated land caused by the proposed development. Matters relating to human health should be directed to the Local Planning Authority.

Table 11.1 (section 11.3.3) lists relevant legislation, policy and guidance that will be used. This appears to include most documents we expect to see with respect to groundwater and contaminated land. We recommend that [EA groundwater protection position statements](#) be added to this list.

Site Setting

The applicant has provided a comprehensive overview of the geological setting of the site, including an assessment of current and historical contaminative land uses. The discussion on geological strata, aquifer designations, Source Protection Zones, and potentially contaminative land uses appears to match our records. The Preliminary Conceptual Site Model presented as Section 11.4 appears to adequately

characterise the site setting and risks based on the information available. This will be updated following the completion of a ground investigation which is currently being conducted (11.4.23).

In Section 13.4.33, it states “Further information on nearby abstractions and monitoring wells will be obtained from the EA to support the environmental assessment that will be reported in the ES.” The applicant may also need to contact local authorities and the water company for information on public and private groundwater abstractions.

The conveyance tunnel is designed to be located wholly within the London Clay Formation where the thickness of the geology is sufficient to avoid the creation of potential pathways to the underlying aquifers (Section 13.5.21). With the use of tunnelling and construction good practice guidance, the applicant anticipates the tunnel to have no potentially significant effects on groundwater. Providing that the GI confirms that the thickness of London Clay Formation is sufficient, then this is acceptable. We assume that the connection from the river intake to the existing Thames Lee Tunnel (TLT) will also not penetrate below the base of the London Clay Formation. A permit may be required to provide any water required during tunnelling; we recommend that this is sought as early as possible to minimise the potential for delays.

The London Clay Formation is underlain by the Lower London Tertiaries and the Chalk (a Principal aquifer). The applicant proposes to scope out risks to the Chalk as tunnelling is to be completed wholly within London Clay preventing vertical pathways to underlying aquifers. This is acceptable, providing that this plan does not change. If for any reason the tunnel needs to enter or pass within influencing distance of the Chalk, or could be affected by the piezometric pressure within the aquifers, a full hydrogeological risk assessment must be completed. The risk assessment and any mitigation will need to be agreed with the Environment Agency prior to commencement of works.

Ground Investigations

A ground investigation (GI) is reportedly currently in progress. The scope includes seeking to confirm the thickness of London Clay Formation is sufficient for the tunnel to be wholly within this stratum (20-30mbgl). The works are also investigating the lateral limit of a historical landfill at Mogden STW (11.2.2).

The full scope of the GI is not supplied; however, we understand that it includes assessment of the depth and thickness of superficial deposits and bedrock, and groundwater levels in the superficial deposits (Section 13.4.34), and an assessment of risks to controlled waters, human health, and property (Section 11.8.6). The results will be summarised in the ES (11.4.19) and we look forward to seeing these in due course. The tunnel alignment appears to run beneath Crane Avenue Allotment historical landfill. The applicant will need to demonstrate that the tunnel can be formed here without disturbing historically deposited waste. Given that the design tunnel depth will be 20 to 30 mbgl in London Clay, this will likely be below any waste deposited at this location, but this will need to be confirmed.

Sections 11.7.7 and 11.7.8 state that the results of the GI and associated land contamination risk assessments will be used to inform remedial strategies in accordance with LCRM226 and a Materials Management Plan (MMP) and a Soil Resource Plan (SRP) for reuse of site-won soils. We support the inclusion of these plans.

Mitigation Measures

Section 11.7.4 states: “At this stage, the requirement for specific mitigation measures in respect of Ground Conditions and Land Contamination cannot be meaningfully identified, particularly in relation to impacts from land contamination.” Section 11.8.4 states: “Significant contaminated land impacts are not anticipated during the operational phase of the Project”; it explains: “all relevant mitigation measures, ... would be completed by the end of the construction phase or would have been incorporated into the design of the Project ... based on the baseline data available, it is not envisaged that remediation techniques other than excavation are likely to be implemented.”

Remediation

We understand that the developer intends to develop bespoke remediation strategies where contamination impacts are identified during ground investigations or construction. These are to be “as appropriate to the nature and extent of contamination encountered and agreed with the relevant authorities” (11.7.4). We support this and would recommend that a watching brief and discovery strategy for the presence of unexpected contamination should be produced prior to construction commencing. This strategy would provide a structure and process that the developer can follow in the event of such findings. Any remediation, either during construction or operation, will require a strategy and method statement, and to be agreed with the relevant authorities prior to commencement. Remedial works are anticipated to include removal of contaminated soils; as such, we have provided an informative about waste at the end of this response.

Section 11.7.9 states that any contamination identified during the construction phase would be subject to remediation, and as such no significant impacts would be anticipated during operation of the Proposed Development. The report states that drainage and pollution control systems, and any industrial processes (such as discharges) would be controlled under an Environmental Permit. On this basis, risks of contamination during operation have been Scoped Out. We consider this approach to be acceptable on the provision that risks to controlled waters will be adequately managed by the design of potentially polluting aspects of the Proposed Development and controlled by the requirements of the Environmental Permit(s) applied to the operational site. Confirmation is sought that the risks posed by the operational site can be adequately managed by the proposed best practice methods.

Dewatering

Section 13.5.19 states: “Excavation and dewatering activities have the potential for impacts on groundwater flow and levels in the superficial deposits”. As such, these matters are scoped in. We agree with this. The assessment should include all potential impacts to superficial soils from tunnelling, shafts, and surface infrastructure, especially in areas of Principal and Secondary A aquifer.

If dewatering is required, we recommend that a Dewatering Management Plan should be developed as part of the CEMP (or equivalent) to ensure that groundwater abstracted during the construction phase will be appropriately managed. We have provided an informative about dewatering at the end of this response.

Construction Environmental Management Plan

At this stage, the applicant has made no reference to a Construction Environmental Management Plan (CEMP) or Operations Environmental Management Plan (OEMP). We recommend that these, or similar, plans are put in place. Other documents mentioned in this scoping could be incorporated within, or used instead of, these plans.

We are pleased to note that construction phase impacts to human health, surface water and groundwater from existing and introduced contamination have been scoped in (sections 11.8.1 and 11.8.6).

Design Life

The intention is that the Project will be operated, within its operational parameters, indefinitely. It is, therefore, proposed to scope decommissioning out of the assessment. Maintenance and replacement of equipment is included in the operational aspects. This does not allow for the design life of the tunnel. The Thames Tideway Tunnel, which also has a connection to the Lee Tunnel, has a design life of 120 years. We would like the design life for this scheme to be considered, even if decommissioning is not anticipated. At any stage of operation or decommissioning, as applicable, any maintenance works which involve excavation in the superficial soils (especially areas of Principal and Secondary A aquifer) should be completed under the same controls as construction works.

Drainage

A Drainage Strategy for the proposed development, ensuring that surface water run-off is managed appropriately, has not been provided at this stage. This is acknowledged in Section 13.6.10: "Drainage Strategies may also be required to manage surface water, which should be confirmed through consultations with the LLFA." Use of Sustainable Drainage Systems (SuDS) will be also considered in due course (Section 13.7.4). We welcome further detail on drainage proposals when the development proposals have been further confirmed.

The Government's expectation is that sustainable drainage systems (SuDS) will be provided in new developments wherever this is appropriate. The Environment Agency supports this expectation. Where infiltration SuDS are to be used for surface run-off from roads, car parking and public or amenity areas, they should:

- be suitably designed
- meet Governments non-statutory technical standards for sustainable drainage systems – these standards should be used in conjunction with the National Planning Policy Framework and Planning Practice Guidance
- use a SuDS management treatment train – that is, use drainage components in series to achieve a robust surface water management system that does not pose an unacceptable risk of pollution to groundwater

Where infiltration SuDS are proposed for anything other than clean roof drainage in a SPZ1, a hydrogeological risk assessment should be undertaken, to ensure that the system does not pose an unacceptable risk to the source of supply. See the Environment Agency's approach to groundwater protection, position statement G13: [Groundwater protection position statements - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/position-statements/groundwater-protection-position-statements)

Water-based Ecology

We agree in general with the Terrestrial Ecological features and Aquatic Ecological Features 'Scoped In/Out' (Tables 9.6 & 10.7), along with the identified Sensitive Ecological Receptors and the acknowledged potential effects from the Construction and Operation stages (Tables 9.8 & 10.7).

However, Section 10.4.38, states that "it is not anticipated that the combined impact of the Project and climate change would be any different to the impact of climate change in isolation (i.e. without the Project)", due to the potential for impacts such as warming of water caused by future climate and discharged water to act in-combination. We recommend this matter is 'Scoped in' for detailed analysis as part of the impact assessment, and that the EA and other relevant stakeholders are consulted on the assessment approach

Legislation, Policy and Guidance

Please include the following legislation, policy and guidance: Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024 in Tables 9.1 and 10.1.

In addition, the new Management of Hedgerows (England) Regulations 2024 have officially become law, therefore please include this with the Hedgerows Regulations 1997 in Table 9.1.

Priority Habitats

We note the River Crane is listed as a 'priority habitat' throughout the report (e.g. section 10.4.34). This may be a mapping error on the applicant's part as a considerable length of the river is heavily modified (i.e. it is concrete lined).

We welcome the production of a UKHab survey of habitats within the EIA Scoping Boundary (9.4.19), which provides more accurate habitat identification data for the BNG Metric. It is also positive to read that the applicant plans to use the Statutory Biodiversity Metric (9.4.19). We would also encourage the use of the Watercourse Metric (where appropriate).

Invasive Non-Native Species (INNS)

It is positive to read that the applicant has referred to the EA Ecology and Fish Data Explorer and incorporated the survey results within the aquatic ecology baseline data (Table 10.3). A large number of INNS have been detected at an EA sampling point (located approximately 500m upstream of the Teddington Weir, with the most recent survey completed in 2023), therefore it is positive that the applicant intends to conduct further INNS surveys (10.4.33).

We hold records of Zebra mussel (*Dreissena polymorpha*) and Quagga mussel (*Dreissena bugensis*) near Teddington weir. *Dreissena* are known to attach to pipes and other water transport utilities in a process known as biofouling (RAPID, 2018). Measures should be taken to ensure INNS will not damage or clog-up the intake and outfall structures, which could include regular checks and enactment of INNS control measures, if necessary.

Floating Pennywort is also known to be present within the river at Mogden STW, but this has not been mentioned in section 9.4.15.

Biodiversity Net Gain (BNG)

BNG will become a legal requirement for NSIPs in November 2025. It is positive to read that the applicant intends to deliver a minimum of 10% BNG on-site, and that the mitigation hierarchy will be followed (9.7.5) although details on how this will be achieved are lacking. We would welcome consideration whether it would be possible to go beyond this and provide beyond the statutory requirement. The applicant should submit a Biodiversity Net Gain Report alongside the DCO application.

The applicant should use the latest statutory (official) version of the biodiversity metric tool to calculate BNG, and we recommend the use of the Watercourse Metric (where appropriate).

Offsite Opportunities

The applicant could support the delivery of local projects to improve fish passage such as the River Thames Fish Pass Strategy Implementation (led by the EA), or to control the spread of INNS such as the River Thames Biosecurity Project (led by the APHA). By supporting local projects, this would also provide an opportunity for the applicant to provide off-site BNG enhancements.

The Greater London Authority have been appointed the responsible authority to develop the Local Nature Recovery Strategy. The London LNRS have recently captured suggestions on nature recovery opportunities in London and are currently in the process of analysing the results. They intend to complete the strategy by 2025. Once published, I'd also advise that the applicant refers to these maps to inform decisions on where to site off-site BNG delivery and potential enhancements. The NAU has commented that more concrete proposals for how impacts upon non-statutory designated sites might be explored are expected, in addition to the identification of opportunities for mitigation/compensation.

Watercourse Buffers

There is no consideration of using watercourse buffers as a mitigation proposal. The establishment of riparian buffers is considered a best practice measure when working in or near watercourses.

We would recommend the provision of a 10-metre buffer from river bank-tops as a minimum and a 8-metre buffer either-side of ordinary watercourses, to effectively protect watercourses from sediment and chemical pollution, enable bank stabilisation and allow space for commuting by mammals. We recommend that buffers greater than 10m are considered where watercourse migration is identified, where possible.

Water Vole and Otter

It is positive to read that the applicant intends to complete species-specific surveys (such as riparian mammals) to inform the ecological baseline of the EIA Scoping Boundary (9.4.19); these survey reports should be provided as part of the PEIR for consultees to comment on, particularly with regards to protected species such as water vole and otter.

Chapters 9 and 10 lack information on the methods and extents/scopes of baseline surveys already undertaken or proposed. These should be provided to the EA and other consultees for comment at the earliest opportunity.

Off-site areas may also need to be surveyed in case these will need to be used as part of a mitigation strategy (e.g. translocation).

Cofferdams

Sections 2.4.6 and 12.5.16 state that cofferdams will likely be used during the installation of the intake and outfall structures, upstream of Teddington Weir. Tall cofferdams have the potential risk to trap any otters that fall in. If the cofferdam is left overnight the dam should be covered over and an area around the outside of the dam is left unobstructed, to deter otters from entering the de-watered area and to give them space to pass the structure.

Water Framework Directive

Any biodiversity enhancements proposed around waterbodies should compliment the local environmental objectives and programmes of measures within the relevant River Basin Management Plans.

Mogden STW Preliminary Ecological Appraisal

We welcome that Mogden STW will be subject to an updated PEA, as the site forms an LWS, section 9.4.4.

Given the location of the western shaft within this area, it is likely that the applicant will need to consider mitigation and enhancements to the LWS for any losses in habitat. The PEA should include the entirety of the LWS, as at the moment the intended surveying extent in this area is currently unclear.

There is no mention of permanent habitat loss at the Western Work Area in Table 9.8. Considering that a new drive shaft is proposed, it is assumed vegetation clearance may be required. These losses should either be considered at the operational phase or mitigated for at the construction phase.

Further Consultees

It is very positive to see that the applicant has completed a Stage 1 HRA (Appendix E). We recommend that Natural England are consulted with regards to this assessment, as considering impacts to internationally designated sites falls under their remit as the statutory nature conservation body for England.

We also recommend that the London Wildlife Trust are consulted with regards to assessing impacts to nearby non-designated sites, such as the River Thames and Tidal Tributaries SINC.

Fisheries

We note that within Table 10.7 the construction of the conveyance tunnel (Mogden STW to the outfall) on aquatic ecology receptors is scoped out. We disagree with this. There is the potential for noise from drilling and other noisy construction works and pollution from increased runoff to impact on fish species within the River Crane and Whitton Brook as well as where it crosses the River Thames. The River Crane and Whitton Brook has a notable population of fish including European eel.

We are satisfied that the range of potential impacts, as detailed in 10.5.17, as broadly described. However, it is important to clarify the potential for the outfall velocity and temperature to attract fish and impede migration. This should be captured in the statement on “Localised increased velocities and the resulting impact..”

The notion that the applicant does not anticipate that the combined impact of the Project and climate change would be any different to the impact of climate change in isolation (10.4.38) is concerning given that the scheme results in a depleted reach and discharges warm effluent into the Thames that will likely exacerbate the effect on the warming climate’s effect. We appreciate the consideration of mitigation such as future proofed habitat creation resilient to climate change to offset this impact and that the in-combination climate impacts (15.6.11) are to be explored in a full EIA.

While the applicant considers the impacts from construction activities that could result in species disturbance, injury, mortality, changes in flow and water quality to be insignificant (10.5.5-10.5.10) we would appreciate seeing more detail on the construction methods, mitigations and timings to understand the level of risk.

Noise and Vibration

We are pleased to see that embedded mitigation measures outlined in Table 3.1 includes the use of ‘press-in piling’ to minimise noise and vibration. This is deemed as silent piling method and would be the most favourable in terms mitigating risk to fish. However, noise and vibration is scoped in, in chapter 10.

Additionally, in paragraph 10.5.13 noise from piling is mentioned as a potential impact during construction. Further details and clarity on the impact-pathway from noisy construction activities on fish are required in the EIA.

Sections 10.4.31/36 state no construction works are planned which would be in hydraulic connectivity to the River Crane and Whitton Brook water body features. However, considerations should be made assessing the impact to aquatic life from noise and vibration.

Infall and Outfall Structures

In previous pre application discussions, we have demonstrated to the applicant the need for an off-bank outfall to allow for an uninterrupted migration pathway for juvenile eel and to protect the important marginal habitat. Thames Water has provided a preliminary design for an off-bank discharge which constitutes mitigation and should be included going forward. This design should be further refined with guidance from the EA to ensure a best environmental design is taken forward.

It is also important to describe the relative position of the intake and outfall. i.e. that the scheme is a “take and put” arrangement with the intake location upstream of the discharge location (10.5.16).

Where areas of riparian habitat are lost due to the footprint of the inlet and outlet, S10.7.4, compensatory habitat within the close proximity should be considered as part of the BNG plan. Marginal habitat in the Thames is important refuge habitat for fish including juveniles and eels. Furthermore it provides useful food resource for fish.

Whilst habitat improvement within the scheme red line should be carried out where possible the most significant opportunities for habitat improvement mitigation and compensation could be achieved in the reach upstream and downstream of the intake and outfall such as on the right-hand bank in Canbury gardens. To ensure maximum resilience to any impacts from the intake and particularly the outfall a suitably located and designed eel pass should be installed on the Teddington weir and lock complex.

Relevant legislation, policy and guidance

Please note Table 10.1 should include:

National Legislation

- The Invasive Non-native Species (Amendment etc.) (EU Exit) Regulations (2019.)
- The Environmental Targets Regulations (2022)

National Policy and Guidance

- "Safe passage for eels: Best Achievable Eel Protection (BAEP) LIT 66008 (2023). LIT 60516 - Screening at intakes- measures to protect eel and elvers" – available on request from the Environment Agency.
- British Energy Estuarine and Marine Studies (BEEMS) (2011) no. 008. Thermal standards for cooling water from new build nuclear power stations.
- The Environmental Improvement Plan (2023)

Further Data

- Table 10.3 (Fish, Migratory fish and Protected and notable species rows) p.179-180: Data from the summer 2023 fish and eDNA surveys to be included also as they provide important evidence for the presence of shad species.
- 10.4.13 p1.81 – as above, the Strategic Resource Option (SRO) Monitoring Programme Data should include the 2023 eDNA survey results.
- 10.3.4/ Table 10.5 - Other sources of information other than GiGL should be used to indicate the presence of protected and notable species. Sea/brown trout (*Salmo trutta*) are also present in the Thames and should be included in this table. They are S41 priority species of the NERC Act. Bullhead (*Cottus gobio*) (Annex II Habitats Directive), brook lamprey (*Lampetra planeri*) (Annex II Habitats Directive) and river lamprey (*Lampetra fluviatilis*) (Annex II Habitats Directive and S41 priority species of NERC Act) are also present in the

Thames and should be included in this table (River Lamprey has been recorded for the in the last 2 years at Molesey). The Annex II Habitats Directive species Sea lamprey (*Petromyzon marinus*) and allis and twaite shad (*Alosa alosa*, *alosa fallax*) should also be considered given recent records and the positive detection of *Alosa* spp in the summer 2023 eDNA surveys carried out by the applicant.

- 10.4.28 - The fish community present includes notable diadromous species which migrate through the study boundary and hydraulically linked features.

Geomorphology

According to section 10.4.34 - The River Crane is identified as a “priority habitat”, this is contradicted by the WFD Screening report, which highlights issues with the River Crane, e.g. (F 3.19) “physical modification pressures from urban development, flood protection structures, and barriers have also caused adverse impacts on this waterbody. Impoundment activities also impact the river hydrological regime.” The “priority habitat” designation is therefore incorrect.

10.5.4 indicates that new bank and in channel infrastructure would likely result in loss of habitat, and if extra protection (e.g. scour protection around the outfall/intake structures) were required there may be a localised impact. This will lead to a loss in habitat and there will be localised impact on channel morphology if protection measures were included. It is encouraging that effects on hydromorphology are scoped into the ES for further assessment (Tables 10.7 and 13.10 and section 13.5.3 - construction) to allow a consideration for mitigation and possible compensation, plus any identified BNG uplift within the project boundary (see below).

It is encouraging to see that possible effects on morphology, sedimentation rates, river flows and water temperature have been scoped in for the operational phase of the project (13.5.7-13.5.13)

Net Gain

BNG will become a mandatory requirement for NSIPs in November 2025. Due consideration should be given to this process. It is encouraging that the project aims for the minimum of 10% uplift, however opportunities for greater uplift should be investigated.

Accredited/trained MoRPh surveyors should be utilised to identify watercourse metric baseline conditions for watercourses both within and in close proximity (10m) to the project redline boundary. It should be noted that due to the BNG hierarchy, uplift should be firstly identified and attempted within the project boundary.

WFD Assessments

It is encouraging that the following WFD waterbodies have been identified in Appendix F for further (Stage 3) assessment within appendix F:

- Thames (Egham to Teddington) (ID: GB106039023232)
- Thames Upper (ID: GB530603911403)
- Lockwood Reservoir (ID: GB30641865)
- Banbury Reservoir (ID: GB30647003)

- High Maynard Reservoir (ID: GB30641884)
- Lower Thames Gravels Ground Water Body (ID: GB40603G000300)

Water Quality

With regards to water quality, the scoping document and WFD report have generally identified the most significant effects that will need addressing along with identifying proposed mitigation measures.

However, the following areas should be further addressed.

- Baseline Environment – to extend the modelling area to the Thames Tideway.
- Effect on river self-purification capacity – resuspension of contaminants trapped in sediment beds
- Tidal influence on intake water quality – proper modelling assessment of localised change in river flow
- Improvement at existing STW effluent site – assess the significance of the benefits at the existing STW outfall site
- Mitigation for Construction impacts on water quality – important to follow proposal to mitigate construction activities risks through good water quality management plan and construction code of practice
- Foul drainage – ensure safe disposal of foul drainage during construction activities
- Maintenance of biofilm carrier media – limited information on carrier media that will be used and maintenance of these carrier media to prevent reduction in treatment efficiency over time

Water Temperature

Section 15.4.17 illustrates the projected changes in temperature and precipitation by 2080s. These figures are significant and it is necessary to model/explore how these will impact the hydrology and hydro-ecology before concluding no impact from climate change. This assessment should be added to the plans for assessing changes to future water resources, as presented in 13.6.9.

If surface water temperature is of concern, it will be exacerbated by climate change and it is important to assess impact/ test suitability of mitigation measures under future climate change scenarios, namely the more extreme 80% probability as part of a sensitivity testing. We would like to see the evidence behind the statements in sections 10.4.38 and 10.6.7.

Effects on Aquatic Species

Section 10.5.10 states that “whilst water quality risks will require management in the context of localised construction activities associated with the River Thames (intake/outfall location), significant effects on aquatic species within the River Thames are considered unlikely.” Evidence regarding this assumption is required.

Water Resources

Section 13.6.7 makes reference to utilising modelling that was carried out at previous Gates as part of the assessment. Much of the modelling previously carried out focused on operational periods for a representative 1 in 5 and 1 in 20 year drought events defined using the 19,200 year stochastic flow series developed by WRSE. Assessments should also consider operations at times of year outside these representative scenarios to characterise the impacts of the scheme on parameters that may be more sensitive outside these more likely operational periods.

It is noted in Appendix G that the River Thames scheme is included in the list of projects being assessed in the cumulative impact assessment and taken forward to stages 3/4. It does not appear that other strategic resource schemes have been identified for assessment. Strategic resource options are intrinsically linked from a hydrological perspective and cumulative impacts should be assessed.

Activities scoped out

Operation-related activities scoped out relating to surface and ground water resources are generally acceptable based on the absence of pathway to an impact.

Assessment methodology

Table 13.7 sets out the criteria for determining the receptor sensitivity. This generally meets expectations for an EIA, but there is a risk that the criteria used reduce the sensitivity of water bodies impacted by Teddington DRA due to their characteristics and designations. The assessment narrative should consider professional judgement when characterising sensitivity, risk and impact.

Paragraph 13.6.9 notes that climate change impacts on the future baseline for flood risk will be assessed. The climate change impacts on the future baseline and implication for wider scheme impacts, including water resources and subsequent water quality and ecology impacts, should also be assessed.

Construction

Consumptive water use

The scoping report makes reference to consumptive water demands during the construction phase of the project which include dust suppression techniques as described in chapter 6 specifying the use of non-potable water where possible and appropriate. Furthermore, construction material described in chapter 17 include concrete production. However, this section specifies that these are likely to be secondarily sourced and we understand that this will be sourced separately from the site. Other potential uses of water in construction phases of projects can include machinery and wheel washdown; and potable/domestic supply to welfare stations.

We recommend that the project considers a basic water supply strategy at the EIA stage which identifies water demands and the intended sources of supply for activities during construction. An options appraisal of demands and potential supply can help to ensure that any implications for the effect of potential licence restrictions or unavailability can be problem solved early on.

Access to significant volumes of water during construction and potential licences required should not be underestimated. Thames Water may intend to supply its own

(potable and/or non-potable) water demands for construction needs, we understand potential laydown areas at Mogden are proposed for access to water and materials production/storage, however this is not mentioned explicitly in the report.

Dewatering

We are pleased to see that impact on groundwater level and alteration of baseflow component; and the potential effects of dewatering are scoped into the assessment. De-watering activities will require an abstraction licence if they do not meet the criteria for exemption in [The Water Abstraction and Impounding \(Exemptions\) Regulations 2017 Section 5: Small scale dewatering in the course of building or engineering works](#). It may also require a discharge permit if it falls outside of our [regulatory position statement for de-watering discharges](#). Further details can be found in appendix 2.

Consideration should be made as to whether the discharge will be made to the same source of supply as demonstrating non-consumptive use will increase the likelihood of a licence being granted without restrictions being imposed.

Activities scoped out

Construction-related activities scoped out relating to surface water resources are generally those that have the potential to be impacted temporarily by activities such as dewatering and contamination, or through the water demand of the activities on the basis that the sites are not in hydrological continuity with watercourses, or because significant water demand is not anticipated.

Through appropriate construction management practices, impacts from these activities should be minimised. The water demands of the construction activities should be fully considered before scoping out activities if there is a need for water demand to be supported by abstraction activities that may pose an impact.

Impacts on surface water resources from the construction phase are scoped out on the basis the site is not hydrologically connected to any watercourses. Dewatering of the gravels may be in hydrological continuity with surface waters. The risk of impact should be considered before this is scoped out of the assessment given that impacts of construction activities on ground water resources remain scoped in.

Operation

The benefits of the proposal to regional water resources are well documented and understood and it is noted that the proposal is adopted and signed off as a preferred option for meeting future demand in Thames Water's Water Resource Management Plan.

Disbenefits of the proposal notably concern water quality (along with impacts to Fish and Eels) at the discharge and abstraction point which relate to flow velocities and temperature. We are encouraged to see these impacts are scoped into the assessment and that suitable mitigation is already being explored. This may have implications for licensing the discharge and re-abstraction if specific conditions are established to avoid or mitigate for these impacts during the licence determination.

Section 2.3.9 describes control interfaces to manage the abstraction to match the discharge. The licence determination will also seek to establish that there are no NET losses incurred to volumes of water flowing over the weir. The flows at Teddington underpin licence conditions and operating agreements in the significant upstream catchment and so there should be high confidence that the abstraction volume will be matched or exceeded by the discharge volumes at all times of operation. We understand this will be developed further during the design stages and would expect that such flow measurements will be installed at the point of abstraction and discharge to the river as opposed to at any other point in the pipelines.

Activities scoped out

Operation-related activities scoped out relating to surface and ground water resources are generally acceptable based on the absence of pathway to an impact.

WFD assessment Appendix F:

The water bodies requiring further assessment for changes arising from the discharge of water as part of Teddington DRA should include the Thames tideway (e.g. Table F.9 and F.10).

Thames Riverside

The River Thames in this area is a unique and special environment and we are keen to work with the applicant to ensure any new riverside structures are designed sympathetically to deliver environmental improvement for people and wildlife. There are a number of flood risk management and climate change plans and strategies in this area which need to be assessed to inform the design and layout of any new structures / tunneling / landscaping to ensure the project is resilient to a changing climate and in line with strategies to manage tidal and fluvial risk and water quality. We recommend the plans and strategies listed below are added to Page 18 of the Scoping report section “Relevant legislation, policy and guidance”

- [Thames Estuary 2100 plan \(TE2100\) - GOV.UK](#)
- [Policy Units \(tidal sections\)](#)
- [River Thames Scheme](#)
- [Estuary Edges guidance](#)
- [Thames Landscape Strategy](#)
- [River health | London City Hall](#)
- [London Borough of Richmond upon Thames Local Plan](#)
- [Royal Borough of Kingston upon Thames Local Plan](#)

Any new riverside structures, tunneling or landscaping needs to be carefully planned and designed to create a quality riverside environment and include new flood defences, new riverside planting and a buffer zone from the river in line with the plans and strategies above.

Leisure and Amenity

The riverside areas especially around Teddington and Ham are well used and valued by the local community and visitors and regularly used for water recreation such as

rowing, canoeing, boating and swimming and feature in the London Mayors plan for increasing access to open water swimming. We encourage the applicant to work with Local Planning Authorities and local community groups so they are actively involved in the design and layout of any changes to the riverside environment to deliver this project.

Design and location of new structures

We are keen to work with the applicant to improve the indicative design of the proposed structures “Figure 2.10 An indicative image of an intake structure upstream of Teddington Weir” page 45. We work in partnership to help deliver an improved and greener riverside environment. We feel the current indicative designs could be improved to help deliver these goals in line with national and local policies and guidance to improve riverside environments though we acknowledge the constraints that will guide the final designs, notably those relating to fisheries.

Please note:

In Table 9.3, the SINC's are listed as 'Local' (under the Importance column). These should be listed as 'Metropolitan/County', as per Table 9.7.

Sections 10.5.13, 10.5.14 and 10.5.15 sit under an INNS sub-heading but do not appear related.

Section 13 has a page numbering issue. From page number 285 to 296 the intervening page numbers are all page 18.

Appendix 2 - Licensing Requirements

A number of permits and licenses will be required to facilitate this scheme.

Should you wish to disapply any element of these proposals and bring within the scope of the DCO details of this should be provided to the Environment Agency a minimum of 6 months prior to DCO submission.

We will require a Consenting Strategy document is submitted in support of the proposals which outlines a programme of managing the various consents and permits, and confirmation of whether this will be subsumed within the DCO process or as stand alone permits.

We recommend early engagement with our National Permitting Service and full use of their enhanced pre-application advice service to ensure the permitting requirements and implications are fully understood and addressed in good time to inform PINS decision making process. Twin tracking is recommended for those applications considered fundamental to the DCO.

Please refer to PINS Annex D advice note for further information on how the Environment Agency's planning and permitting process can be best aligned within DCOs.

Flood Risk Activity Permit

Given the site's location within the floodplain and on the banks of Main Rivers, it is likely multiple Flood Risk Activity Permits will be required in addition to the above.

If any of the works are likely to require a Flood Risk Activity Permit (FRAP) under the Environmental Permitting Regulations, we recommend that the applicant informs the Environment Agency whether they are seeking disapplication at the earliest opportunity.

The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

- On or within 8 metres of a main river (16 metres if tidal)
- On or within 8 metres of a flood defence structure or culvert (16 metres if tidal)
- On or within 16 metres of a sea defence
- Involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- In a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03702 422 549.

The applicant should not assume that a permit will automatically be forthcoming once a DCO has been granted, and we advise them to consult us at the earliest opportunity.

Pre application advice - [Get advice before you apply for an environmental permit - GOV.UK](#)

A waste carrier licence is required if the applicant wishes to remove waste off site. Further details on waste carrier licenses can be found here: [Register or renew as a waste carrier, broker or dealer - GOV.UK](#)

Compliance with Duty of Care is required. Therefore, any sites which receive waste because of the infrastructure project should be checked that they have permits with the appropriate waste types. Further details can be found here: [Waste duty of care code of practice - GOV.UK](#)

Water Quality

The scheme could potentially require water discharge activity permits. If the water re-entering the Thames is shown to deteriorate water quality, then it could be considered poisonous, noxious or polluting matter, and therefore require a water discharge activity permit. We encourage the applicant to continue to engage with us on this matter. Any discharges of trade effluent from water treatment works will also likely require a water discharge activity permit.

Abstraction

Activities relating to the scheme may require an abstraction licence from the Environment Agency. Under the Water Resources Act 1991, any abstraction of water greater than 20 cubic metres per day, requires an abstraction licence.

The proposed development site lies within the Thames Abstraction Licensing Strategy (ALS).

<https://assets.publishing.service.gov.uk/media/5de4ebc940f0b650c268495f/Thames-Abstraction-Licensing-Strategy.pdf>

Further information is available at <https://www.gov.uk/guidance/water-management-abstract-or-impound-water>.

Dewatering

If dewatering is required, the applicant may require an abstraction licence if it doesn't meet the exemption in The Water Abstraction and Impounding (Exemptions) Regulations 2017 Section 5: Small scale dewatering in the course of building or engineering works.

If the applicant does not meet the exemption and requires a full abstraction licence, they should be aware that some aquifer units may be closed for new consumptive abstractions in this area. More information can be found on our website: Abstraction licensing strategies (CAMS process) - GOV.UK (www.gov.uk) and Apply for a water abstraction or impounding licence - GOV.UK (www.gov.uk)

Please note that the typical timescale to process a licence application is 9-12 months. The applicant may wish to consider whether a scheme-wide dewatering application rather than individual applications would be beneficial. We suggest talking to our National Permitting Service early in the project planning.

Temporary dewatering of wholly or mainly rainwater that has accumulated in an excavation may be exempt from an Environmental Permit for a Water Discharge Activity. More information can be found on our website: Temporary dewatering from excavations to surface water: RPS 261 - GOV.UK (www.gov.uk). Note that this does not permit discharge of groundwater from a passive or active dewatering activity, or permit the abstraction of groundwater.

The applicant may also need to consider discharge of groundwater, especially if it is contaminated. More information can be found on our website: Discharges to surface water and groundwater: environmental permits - GOV.UK (www.gov.uk)

The use of drilling muds for any necessary directional drilling may require a groundwater activity permit unless the 'de minimis' exemption applies. Early discussion about this is also recommended.

Land Remediation

Any remediation of land contamination may require site permits and mobile treatment licence.

Waste on site

Excavated materials that are recovered via a treatment operation can be re-used on-site under the CL:AIRE Definition of Waste: Development Industry Code of Practice (DoWCoP). This voluntary Code of Practice provides a framework for determining whether excavated material arising from site during remediation or land development works are waste.

DoWCoP is not appropriate for materials that have already been discarded (that is, material in historical landfills). Disturbance or reworking of historically deposited waste may introduce the need for an Environmental Permit. We advise contacting the Environment Agency prior to commencement of any works to understand the permitting requirements of any works within historical landfill areas.

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on-site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

The Environment Agency recommends that developers should refer to:

- Position statement on the Definition of Waste: Development Industry Code of Practice
- our website at <https://www.gov.uk/government/organisations/environment-agency>

Waste to be taken off site

Contaminated soil that is, or must be, disposed of, is waste. Therefore, its handling, transport, treatment and disposal is subject to waste management legislation, which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2010
- The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standards BS EN 14899:2005 'Characterisation of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

If the total quantity of waste material to be produced at or taken off site is hazardous waste and is 500kg or greater in any 12-month period, the developer will need to register with us as a hazardous waste producer. Refer to our website at www.gov.uk/government/organisations/environment-agency for more information.

Fish Passes

The EIA may determine that changes in flow/level resulting from the scheme will have an impact on fish passes in the Thames. Any mitigation that would require changes to the fish pass design in order to maintain functionality may require fish pass approval from the National Fish Pass Panel.

No objections on the Consultation from Neighbouring Authority
(ref no 24/01346/CNA) to: -

Laura Feekins-Bate
Environmental Services
Operations Group 3
Temple Quay House
2 The Square
Bristol
BS1 6PN

TAKE NOTICE that EPSOM & EWELL BOROUGH COUNCIL,
the local planning authority under the Town and Country Planning Act 1990,
hereby gives NO OBJECTIONS on the Consultation from Neighbouring Authority to:

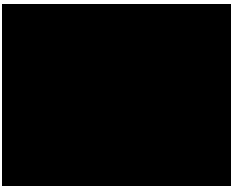
Order granting Development Consent for the Teddington Direct River Abstraction project
as referred to in your application (24/01346/CNA) and shown on submitted plans
relating to:

From Mogden Sewage Treatment Works , To The River Thames Upstream Of Teddington
Weir,

SUBJECT TO SUCH CONDITIONS AS ARE SPECIFIED hereunder together with the
reasons for their imposition:

Dated: 5th November 2024

Signed:



Simon Taylor

Interim Planning Development and Enforcement Manager

EPSOM & EWELL BOROUGH COUNCIL, TOWN HALL, THE PARADE, EPSOM,
SURREY KT18 5BY Tel: 01372 732000

**YOUR ATTENTION IS DRAWN TO THE NOTES OVERLEAF/ATTACHED AND ANY
ACCOMPANYING LETTER(S).**

NOTES FOR THE APPLICANT

Any planning permission or approval granted is confined to permission under the Town and Country Planning Acts, and the Town and Country Planning General Development Orders 1995, and does not obviate the necessity for compliance with any other enactment, bye-Law, or other provision whatsoever or of obtaining from the appropriate authority or authorities any permission, consent, approval or authorisation which may be requisite. This includes the necessity to apply for Building Regulations Approval, or for Listed Building Consent should the proposal involve the demolition or alteration (internal or external) of, or extension to a building listed as being of Architectural or Historic Interest, or of any structure within the curtilage of a listed building or (in most cases) of any unlisted building if it is situated within a designated conservation area.

APPLICANTS ARE PARTICULARLY ADVISED TO CONTACT THE BUILDING CONTROL DIVISION AT THE TOWN HALL, EPSOM, (TELEPHONE 01372 732000) TO ASCERTAIN WHETHER IT IS NECESSARY FOR PERMISSION TO BE GIVEN UNDER THE BUILDING REGULATIONS.

-oOo-

RIGHTS OF APPEAL

If you are aggrieved by the decision of the Local Planning Authority to refuse permission for the proposed development, or to grant permission subject to conditions, you may appeal to the Secretary of State for the Environment, in accordance with section 78 of the Town and Country Planning Act 1990 within six months from the date of the decision. Appeals must be made on a form which is obtainable from the Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (tel: 0117 372 8000). The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the Local Planning Authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements (*), to the provisions of the Development Order, and to any directions given under the Order. He does not in practice refuse to entertain appeals solely because the decision of the Local Planning Authority was based on a direction given by him.

If permission to develop land is refused or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State and the owner of the land claims that the Land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted he may serve on the Council of the district in which the land is situated a purchase notice requiring that council to purchase his interest in the Land in accordance with the provisions of Part IX of the Town and Country Planning Act 1990.

In certain circumstances, a claim may be made against the Local Planning Authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in section 120 of the Town and Country Planning Act 1990.

(*) The statutory requirements are those set out in section 78(7) of the Town and Country Planning Act 1990.

-oOo-

From: Brown Sian: H&F <[REDACTED]@lbhf.gov.uk>
Sent: 08 November 2024 10:02
To: Teddington Direct River Abstraction
Cc: Brown Elliot: H&F
Subject: LBHF comments re.2024/02563/OBS Mogden Sewage Treatment Works To The River Thames Upstream Of Teddington Weir
Attachments: ufm3_No_objection_Other_Borough_Applicationn.pdf; ufm4_Delegated_Officer_Reportn.pdf

You don't often get email from [REDACTED]@lbhf.gov.uk. [Learn why this is important](#)

Dear Laura Feekins-Bate

Please find attached LBHF comments in respect to the above consultation.

In summary, there are no objections raised to the scope of the ES, however, our Environmental Policy Team note:

“It would help if the scoping report includes information that clearly identifies the locations or extent of potential impacts so that boroughs such as ourselves which are not in the immediate vicinity of Mogden STW or the proposed locations for the intakes/outfalls and shaft/tunnel works, but which have significant riverside frontage further along the Thames, can fully understand the potential impacts on the river itself i.e. on issues such as water levels and flows, ecology impacts on river flora and fauna due to changes in water temperature or other changes such as salinity levels, potential chemical and biological pollution impacts, navigation and recreational use of the river impacts, flood risk impacts etc’.”

Kind regards

Sian Brown

Principal planning officer, North team
Development Management
Place Department
Hammersmith & Fulham Council
M - [REDACTED]
[REDACTED]@lbhf.gov.uk
www.lbhf.gov.uk

Pronouns: [REDACTED]



Are you a planning applicant? If so, please give us your feedback in our short [survey](#)



[Sign up to the H&F What's On newsletter](#)

Do it online at www.lbhf.gov.uk

To sign up for regular news updates, please go to www.lbhf.gov.uk/newsupdates

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London Borough of Hammersmith & Fulham

Development Management, Place Department
Hammersmith Town Hall, King Street, London W6 9JU

Tel: 020 8753 1081
Email: planning@lbhf.gov.uk
Web: www.lbhf.gov.uk



Laura Feekins-Bate
The Planning Inspectorate
Environmental Services
Operations Group 3
Temple Quay House
2 The Square
Bristol
BS1 6PN

8th November 2024

Applicant:
Thames Water Utilities Ltd
Thames Water Utilities Ltd
Clearwater Court
Vastern Road
Reading
Berkshire
RG1 8DB

Application Reference: **2024/02563/OBS**

Registered on: **11th October 2024**

Town and Country Planning Act 1990

NO OBJECTION RAISED

Location and Description:

**Mogden Sewage Treatment Works To The River Thames Upstream Of
Teddington Weir**

Teddington Direct River Abstraction project - EIA Scoping Consultation and Regulation
11 Notification.

The Applicant for the Proposed Development intends to make an application for
Development Consent under the Planning Act 2008. The Applicant has sought a
Scoping Opinion from the Planning Inspectorate, on behalf of the Secretary of State,
as to the scope and level of detail of the information to be provided within the
Environmental Statement that will accompany its future application.

The Planning Inspectorate has identified you as a consultation body to inform the
Scoping Opinion and is therefore inviting you to submit comments by 8 November
2024. The deadline is a statutory requirement that cannot be extended.

Drawing Nos:

Chief Planning Officer of Place
Department: Joanne Woodward

Particulars of Decision:

This Council raises no objection to the proposed development.



Joanne Woodward Chief Planning Officer of Place Department
Duly authorised by the Council to sign this notice.

CEMHD Policy - Land Use Planning,
NSIP Consultations,
Building 1.2,
Redgrave Court,
Merton Road,
Bootle, Merseyside
L20 7HS.

HSE email: NSIP.applications@hse.gov.uk

By email only - TeddingtonDRA@planninginspectorate.gov.uk

Date: 24 October 2024

Dear Mrs Laura Feekins-Bate

**PROPOSED Teddington Direct River Abstraction Project (the project)
PROPOSAL BY Thames Water Utilities Limited (the applicant)
INFRASTRUCTURE PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017 (as
amended) REGULATIONS 10 and 11**

Thank you for your letter of 11 October 2024 regarding the information to be provided in an environmental statement relating to the above project. HSE does not comment on EIA Scoping Reports but the following information is likely to be useful to the applicant.

HSE's land use planning advice

Will the proposed development fall within any of HSE's consultation distances?

According to HSE's records, the proposed application boundary for this Nationally Significant Infrastructure Project is **not** within the consultation zone of any major accident hazard sites (other than Thames Water's Mogden sewage treatment works within the scoping boundary which has consultation zones) and is **not** within the consultation zones of any major accident hazard pipelines. This is based on the "EIA scoping boundary" in drawing Figure 1.1 in the Environmental Impact Assessment ['EIA'] October 2024.

HSE's Land Use Planning advice [[HSE: Land use planning - HSE's land use planning methodology](#)] is dependent on the location of areas where people may be present within HSE's land-use planning zones. Based on the information in the EIA there appears to be no populations within any consultation zones and HSE would not advise against the current proposal.

Would Hazardous Substance Consent be needed?

Based on the EIA it is not clear whether the applicant has considered the hazard classification of any chemicals that are proposed to be present at the development. This may be because there are no relevant hazardous substances. Hazard classification is relevant to the potential for accidents. For example, hazardous substances planning consent is required to store or use any of the Categories of Substances or Named Hazardous Substances set out in Schedule 1 of [The Planning \(Hazardous Substances\) Regulations 2015](#) as amended, if those hazardous substances will be present on, over or under the land at or above the controlled quantities. There is an 'addition rule' in Part 4 of Schedule 1 for below-threshold substances. If hazardous substances planning consent is required, please consult the relevant Hazardous Substance Authority (usually the Local Planning Authority) on the application.

Consideration of Risk Assessments

[Regulation 5\(4\)](#) of the [Infrastructure Planning \(Environmental Impact Assessment\) Regulations 2017](#) requires the assessment of significant effects to include, where relevant, the expected significant effects arising from the proposed development's vulnerability to major accidents. HSE's role in NSIPs is summarised in Advice Note 11 'working with public bodies in the infrastructure planning process' Annex G on the Planning Inspectorate's website [Nationally Significant Infrastructure Projects - Advice on working with public bodies in the infrastructure planning process, Annex G: The Health and Safety Executive - GOV.UK \(www.gov.uk\)](#). This document includes the consideration of risk assessments under the heading "Risk assessments".

In Chapter 20 of the EIA, Section 20.5 provides some possible major accidents and disasters. Note, that there are no requirements for any risk assessments submitted to and approved by the relevant planning authority to also be considered by HSE.

As the major accident hazard site is also operated by the NSIP applicant, HSE advise the following for siting buildings if required. HSE would expect the risk to people at the development to be managed and mitigated through the application of the Health and Safety at Work Act and COMAH Regulations. This takes account of the need for the Operator of the major hazard installation to carry out an Occupied Buildings Risk Assessment, and for them to determine the most suitable location and design of proposed buildings, including the Local Equipment Room. HSE, acting in its regulatory role, may decide to engage with the operator to ensure they are fulfilling their duties, but the responsibility of risk management resides with the operator.

Explosives sites

HSE has no comment to make as there are no licensed explosives sites in the vicinity.

Electrical Safety

No comment from a planning perspective.

At this time, please send any further communication on this project directly to the HSE's designated e-mail account for NSIP applications at nsip.applications@hse.gov.uk. We are currently unable to accept hard copies, as our offices have limited access.

Yours sincerely

Pp Shirley Rance

Cathy Williams
CEMHD4 NSIP Consultation Team



Historic England

Laura Feekins-Bate
The Planning Inspectorate

Your Ref: WA010006
Our Ref: 225408

Contact: Greer Dewdney

[REDACTED]@historicengland.org.uk

7 November 2024

Dear Ms Feekins-Bate,

**TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED)
NATIONAL PLANNING POLICY FRAMEWORK 2023**

Teddington Direct River Abstraction project
EIA Scoping Consultation and Regulation 11 Notification

Historic England Advice: Scope in to EIA

Thank you for your consultation received on 11 October 2024.

Assessment of Significance and Impact

These proposed infrastructure works pass through several different Archaeological Priority Areas (defined under London Plan 2021 Policy HC1) and are in the vicinity of many designated assets including Listed Buildings and Registered Parks and Gardens.

We are in agreement with the Scoping Report submitted in support of this application, that archaeology should be scoped in to the construction phase, and above ground heritage assets should be scoped in to both the construction and operation phases. A detailed Archaeological Desk Based Assessment and Setting Assessment to support the Environmental Statement should be constructed to support the EIA.



Historic England, 4th Floor, Cannon Bridge House, 25 Dowgate Hill, London EC4R 2YA

Telephone 020 7973 3700 Facsimile 020 7973 3001

HistoricEngland.org.uk

Please note that Historic England operates an access to information policy.

Correspondence or information which you send us may therefore become publicly available.

Archaeology

The Archaeological Priority Areas which the route intersects with are all Tier II indicating a likelihood that non-designated heritage assets of archaeological interest could be affected. They generally hold potential for riverside settlement evidence of prehistoric, Roman, Saxon and medieval date. The Ham House and Grounds APA contains both a high frequency of prehistoric finds and a window into life in the Stuart period. Ham Fields APA has a history of significant positive archaeological interventions from various periods and the potential for survival of organic remains in the riverine deposits. The banks of the Thames in the Stevens Eyots and Kingston Thames Riverside APA are considered to have potential for artefacts, structures and geoarchaeological information.

Given the proposed depths of the tunnels there may be little impact upon archaeological assets from this tunnelling activity, however a study of available borehole data should be undertaken within the Desk Based Assessment to establish confidence in this assumption. The remaining impacts will be through construction of the proposed shafts and the new structures at Mogden Sewage Treatment Works and the Burnell Avenue Outfall and Intake Site. These impacts and an analysis of previous truncations to the sites should be assessed within the Desk Based Assessment. Given the location of much of the proposed development within alluvial floodplain, a geo-archaeological deposit model is recommended to establish the likelihood of cultural or palaeoenvironmental remains. There remains the potential that further investigation will be required in the form of intrusive field evaluation to fully characterise the nature and extent of any buried heritage assets.

The project should seek to design a scheme-wide approach to archaeological investigation which can be implemented across borough boundaries. This will ensure that a consistent approach can be taken throughout without having to re-assess dependent on location or phase. In line with Policy HC1 of the London Plan, opportunities for public engagement and interpretation of heritage assets should be identified and highlighted in all phases of the planning process.

Designated Assets

A large intermediate shaft is proposed south of the river near Ham House, with two site options being considered for the shaft and supporting hard standing. The proposal is to retain use of the site not selected for the shaft for possible ancillary and storage purposes during construction.

Both proposed shaft sites are directly adjacent to the grade II* Ham House Registered Park and Garden which contains the grade I listed Ham House. Ham House is one of the largest



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surviving early 17th century houses left in Greater London and is of exceptional historic and architectural significance.

Besides Ham House, there are nine further designated heritage assets, seven within, two without the RPG which are associated with Ham House. All are contained within the designated Ham House Conservation Area.

The physical proximity of both shaft sites proposed within the immediate setting of the RPG will likely impact on the special interest of Ham House RPG, Ham House Conservation Area and those heritage assets within it. Views across the river towards Ham House from the Twickenham Riverside Conservation Area will also potentially be impacted by the scheme.

During the construction phase, the Ham Street Car Park site may possibly impact on views towards Ham House from the grade II* Marble Hill Registered Park and Garden. We therefore recommend this RPG is also included in the EIA.

This site option is largely, if not completely, located within the Ham House Conservation Area leading to a potentially direct impact on the fabric of the conservation area.

The potential impact of the scheme on all these assets during the construction phase should be assessed as part of the EIA, in line with the table set out on pp. 137 – 140 of the Scoping Report, with the addition of the grade II* Marble Hill Registered Park and Garden.

The size, visual incongruity and associated noise and potential smell of the proposed shaft so close to (or within) the above designated heritage assets would harm their setting and the special interest derived from it and from longer distance views across the river.

As a point of principle, relocation of the shaft away from this sensitive heritage location altogether would be preferable in order to minimise the potentially harmful impacts of the scheme in line with NPPF 201.

The shaft access hatch proposed once the scheme is operational would be small and largely unobtrusive, and therefore unlikely to cause a discernible degree of harm. We are therefore content with the position not to scope potential impacts on the above designated heritage assets during the operation phase, as set out on pp. 140 – 143 of the Scoping Report.

Planning Policies

NPPF Section 16 and the London Plan (2021 Policy HC1) recognise the positive contribution of heritage assets of all kinds and make the conservation of archaeological interest a material planning consideration.



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National Policy Statement (NPS) for Water Infrastructure paragraph 4.8 sets out the need to assess a project's capacity to change the Historic Environment through Environmental Impact Assessment (EIA), reaching conclusions on asset value, identifying significant effects and managing change through design. In relation to archaeology, it states that an appropriate level of field evaluation may be necessary to understand an asset's significance, and that some non-designated assets can be demonstrably of equivalent significance to scheduled monuments.

Recommendations

Having looked at this proposal and at the Greater London Historic Environment Record we agree that both Archaeology and Built Heritage should be scoped in to The Environmental Statement.

We will enter into a Service Level Agreement with the scheme promoter to assist them in preparing their application.

Yours sincerely

Greer Dewdney

Archaeology Adviser
Greater London Archaeological Advisory Service
London and South East Region
Historic England



Historic England, 4th Floor, Cannon Bridge House, 25 Dowgate Hill, London EC4R 2YA

Telephone 020 7973 3700 Facsimile 020 7973 3001

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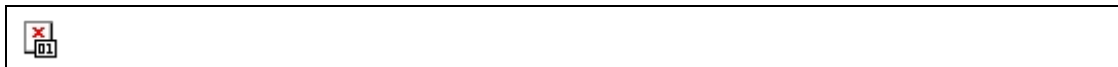
**DEVELOPMENT MANAGEMENT SERVICE
PLANNING APPLICATION DETERMINED
UNDER DELEGATED POWERS**

Ward: Out Of Borough

Expiry Date: 8th November 2024

Site Address:

Mogden Sewage Treatment Works To The River Thames
Upstream Of Teddington Weir



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For identification purposes only - do not scale.

Reg. No:

2024/02563/OBS

Date valid:

11.10.2024

Recommendation Date:

05.11.2024

Case Officer;

Elliot Brown

Conservation Area:

Applicant:

Thames Water Utilities Ltd
Clearwater Court Vastern Road Reading Berkshire
RG1 8DB

Description:

Teddington Direct River Abstraction project - EIA Scoping Consultation and Regulation 11 Notification.

The Applicant for the Proposed Development intends to make an application for Development Consent under the Planning Act 2008. The Applicant has sought a Scoping Opinion from the Planning Inspectorate, on behalf of the Secretary of State, as to the scope and level of detail of the information to be provided within the Environmental Statement that will accompany its future application.

The Planning Inspectorate has identified you as a consultation body to inform the Scoping Opinion and is therefore inviting you to submit comments by 8 November 2024. The deadline is a statutory requirement that cannot be extended.

Drg. Nos:

Application type:

Observations to Other Borough

Officer Recommendation:

That no objections be raised.

Particulars of Decision

Acting under powers delegated to officers of the Council on the London Borough of Hammersmith and Fulham I authorise the raising of no objection in accordance with the officer's recommendation above.

Signed: Sian Brown

Authorising Officer, Planning Group

Dated: 8th November 2024

NOTE: Any alterations to the description, recommendation, conditions, observations or reasons for refusal must be initialled by the authorising officer.

Officer Report

**LOCAL GOVERNMENT ACT 2000
LIST OF BACKGROUND PAPERS**

All Background Papers held by case officer named above:

Application form received: 11th October 2024
Drawing Nos: see above

Policy Documents: National Planning Policy Framework (NPPF) 2023
The London Plan 2021
LBHF - Local Plan 2018
LBHF - Planning Guidance Supplementary Planning Document
2018

Consultation Comments:

Comments from: Dated:

Neighbour Comments:

Letters from: Dated:

The Hammersmith Mall Residents' Association 01.11.24

BACKGROUND

1.1 On 02.11.2023, the applicant (Thames Water Utilities Limited) formally requested by letter that the Secretary of State exercise their power under section 35 (1) of the Planning Act 2008 (as amended) to treat the proposed Teddington Direct River Abstraction Project and supporting submissions as development of national significance for which development consent is required.

1.2 The Secretary of State Direction Decision Notice (dated 05.03.2024) directs that the Principal Development is nationally significant.

1.3 The Secretary of State noted that the proposed project can be summarised as comprising the Principal Development, the Associated Development and the Ancillary Matters.

1.4 The Principal Development comprises the following:

- Tertiary treatment facilities (TTF) with an output of up to 75 mega litres of water per day (Ml/d) of recycled water;
- A water transfer pipeline between the TTF and the outfall discharge infrastructure referred to below;
- An outfall connection pipe and outfall discharge structure with an output of up to 75Ml/d located adjacent to and within the riverbank of the River Thames;

- An abstraction intake with an abstraction rate of up to 75MI/d located adjacent to and within the riverbank of the River Thames; and
- A water transfer pipeline from the abstraction intake referred to above to the existing Thames Lee Tunnel raw water main.

1.5 The Associated Development comprises the following:

- Associated development (within the meaning of section 115(1)(b) of the Planning Act) including, but not limited to: upgrade and improvement works to existing water treatment and supply infrastructure, shafts to support construction and operation, temporary works to support construction, works to support operation and maintenance, site accesses, temporary and permanent utility connections, highway diversions and landscaping, environmental mitigation, enhancement and compensation measures.

1.6 The Ancillary Matters would cover those matters considered ancillary to the Principal and Associated Development above.

1.7 The Proposed Development is currently in the pre-application stage. The scoping report submitted to the Secretary of State on 10.10.2024 outlines in paragraph 1.5.14 that the project would fall within the boundaries of three Local Planning Authorities (the London Borough of Hounslow, the London Borough of Richmond upon Thames and the Royal Borough of Kingston upon Thames).

2.0 PROPOSAL

2.1 The applicant (Thames Water Utilities Limited) has asked the Planning Inspectorate on behalf of the Secretary of State for its written opinion (a Scoping Opinion) as to the scope, and level of detail, of the information to be provided in the Environmental Statement relating to the Proposed Development.

2.2 The Planning Inspectorate has identified the London Borough of Hammersmith and Fulham (LBHF) as a consultation body which must be consulted before adopting its Scoping Opinion.

3.0 CONSULTATION RESPONSES

+ Internal consultee responses

3.1 Environmental Policy - It is requested that the scoping report includes information which clearly identifies the locations or extent of potential impacts, so that boroughs such as ourselves which are not in the immediate vicinity of Mogden Sewage Treatment Works or the proposed locations for the intakes/outfalls and shaft/tunnel works, but which have a significant frontage further along the River Thames, can fully understand the potential impacts on the river itself.

3.2 Environmental Public Protection - No objections or comments.

3.3 Land Contamination - No objection. The abstraction is indicated to be more than 15km upstream on the River Thames, whilst the proposed outfalls are also upstream at about 15km. The LBHF is located downstream and has a number of potentially contaminative uses, both historical and current along the River Thames. However, these uses are well beyond the 250m area around them being considered in the scoping report.

+ Public consultation

3.4 This observation application is not subject to public consultation by the LBHF; however one letter of representation has been received, from The Hammersmith Mall Residents' Association which objects to the Proposed Development in its current form on the following grounds:

- We strongly object to the proposal to remove fresh water from the Thames at Teddington and replace it with treated water from Mogden Sewage Treatment Works;
- The proposed scheme would operate at times of extremely dry weather, when water levels in the Thames are likely to be low. Consequently, the introduction of treated water is likely to have a much greater impact on the river water composition and quality than if the same volume of water was introduced when the river is in flood.
- No mention has been made of the potential for treated wastewater to contain a rich cocktail of chemicals and microplastics which can cause irreparable harm to fish and other aquatic and marine life.
- The proposed scheme would have a consequent impact on the ecology of the River Thames further downstream from Teddington and Mogden. The river also supplies water to two local nature reserves in times of drought; the WWT London Wetland Centre and the Barnes Leg o'Mutton Nature Reserve.
- It is considered that reducing the maximum volume of the abstraction and re-use scheme would not mitigate these ecological and environmental concerns.
- More adequate information and consultation opportunities are required as Thames Water's plans develop.

3.5 Officer comment:

- The Environment Statement scoping is not a planning application and is purely to consider the scope of the Environmental Impact Assessment (EIA).
- The matters raised by the representation are pertinent to the EIA and are included within the scoping report. Therefore, the relevant matters raised in representation will form part of the EIA.

4.0 PLANNING ISSUES

4.1 The planning issues relate to the scoping report topics of the Environment Statement, and whether these are suitable to assess the impact of the proposed development on the LBHF.

4.2 Section 21 (Scope Summary and Structure of Environmental Statement) sets out the topics that are proposed to be scoped in and out of the Environmental Statement for either the construction or operational activities:

- Air Quality (for ecological receptors and human receptors)
- Noise and Vibration (for construction and operational activities)
- Historic Environment
- Terrestrial Ecology (habitats and species)
- Aquatic Ecology (including the potential impact of changes to the flow regime, water quality and temperature on habitat availability and disruption to fish migration)
- Ground Conditions and Contaminated Land
- Townscape and Visual Amenity
- Water Resources and Flood Risk (for construction and operational activities)
- Human Health
- Carbon and Climate Change
- Socioeconomics, Community, Access and Recreation
- Materials and Waste
- Traffic and Transport
- Cumulative Effects
- Major Accidents and Disasters.

4.3 Officers note that consultee comments from H&F's Environmental Policy team have stated:

'It would help if the scoping report includes information that clearly identifies the locations or extent of potential impacts so that boroughs such as ourselves which are not in the immediate vicinity of Mogden STW or the proposed locations for the intakes/outfalls and shaft/tunnel works, but which have significant riverside frontage further along the Thames, can fully understand the potential impacts on the river itself i.e. on issues such as water levels and flows, ecology impacts on river flora and fauna due to changes in water temperature or other changes such as salinity levels, potential chemical and biological pollution impacts, navigation and recreational use of the river impacts, flood risk impacts etc'.

4.4 Whilst the development site is situated some distance away from the London Borough of Hammersmith and Fulham, it is recognised that the River Thames runs through the LBHF. Following review, it is considered that the proposed Environmental Statement would be of a suitable scope to ensure that the wider impacts of the development, including upon the LBHF will be properly assessed, including those points raised by our Environmental Policy team.

5.0 RECOMMENDATION

5.1 No objections raised.



Development Management
London Borough of Hounslow,
Hounslow House, 7 Bath Road, TW3 3EB

Laura Feekins-Bate
The Planning Inspectorate
Environmental Services
Operations Group 3
Temple Quay House
2 The Square
Bristol, BS1 6PN

By email:

Teddingtondra@planninginspectorate.gov.uk

Your Contact: Rupinder Dhoot

Direct Line: [REDACTED]

Email: [REDACTED]@hounslow.gov.uk

Our ref: C/2024/3462

Your ref: WA010006

Date: 08/11/2024

Dear Sir/Madame

Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11

Application by Thames Water Utilities Limited for an Order granting Development Consent for the Teddington Direct River Abstraction project – Scoping Consultation

We write in regards to your statutory consultation letter dated 11 October 2024 in relation to Thames Water's request for your written opinion as to the scope, and level of detail, of the information to be provided in the Environmental Statement (ES) for the above Nationally Significant Infrastructure Project (NSIP).

Thames Water have set out their proposed scope of the ES within their Scoping Report and you now seek our views on what information we consider should be provided in the ES. Thames Water must then have regard to the comments made within the Scoping Opinion and the ES submitted with the future application.

Part of the project would fall within the boundary of The London Borough of Hounslow (LBH), namely Mogden Sewage Treatment Works (STW) and part of the pipeline between Mogden and Teddington. This letter therefore constitutes the LBH's response to Thames Waters EIA Scoping Report.

The Scoping Report sets out the following environmental matters as being scoped into the EIA:

- Air Quality

- Noise and Vibration
- Historic Environment
- Terrestrial Ecology
- Aquatic Ecology
- Ground Conditions and Contaminated Land
- Townscape and Visual Amenity
- Water Resources and Flood Risk
- Human Health
- Carbon and Climate Change
- Socioeconomic, Community, Access and Recreation Health
- Waste and Materials
- Traffic and Transport
- Cumulative Effects

LBH are generally content with the matters that are being scoped into the ES. Pre-application engagement has taken place on the subject matters outlined above and feedback provided with regards to baselines, methodology and matters to be scoped in or out. The table below provides specific comments on the Scoping Report.

Chapter 1: Introduction

1.1.4 and 1.1.5– The Tertiary Treatment Plant (TTP) is proposed within the existing Mogden sewage treatment works boundary. Very little information has been provided about the scale and siting of the TTP to enable an informed decision as to whether we are in agreement with the parameters of the EIA scoping boundary and scoping in and out of other matters. (more detail on such matters below). We therefore consider that the boundary should be enlarged particularly to the east of Mogden where the TTP is proposed to be located.

Table 1.1 outlines that Mogden House is within the EIA scoping Boundary, however the plan in Appendix A A.1 is not clear if this is the case:



Clarity is needed and reflected in an updated EIA scoping boundary plan.

Chapter 2: The Project

2.2.6 – LBH do not consider that the EIA Scoping Boundary is large enough to the east of Mogden to “...accommodate these refinements and allow flexibility as the design and assessment progresses.” Due to the lack of details regarding the TTP LBH are unable to determine if this boundary is large enough.

At 2.2.7 it is stated that the embankment is approximately 11 metres high at the east. 2.2.12 outlines that the height of the TTP is estimated to be 15m above ground level within the STW to the east. During pre-application discussions we were advised that the TTP would be kept below the height of the embankment and therefore impacts to heritage assets would be

scoped out. Concerns were raised at the time, however now that an estimated height has been provided within the Scoping Report which would take the TTP above embankment height we consider that designated heritage assets within the vicinity should be **Scoped In** in Chapter 8 table 8.4.

2.3.39 – standard working hours permitted within LBH are 8:00am to 6:00pm on Mondays to Friday and 9:00am to 1:00pm on Saturdays and none shall take place on Sundays and Public Holidays.

Chapter 3: Design Evolution

Whilst 3.1.1 states that “The project is the result of iterations in scheme design...” these iterations have not been shared within the Report, nor have they been shared with Local Authorities during pre-application discussions despite request for such.

Chapter 4: Consultation and Engagement

4.3.2 – Five public events were held by Thames Water describe as “...close to the proposed location for the new water resource scheme...” however omitted to hold an event in LBH where Mogden STW is located.

4.4.2 – LBH omitted from consultation event

Chapter 5: Methodology

5.6.9 – states The ‘Rochdale Envelope’ approach is employed ‘*where the nature of the Proposed Development means that some details of the project have not been confirmed (for instance the precise location or dimensions of structures) when the application is submitted, and flexibility is sought to address uncertainty*’. LBH do not consider there is sufficient flexibility within the EIA scoping boundary to encompass any impacts from design changes to the TTP as outlined above.

Chapter 6: Air Quality

Table 6.3 – Residential properties and schools/hospitals identified as sensitive receptors – would be useful to divide these into local Authority areas. Add the following in LBH Woodstock Avenue, Beaumont Place, Trevor Close, Briar Close, Hillary Drive, Bankside Close and Ivy Bridge Primary School, Worple Primary School. If London Road and Twickenham Road are to be used as routes for construction then West Middlesex Hospital needs to be included.

Table 6.5 – Odour scoped out for Construction and Operational phases, however there are significant issues with Mogden STW in regards to Odour so we consider this should we **Scoped In**.

Chapter 7: Noise and Vibration

No comments to make

Chapter 8: Historic Environment

8.2.3 – It is noted that Historic England also raised the question regarding the height of the TTP at Mogden and whether this would be visible above the surrounding embankment.

Table 8.1 – The following LBH document should be added under ‘Guidance’ - *Hounslow*

<i>Characterisation and Growth Study (2024).</i>
8.4.13 – States “The proposed works within the Mogden STW site are considered sufficiently screened, and removed from the sensitive receptors, due to the surrounding embankment, vegetation and intervening development so as to be unlikely to cause significant impacts.” LBH are not in agreement with this for the reasons outline above. Not enough / contradictory information has been provided as to whether the TTP will be higher than the embankment at Mogden STW and therefore impacts to heritage assets i.e. Mogden House should be Scoped In .
Table 8.4 should be amended to scope in Designated heritage assets within the vicinity.
Chapter 9: Terrestrial Ecology
Table 9.1 – The following LBH documents should be added under ‘Guidance’ – ‘ <i>Hounslow Nature Recovery Action Plan 2024</i> ’ and ‘ <i>Hounslow Green and Blue Infrastructure Strategy (2021)</i> ’
Chapter 10: Aquatic Ecology
No comments to make
Chapter 11: Ground conditions and Contaminated Land
The Scoping Report covers what we would expect to see in an ES.
Chapter 12 : Townscape and Visual Amenity
12.2.3 – Baseline document for LBH should include ‘ <i>Hounslow Characterisation and Growth Study (2024)</i> ’.
Table 12.1 – The following LBH document should be added under ‘Guidance’ - ‘ <i>Hounslow Characterisation and Growth Study (2024)</i> ’.
12.4.4 – Baseline document for LBH should include <i>Hounslow Characterisation and Growth Study (2024)</i> .
12.5.1 – again not enough information to make the assertion that any new built form at Mogden STW “...would either not be perceptible or would not alter the overarching townscape character.” Although table 12.11 scopes this potential impacts in for both construction and operational phases – which is welcomed.
Chapter 13: Water Resources and Flood Risk
Table 3.1 – The following LBH documents should be added ‘ <i>LB Hounslow Strategic Flood Risk Assessment Level 2 (2024)</i> ’, ‘ <i>LB Hounslow Strategic Flood Risk Assessment Level 2 – Fluvial and Surface Water Assessments (2024)</i> ’ and ‘ <i>West London Strategic Flood Risk Assessment Level 1 (2024 Hounslow Update)</i> ’.
Chapter 14: Human Health
No comments to make
Chapter 15: Carbon and Climate Change
General - Questions were asked during pre-application technical meeting with regards to the introduction of new pumps, although these would be intermittent, pumps for the TTP would operate continuously which should be taken into account with regards to carbon emissions. Thames Water were advised to give consideration to the circular economy element of the proposal.
Chapter 16: Socioeconomic, Community, Access and Recreation
16.6.6 - We would welcome the submission of an EqlA at application stage.
Chapter 17: Waste and Materials
General – questions were asked during pre-application technical meeting with regards to waste material/spoil from tunnelling and where this would be taken too. This was still to be determined. The circular economy principle should be explored in regards to reuse/recycling of the excavated waste as per 17.4.25.

Chapter 18: Traffic and Transport

General – during pre-application technical meeting concerns were raised with regards to using the route along Mogden Lane near Ivybridge Primary School and that Rugby Road and B361 Whitton Road should be used instead.

LBH asked about waste movements and transport during construction and that there is a standard restriction at Hounslow where no deliveries would be allowed before 9.30am and after 3pm to avoid rush hour and school drop off/pick up times.

LBH said it would be helpful to have the survey results from the proposed traffic survey work as outlined. We noted that there were no surveys indicated on Twickenham Road. The project team would look to undertake additional ATCs on A310 Twickenham Road and A310 London Road. We asked whether physical mitigation or changes to the road will be proposed. The project team indicated that it was not anticipated this will be required since all construction traffic effects are temporary, unless there is a sensitive receptor which would require specific mitigation. We outlined that the pedestrian crossings at Mogden Lane/ Rugby Road junction might need to be considered.

Chapter 19: Cumulative impacts

No comments to make

Chapter 20: Major Accidents and Disasters

General – The Scoping Report proposes to scope out this subject from the ES based on mitigation proposed either as part of the Project design or legislation and standards would apply that would prevent or reduce the risk to a level that is not likely to cause a significant effect. LBH do not consider that sufficient information has been provided to establish that the scoping out of such matter is appropriate, therefore this should be **Scoped In**.

Conclusion

The London Borough of Hounslow are generally content with the matters that are proposed to be scoped into the Environmental Statement as per the EIA Regulations. However we are of the opinion that the matters outlined in the above table should be taken into consideration for specific matters to sufficiently cover and mitigate environmental impacts from the Project. Major Accidents and Disasters should be Scoped In to the EIA given the significance of the Project.

We expect that ongoing detailed discussions with Thames Water will continue whilst the EIA is undertaken, and as environmental implications come to light. This is especially relevant as proposals are developed and amended through the pre-application and consultation process.

The statutory consultee response is provided without prejudice to any actions the Council may take as landowner should the need arise.

Yours Sincerely,

Matthew Rees
Head of Development Management

MR

From: Leigh Harrington [redacted]@merton.gov.uk>
Sent: 14 October 2024 15:53
To: Teddington Direct River Abstraction
Cc: Jonathan Berry
Subject: FW: Teddington Direct River Abstraction project - EIA Scoping Consultation and Regulation 11 Notification

You don't often get email from [redacted]@merton.gov.uk. [Learn why this is important](#)

Good afternoon Laura, please find attached our comments from our Flood Risk team. In all other regards the proposals are sufficiently distant from LB Merton to have no material impact on our borough.

Kind regards

Leigh Harrington

Planner - Development Management
South Team| Housing and Sustainable Development
[redacted]@merton.gov.uk
www.merton.gov.uk | London Borough of Merton



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Our community-led plan for
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From: Tom Sly [redacted]@merton.gov.uk>
Sent: Monday, October 14, 2024 12:17 PM
To: Leigh Harrington [redacted]@merton.gov.uk>
Cc: Jonathan Berry [redacted]@merton.gov.uk>; Tara Butler [redacted]@merton.gov.uk>; Ann Maria Clarke [redacted]@merton.gov.uk>; Eben Van Der Westhuizen [redacted]@merton.gov.uk>; Selisa Fergus-Fleary [redacted]@merton.gov.uk>
Subject: RE: Teddington Direct River Abstraction project - EIA Scoping Consultation and Regulation 11 Notification

Hi Leigh,

I have reviewed this and in summary, there is no impact on LB Merton from the EIA for the DCO for the Scheme, from a flood risk, surface water and drainage perspective.

The scheme involves direct abstraction from the River Thames including water recycling, to provide London with greater resilience in future years for drought periods.

New shafts and proposed new pipeline/tunnel will encounter major works within Hounslow, Richmond and Kingston. Water is abstracted upstream of Teddington Weir, then transferred along a new pipeline via Mogden STW and also to top up existing reservoirs some distance away, in the Lee Valley.

There may be some ecology/biodiversity considerations under the Hab Directive with regards to SAC/SPA/SSSI considerations for Wimbledon Common etc.

<https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/WA010006>

Flood Risk is covered in Chapter 13: 'The EA flood zones provide an indication of the probability of river and sea flooding to each shaft site (see Table 13.5 below), excluding the presence of defences. The risks presented by each flood zone are classified in Table 13.6. The Project's new conveyance route between Mogden STW and the River Thames will be located at a depth of around 20-30m for the majority of the route, passing below the River Thames and the River Crane, with the final alignment and profile to be determined following further surveys and detailed design. The tunnelled sections are not expected to present a flood risk and the tunnel will be flood resistant and sealed to convey water inside. The tunnel will pass below flood defences, including two walls on the River Crane and a wall and embankment on the River Thames. However, the Project is not expected to impact the flood defences due to the depth, tunnel design and utilisation of good construction practices. Therefore, the conveyance route tunnels have been scoped out of flood risk due to having a negligible impact.'

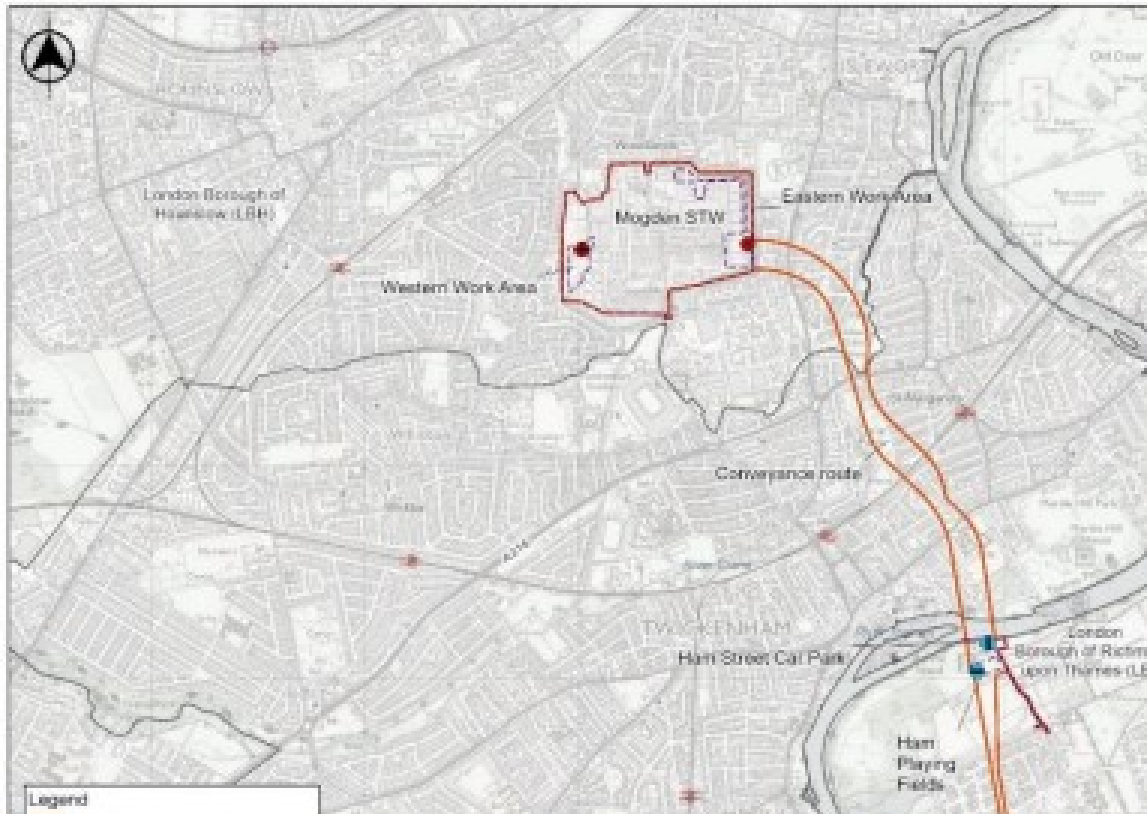
Tom Sly
Flood Risk Engineer

██████████
██████████@merton.gov.uk



From: Leigh Harrington ██████████@merton.gov.uk>
Sent: Monday, October 14, 2024 7:18 AM
To: Tom Sly ██████████@merton.gov.uk>; Selisa Fergus-Fleary ██████████@merton.gov.uk>
Cc: Jonathan Berry ██████████@merton.gov.uk>
Subject: FW: Teddington Direct River Abstraction project - EIA Scoping Consultation and Regulation 11 Notification

Hi, this is some distance from us, this is the SLP



Full details in the 588 page document are here

[WA010006-000016-WA020002 - Scoping Report.pdf \(planninginspectorate.gov.uk\)](#)

If you have any comments either way can you please let me know so I can fwd them to PINS

Many thanks

Leigh

From: Leigh Harrington [REDACTED] <[\[REDACTED\]@merton.gov.uk](mailto:[REDACTED]@merton.gov.uk)>
Sent: Friday, October 11, 2024 2:44 PM
To: Jonathan Berry [REDACTED] <[\[REDACTED\]@merton.gov.uk](mailto:[REDACTED]@merton.gov.uk)>
Cc: Teddington Direct River Abstraction <TeddingtonDRA@planninginspectorate.gov.uk>; Selisa Fergus-Fleary [REDACTED] <[\[REDACTED\]@merton.gov.uk](mailto:[REDACTED]@merton.gov.uk)>; Tom Sly [REDACTED] <[\[REDACTED\]@merton.gov.uk](mailto:[REDACTED]@merton.gov.uk)>
Subject: RE: Teddington Direct River Abstraction project - EIA Scoping Consultation and Regulation 11 Notification

You don't often get email from [REDACTED] <[\[REDACTED\]@merton.gov.uk](mailto:[REDACTED]@merton.gov.uk)>. [Learn why this is important](#)

Certainly Jon,

Laura, are you able to please furnish us with some details such as a map or location for this, as I cant start to comment or liaise with our flood risk team without it.

Kind regards

Leigh Harrington

Planner - Development Management
South Team| Housing and Sustainable Development
[REDACTED] [REDACTED] <[\[REDACTED\]@merton.gov.uk](mailto:[REDACTED]@merton.gov.uk)>
www.merton.gov.uk | London Borough of Merton



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From: Jonathan Berry [REDACTED] <[\[REDACTED\]@merton.gov.uk](mailto:[REDACTED]@merton.gov.uk)>
Sent: Friday, October 11, 2024 2:35 PM
To: Leigh Harrington [REDACTED] <[\[REDACTED\]@merton.gov.uk](mailto:[REDACTED]@merton.gov.uk)>
Subject: FW: Teddington Direct River Abstraction project - EIA Scoping Consultation and Regulation 11 Notification

Hi Leigh,

Please can you have a look at this one mate.

Cheers,
Jon

Jon Berry
Head of Development Management and Building Control
London Borough of Merton
Tel: [REDACTED]
Email: [REDACTED] <[\[REDACTED\]@merton.gov.uk](mailto:[REDACTED]@merton.gov.uk)>

From: Planning <Planning@merton.gov.uk>

Sent: 11 October 2024 14:33

To: Jonathan Berry [REDACTED] <[\[REDACTED\]@merton.gov.uk](mailto:[REDACTED]@merton.gov.uk)>; Tim Bryson [REDACTED] <[\[REDACTED\]@merton.gov.uk](mailto:[REDACTED]@merton.gov.uk)>; Stuart Adams [REDACTED] <[\[REDACTED\]@merton.gov.uk](mailto:[REDACTED]@merton.gov.uk)>

Subject: FW: Teddington Direct River Abstraction project - EIA Scoping Consultation and Regulation 11 Notification

Please see the email and attachment above, FYA.

Best,
Eleanor



**Place Division, Chief Executives Directorate
DEVELOPMENT MANAGEMENT**

Civic Centre
44 York Street
Twickenham
TW1 3BZ
website: www.richmond.gov.uk

Our ref: TP.N/CT/TDRA_EIA

Your Ref: WA010006

Dial: [REDACTED]
Contact: Chris Tankard

The Planning Inspectorate
Environmental Services Operations Group 3
Temple Quay House
2 The Square
Bristol BS1 6PN

6 November 2024

SENT BY EMAIL: Teddingtondra@planninginspectorate.gov.uk

Dear Sir/Madam,

PINS REF No: WA010006 Teddington Direct River Abstraction (TDRA)

Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11 – Scoping Opinion Consultation

PROPOSAL: Application by Thames Water Utilities Limited for an Order granting Development Consent for the Teddington Direct River Abstraction Project

I write in response to the statutory consultation correspondence dated 11 October 2024 carried out in relation to the Environmental Impact Assessment Scoping Report (SR) concerning the above development proposal. Although a major part of this proposal would be located within the London Borough of Richmond upon Thames, it has been classed as a Nationally Significant Infrastructure Project and would therefore require a Development Consent Order to be determined by the Planning Inspectorate on behalf of the Secretary of State. This letter therefore constitutes the London Borough of Richmond upon Thames Council's response to the Environmental Impact Assessment Scoping Report consultation issued by the Planning Inspectorate.

The Scoping Report sets out the following environmental aspects as being scoped into the EIA:

- Air Quality

- Noise and Vibration
- Historic Environment
- Terrestrial Ecology
- Aquatic Ecology
- Ground Conditions and Contaminated Land
- Townscape and Visual Amenity
- Water Resources and Flood Risk
- Human Health
- Carbon and Climate Change
- Socioeconomic, Community, Access and Recreation Health
- Waste and Materials
- Traffic and Transport
- Cumulative Effects

It is noted that Major Accidents and Disasters have been scoped out in full. This Council does not consider it possible at this stage to scope all items from this chapter out on the basis that either existing legislation or project design will ensure appropriate risk reduction and mitigation. Thames Water has not identified what legislation and/or design measure provides what type and level of reduction or mitigation of environmental impact and as a consequence this section cannot be assessed for accuracy. On this ground the London Borough of Richmond upon Thames requests that the Major Accidents and Disaster chapter is 'Scoped In'.

Otherwise, the Council considers that the environmental aspects identified for inclusion within the EIA are appropriate subject to the general and specific comments made on the scope of the EIA in the attached table being addressed. It should be noted that these comments have, in some instances, requests for 'Scoping In' some of the specific environmental aspects identified as being scoped out in the individual chapters 'Summary of Scope for the EIA'.

Conclusion

The London Borough of Richmond upon Thames consider that in general terms the Scoping Report meets the statutory requirements for scoping set out in the EIA Regulations. The scope of the EIA is considered to be adequate subject to the inclusion of a Major Accidents and Disasters chapter and the comments/concerns/omissions set out in the attached table being taken into account by The Planning Inspectorate as part of the process before adopting its Scoping Opinion.

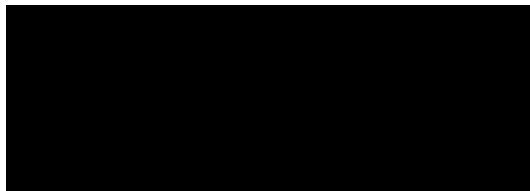
We expect that ongoing detailed discussions with Thames Water will continue whilst the EIA is undertaken, and as environmental implications come to light. This is especially relevant as proposals are developed and amended through the pre-application and consultation process.

The Council would formally request that receipt of this response is confirmed by The Planning Inspectorate. The following email addresses should be used as primary points of contact for further correspondence to ensure that the Development Management Team is reached directly:

dctechnicalsupporthub@richmondandwandsworth.gov.uk
[REDACTED]@richmondandwandsworth.gov.uk

The statutory consultee response is provided without prejudice to any actions the Council may take as landowner should the need arise.

Yours sincerely



Robert Angus
Head of Development Management
London Borough of Richmond upon Thames

London Borough of Richmond upon Thames Comments 6 November 2024
Teddington Direct River Abstraction Project
EIA Scoping Report (J698-AJ-C03X-TEDD-RP-EN-100007)
Chapter 1: Introduction
<p><u>Paragraph 1.1.5</u> - AMEND SCOPING BOUNDARY - EIA scoping Boundary does not include Hawker Centre and Park gate Playground both of which would be impacted by the project.</p> <p><u>Paragraph 1.4.1</u> - CLARIFICATION - Saying TW has a desalination plant that can supplement supplies at times of high demand is misleading. We understand it has worked 3 times in the last 12 years</p>
Chapter 2: The Project
<p><u>Paragraph 2.2.13 – 2.2.14</u> - OMISSION METHODOLOGY - To assess human and environmental risk, the EIA should SCOPE IN a requirement to provide evidence (including data) on the efficacy of the Mogden Tertiary Treatment Process (TTP) in reducing chemical and biological hazards in the wastewater intended for the TDRA. The evidence should also include how the Mogden TTP compares in terms of efficacy to tertiary treatment processes in operation elsewhere in the UK</p> <p><u>Paragraph 2.2.31</u> - OMISSION - the Intake description does not describe the permanent change in the towpath at this area arising from construction on top of the lower towpath. Also, it cannot be stated that the abstraction plant being 150 metre upstream of the treated sewage outfall “ensures no risk of recirculation” This is not proven.</p> <p><u>Paragraph 2.2.39</u> – CORRECTION FACTUAL ERRORS - the proposed working hours of 7a.m. to 7p.m are not standard. The normal permitted hours in LBRuT are 8am - 6pm, Mon – Fri. 8am – 1pm Saturdays and no work on Sundays or bank holidays or days of public mourning without prior consent.</p> <p><u>Paragraph 2.2.40</u> – OMISSION - Anticipated number of workers at Burnell = 100 and Ham Street = 50 – Ham will struggle to accommodate the likely car parking in both areas – a parking survey is required.</p> <p>COMMENT - Use of Ham Street for car parking will have a knock-on affect to Ham House’s parking and accessibility therefore potentially their income – needs to be included in Socio-economic chapter: construction phase impacts</p> <p><u>Paragraph 2.3.10</u> - CLARIFICATION - “telemetry notification of quality issues” - meaning of this terminology should be better explained</p> <p><u>Paragraph 2.4.20</u> - OMISSION METHODOLOGY - the mention of routing of traffic along Dysart, Burnell and Beaufort in a possible “gyratory manner”; this is not subsequently mentioned as an issue to be scoped even though it would clearly impact residents on those roads. This should be included within the scoping - SCOPE IN.</p>

Chapter 3: Design Evolution

Paragraph 3.1.1 - OMISSION THEME, **SCOPE IN ALTERNATIVES** - Planning Inspectorate's Advice Note 7 requires the environmental impact assessment (EIA) Scoping Report to outline the reasonable alternatives considered and the reasons for selecting the preferred option."

OMISSION - Thames Water do not describe the alternatives in this scoping document, nor the decision-making process that resulted in the selection of the option. They merely describe their own assessment and changes within the design of the actual TDRA proposal which is not in line with the advice note's requirements.

Note - This Council has advised TW's consultants in pre-app meetings with the combined LPAs of the need to look at alternatives to the Teddington Direct River Abstraction scheme. Specifically, this should review the potential of using the Queen Mary Reservoir near Shepperton which was the largest reservoir in the world when it was opened by King George V in June 1925. This has been largely absent in presentations at meetings and should be included in the EIA scoping report.

Paragraph 3.2.7 - OMISSION **SCOPE IN** - does the modification of the storm tanks mean capacity at Mogden is reduced. If so the impacts / implications of this need to be Scoped In.

Chapter 4: Consultation and Engagement

Paragraph 4.3.1 - OMISSION FACTUAL ERRORS - the Draft Water Resource Management Plan 2024 consultation; "The draft Water Resource Management Plan 2024 (dWRMP24) was consulted on from 13 December 2022 to 21 March 2023, seeking feedback from customers, stakeholders and regulators on the proposals. This included identifying the Project as a best value option within the plan"

Note - This consultation concerned the overall plan and not individual options like the TDRA. There was very little "locally specific information" made available to the public directly affected by the scheme at the draft WRMP24 consultations. The public was not given the right information on which a valid choice could be made.

Paragraph 4.4.1 – the Non-Statutory Public Consultation in 2023; Thames Water describe this consultation as "to seek feedback about the site options appraisal for shafts and infrastructure associated with the Project, as well as feedback on the conveyance route alignment".

Note – CORRECTION/CLARIFICATION - This description is incorrect. The 2023 consultation was clearly referenced as a "site options" consultation; the public were specifically asked to give an opinion on the "use of" the identified sites and not any other aspect of the project. In fact, at P502 20.2.1 of the scoping report Thames Water states "the focus of this engagement was on site options". There was no encouragement or guidance to give an opinion on the conveyance route nor on the other infrastructures. There was not sufficient information given for people to give an informed opinion on the topics that are proposed for scoping in this document. Despite this Thames Water refers to the 'Consultation and Engagement' in every topic chapter – usually by way of an introductory "in relation to ..." phrase. (For example; Paragraph 6.2.1 "In relation to air quality the responses tended to be general, relaying potential concerns about dust pollution during construction and odours during operation."). Given the consultation documentation contained little or no information on many of the EIA

topics and did not invite opinion on the EIA topics Thames Water should be asked to present the results of the non-statutory consultation in a more accurate manner.

Chapter 5: EIA Methodology

No comments

Chapter 6: Air Quality

General note – some of the key concerns for air quality are over site deliveries and spoil removal, especially if this is by road and the impact of additional traffic on the boroughs air quality which needs to take into account road conditions on event days at the Allianz Stadium, Twickenham Stoop and the Great River Race as well as non-event days. Richmond have worked hard to achieve the UK objectives and are currently consulting on a new AQAP where we have set ambitious targets in line with the World Health Organization especially for NO₂.

The material provided for Air Quality in the EIA Scoping Report and Appendix C – Air Quality Monitoring Data, is acceptable. Some of the cross referencing to other chapters or Figures in 6.02 Environment Statement – Air Quality, is very difficult/impossible to locate. This needs CLARIFICATION.

Whilst the whole of the borough is an AQMA, the sites in Ham and Teddington near/next to the River Thames, are generally areas where levels of pollutant comply with UK annual limit values for NO₂ and PM₁₀.

Our main concern will be during the construction phase for:

1. Dust for nearby receptors/school children/residents
2. The number, route and timing of HGV vehicles related to this project through the borough, especially near sensitive receptors such as schools or through Twickenham town centre, an AQFA, and crowds attending events at Allianz Stadium and Twickenham Stoop. The Council has spent many years trying to reduce levels of pollutant in Twickenham town centre to compliance levels which it has now achieved. No development should be permitted to undo this work. The whole of LBRuT is an AQMA, Twickenham town centre is an AQFA, cumulative impacts from HGV's will require tailored modelling. Details below:

Changes in traffic along a road or route which would trigger one or more of the screening criteria described below are modelled:

- b. An increase in heavy duty vehicle or plant movements (expressed as an AADT) by 100 or more per day, or 25 or more per day within or adjacent to an AQMA.

Proposed additional HGV's total 85 AADT. This is significant. Modelling must be tailored. LBRuT has serious concerns for any additional HGV's, especially above 25 AADT added to the existing road network along the proposed route due to cumulative effects on emissions from construction vehicles from other development sites nearby. These sites result in queueing/stop/start motoring. Emissions from slow moving (5-10kph) HGV's are accepted to be significantly higher than HGV's moving at 35kph or more. Any additional HGV added to already queueing traffic is likely to raise levels of pollution and should be avoided/mitigated. This is particularly relevant at this section of the A316 (on event and non-event days at Allianz Stadium and Twickenham Stoop) plus also in and around Twickenham

town centre. Cumulative impacts are likely to occur from various developments including Richmond College phase 4 housing development off A316, TfL roadworks on A316 at London Rd junction (commenced 21/10/24), Twickenham Riverside development (town centre), Arragon Rd redevelopment, and The Lensbury Club redevelopment. Any modelling must take account of queuing/very slow moving traffic for 8-10 hours per day and adjust for very low speeds. Speeds of 20kph will not be acceptable. Locations and modelling input criteria should be agreed with the LPA.

Ideally, mitigation will include the river as an alternative means of transport. LBRUT encourage the applicant to use the River Thames to remove excavated/waste material and reduce the need for HGV road transport at the Teddington Lock outfall and Ham intermediate construction shaft.

This is sign posted in Chapter 18 Transport, paragraph 18.6.4 – The document says that further consideration will be given for the use of water to transport materials, waste and equipment as the design develops. This option must be fully explored with the PLA, especially for “hazardous/large loads” and processes similar to the TIDEWAY project deployed, on various grounds including air quality, noise and highways.

Table 6.1 – CORRECTION (in red type) - The LBR Supplementary Planning Document on Air Quality (2020)

Table 6.1 – CORRECTION (in red type) - The LBR Local Plan 2015-2018 and the LBR ‘Pre-Publication’ Draft (Regulation 19) Local Plan (20243)

Table 6.3 – OMISSION, **SCOPE IN** – 2nd Column Include Haliburton Road, Talbot Road, Heron Road, Newry Road, Worple Avenue, Beaufort Close and Beaufort Road, Broom Water West, Broom Water, River Reach, Trowlock Island

OMISSION, **SCOPE IN** – 3rd Column Include St Stephens Junior School, Chase Bridge Junior School, Lensbury Club, West Middlesex Hospital, Worple Primary

Paragraph 6.4.12 – OMISSION METHODOLOGY - The Ultra Low Emission Zone extension came into force in 2023 and includes Twickenham, Hounslow and Kingston, this should be referenced within this paragraph – the baseline data should be set from 1 Sept 2023 as opposed to 2022 in this regard

Paragraph 6.4.13 – OMISSION METHODOLOGY – Thames Water state “on the basis of the extensive air quality data coverage in the study area and expected reduction in baseline concentrations, no additional baseline monitoring is proposed to support the ES”. Note - There are many monitoring sites in and around the Mogden area. There are no monitoring points for air quality close to Ham Lands, Burnell or Broom Water. The closest is near Tudor Drive fire-station; The nearest air monitors to Ham car park are across the river in Twickenham. Given the difference in the type of traffic and air quality situation between, for example the Richmond Road (fire-station monitor) and Burnell Avenue (no monitor), how the baseline is set without that kind of data should be explained. This is especially important if the significance of any impact is based on a “relative change to existing” basis.

Paragraph 6.5.1 – OMISSION **SCOPE IN** - In line with LP10 (and Policy 53 from the emerging Local Plan) care homes should be considered as sensitive receptors and Scoped In as there are some in close proximity to the Twickenham and Ham boundary

Paragraph 6.5.2 – OMISSION METHODOLOGY **SCOPE IN** - The chart of “sensitive air quality receptors”: Note - the list is suggested to be provisional but has some clear omissions of locations that will undoubtedly be affected, for example Beaufort Avenue and Dysart Avenue, Biggin Hill, Northweald Lane. The list of properties under the sensitive air quality heading needs to be updated.

Chapter 7: Noise and Vibration

General note – there is a need to better define the study area for the noise chapter. Additional noise level evidence and testing protocols are generally required for both construction and operation phases of the Project. Without greater detail, the location, type and noise profile of emergency generators are required and need to be **SCOPED IN**.

CLARIFICATION, **SCOPE IN** - the use of river transport and the movement of spoil material. Clearly if spoil is to be moved by road alone, and this would involve potentially a continuous convoy of vehicles albeit over a short duration, then this would have significant implications regards short term impact and the scoping report would need to be amended to take this into full account.

Paragraph 7.1.3 – OMISSION/CLARIFICATION - In line with LP10 (and Policy 53 from the emerging Local Plan) have care homes been considered as sensitive receptors as there are some in close proximity to the Twickenham and Ham boundary? **SCOPE IN**

OMISSION **SCOPE IN** - Sensitive receptors should include all towpath and playing field users within the assessment.

Table 7.1 – CORRECTION (in red type) - The LBR Local Plan ~~2015-~~ 2018 and the LBR ‘Pre-Publication’ Draft (Regulation 19) Local Plan (2024~~3~~)

As the new Local Plan has not yet been adopted possibly best to refrain from specifically referring to Policy 53 or at least include ‘emerging’ after it.

CORRECTION - The LBR Construction Code of Practice (2022)

OMISSION METHODOLOGY - In the introduction the potential working day for the project is suggested to be from 7a.m. to 7p.m. There is also mention made of TBM needing a 24-hour schedule of spoil removal. All noise impacts etc must be considered in the context of the non-standard working hours being proposed. (As per above, it is noted that standard permitted hours in LBRuT are 8am - 6pm, Mon – Fri. 8am – 1pm Saturdays and no work on Sundays or bank holidays or days of public mourning without prior consent.)

Paragraph 7.4.1 – CLARIFICATION - Map is blurry for Plan 1.1 in Appendix A

The following Sections of the submission are of concern:

Paragraph 7.4.2 and 7.4.3 - OMISSION METHODOLOGY - describes the construction noise assessment study area as 300m and the vibration assessment as 100m from any construction activity. Paragraph 7.5.1 describes “sensitive receptors” which include dwellings, community facilities and PROWs amongst others. Paragraph 7.5.4 is a list of some possible sensitive receptors. The list of receptors referred to in this section are all located between 10m and 150m from construction. This contradicts 7.4.2 and 7.4.3.

Note - Thames Water should make clear what areas will be included in the Noise/Vibration and dust assessment. For example, the Hawker Centre or the Park Gate Playground are, respectively, approx. 170m and 45m away from the TLT Northweald connection shaft. The Lensbury hotel is approx. 170 to 200m from the construction compound at Burnell open space. Broom Water is less than 100m away. Sensitive receptors for Noise/ Vibration and dust must be clearly identified and all impacted receptors included in the scoping – these receptors should **SCOPE IN** under paragraph 7.5.4:

Beaufort Close and Beaufort Road, Broom Water West, Broom Water, River Reach, Trowlock Island, Haliburton Road, Northcote Avenue, Worple Avenue, St Stephens Junior School, Chase Bridge Junior School, Lensbury Club, West Middlesex Hospital, Worple Primary School

Paragraph 7.5.15 – **CLARIFICATION, SCOPE IN** - The position is not supported by any additional acoustic assessment and appears to be anecdotal. In particular, significant concerns are held about the 50Hz electricity frequency corresponding to 100Hz transformer hum and subsequent harmonics i.e. 200Hz and 400Hz. Such wavelengths are very difficult to block and can be experienced significant distances away from the source. As such, without further evidence this impact cannot be ‘**scoped out**’ within Table 7.13 - Noise and vibration impacts scoped in and out of further assessment.

SCOPE IN – This chapter also does not detail the tertiary treatment proposed to ensure the effluent is of suitable water quality for discharge including meeting Bathing Water standards. As such a number of tertiary treatment options are available including ultraviolet disinfection. Such systems generally use ‘medium pressure’ ultraviolet technology with the disinfection lamps deployed powered by control systems with large transformers. Given the volume of flow required it is likely an extensive treatment would be required with implications regards low frequency and the nature of the tertiary treatment should be considered within Chapter 7.

Paragraph 7.5.15 – OMISSION, **SCOPE IN** - The possibility of emergency generators and the need to test them is described here. Note - There is no indication of emergency generators in the project description (and not in any of the consultations). The operational impacts of the noise from these is scoped out but given the absence of any information as to where any such generators may be this should be **Scoped In**. Also, noise is cumulative, you should not simply break down elements, say they are not significant and scope them out.

Paragraph 7.5.15 - The acoustic limits for testing and days on which testing is permitted, i.e. bank holidays and weekends should be avoided, should be considered within the submission.

Paragraph 7.5.16 – CLARIFICATION - The submission should confirm there are no residential dwellings associated with the pumping stations.

Paragraph 7.5.18 - CLARIFICATION - The submission should include any measures which will be incorporated to ensure laminar flow is generally achieved for example the inclusion of surge protection.

Paragraph 7.6.4 – OMISSION, **SCOPE IN** - Proposed that no baseline vibration survey is undertaken and the vibration baseline is assumed to be zero. This cannot be agreed. It is recommended that baseline assessment is taken at nearest sensitive receptors to ensure cumulative impact does not go above threshold without appropriate mitigation

Paragraph 7.6.10 – CLARIFICATION - Unclear what is being assessed on a monthly basis. LBR ‘Development Control for Noise Generating and Noise Sensitive Development’ (page 25) states that permanent real time web enabled and periodic noise and vibration monitoring must be undertaken for the duration of demolition and construction phases. It would be helpful to understand how often they propose to periodically assess this in line with the guidance as monthly may not be appropriate for the level of work they are undertaking

Paragraph 7.6.15 – CLARIFICATION -In respect of selecting the Category C threshold values, or the ambient noise level, whichever is the higher, as the adopted SOAEL takes no account is taken for those areas which lie within Category A or B and is contrary to Noise Policy Statement England which reports "It is not possible to have a single objective noise-based measure that defines SOAEL that is applicable to all sources of noise in all situations. Consequently, the SOAEL is likely to be different for different noise sources, for different receptors and at different times".

Paragraph 7.6.18 - As such we concur with the approach used with limits presented within High Speed 2. However, under the heading Construction vibration and Table 7.5 Construction vibration LOAELs and SOAELs limits are given in terms of PPV. Additionally, VDV and the limits as given within High Speed 2 and reproduced below should be considered.

Vibration	Lowest Observed Adverse Effect Level	VDVday[m/s ^{1.75}]	0.2
		VDVnight[m/s ^{1.75}]	0.1
	Significant Observed Adverse Effect Level	VDVday[m/s ^{1.75}]	0.8
		VDVnight[m/s ^{1.75}]	0.4

Paragraph 7.6.25 – CLARIFICATION – LBRuT SPD ‘Development Control for Noise Generating and Noise Sensitive Development’ (page 24) states VDV would be assessed in accordance with BS6472-1:2008 – Thames Water refer to ISO 14837-1 in paragraph 7.6.25, is this a drafting error ?

Construction Equipment Emissions

Infrastructural projects should seek to meet or exceed the requirements of the Mayor of London’s Low Emission Zone for construction machinery.

This escalating set of requirements is set out at <http://nrmm.london>

Construction plans should set out how equipment is to be appropriately procured and deployed according to the EU framework of emission standards under EU97/68 and 2016/1628.

Chapter 8: Historic Environment

Table 8.1 – OMISSION - The Thames Landscape Strategy 1994 and 2012 update and the ongoing Joint Thames Strategy Refresh (2023) should be included in Table 8.1 Relevant Legislation, policy and guidance. Specifically, the Thames Landscape Strategy Weybridge to Kew.

Table 8.1 – CORRECTION (in red type) - The LBR Local Plan ~~2015~~-2018 and the LBR 'Pre-Publication' Draft (**Regulation 19**) Local Plan (2024**3**)

Summary of Scope for the EIA

The key heritage impact both in construction and operation will be the river intake located on the north bank of the River Thames, close to Teddington. There will also be construction impacts from the outfall structure in the same location but it is noted that, when completed, the visual impact of this addition will be minimal, as per the indicative image in figure 2.8.

In terms of the Summary Scope for the EIA, the proposed scoped in heritage assets and the identification of the potential impact is the agreed. The addition of Teddington Lock Conservation Area is also supported as per concerns raised in the consultation in August. However, it is also considered that the grade II listed Teddington Footbridge should also be **SCOPED IN** for at least construction impacts due to the potential visual impacts from the bridge itself. This does not need to form an additional heritage receptor but instead, the Teddington Lock Conservation Area heritage receptor should be extended to include 'and listed Teddington footbridge.'

SCOPE IN - In addition, Broom Water Conservation Area should be included given its proximity to the site. The CA is referenced in paragraph 8.4.19 but has been missed out of the scoping completely.

SCOPE IN - Buildings of Townscape Merit (non-designated heritage assets) on the northern side of the river including the Lensbury Club and houses on Broom Water and Broom Water West – opposite intake/outfall - should be assessed in terms of impact on their setting

SCOPE IN - Teddington Footbridge (listed building) should be scoped into the views assessment and should be assessed in terms of impact on its setting.

It is agreed that Ham Common and Parkleys Estate Conservation Area and associated Listed Buildings should be scoped out of the full assessment for both construction and operation due to very limited intervisibility caused by existing built form.

In terms of the intermediate shaft near Ham Lands, if the option of siting it in the Ham Street Car Park is pursued, it is considered that the Ham House CA should be **SCOPED IN** and assessed under 'operation' given it will be sited within the CA rather than the alternative location which is just outside. Chapter 2 does not give much clarity over the final appearance of the shaft once operational, just during construction so it is not clear of the visual impact.

Chapter 9: Terrestrial Ecology

Paragraph 9.1.2 – OMISSION, **SCOPE IN** - Habitat management and monitoring plans (HMMP) should be provided to demonstrate how the TDRA development will improve biodiversity in the long term.

Table 9.1 – CORRECTION (in red type) - The LBR Local Plan ~~2015~~-2018 and the LBR 'Pre-Publication' Draft (**Regulation 19**) Local Plan (2024**3**)

Paragraph 9.4.6 – OMISSION, **SCOPE IN** - The above-ground sites could also have an impact on river ecology given the proximity of some of the sites to the river (e.g. Ham Street Car Park and Burnell Avenue Open space)

Paragraph 9.4.8 - OMISSION METHODOLOGY - The sources of information mentioned are insufficient to provide a robust baseline for the biodiversity assessment and would only partly be compensated by field surveys which would need to be undertaken over many seasons. Unless these have already been undertaken, there seems to be too little time for survey work before the planned submission of the EIA. Further data should be sourced.

Paragraph 9.4.17 - OMISSION - Table 9.4 should include more information to justify the proposed cut-off distances for exclusion (e.g. badgers and bats). Two Lipped Doorsnail should be added to protected species – **SCOPE IN**.

Paragraph 9.4.20 – OMISSIONS, **SCOPE IN** - Table 9.5 has several important omissions. Ham Street car park is next to the River Thames, but it is not mentioned, unlike the entry for Burnell Avenue. The Ham Street Playing field should also have the River Thames included as part of the playing field floods from the river several times a year

Paragraph 9.6.11 – OMISSIONS, **SCOPE IN** - Table 9.5 neglects to include the sensitive marsh area of Ham Lands next to the Ham Street car park.

Paragraph 9.7.5 - CLARIFICATION - The EIA is unclear regarding where the Biodiversity Net Gain will be delivered. This Council encourages that BNG is delivered locally at the point of impact.

The BNG assessment must follow best practice principles and methodologies for development and comply with BS 8683:21.

The terrestrial ecology chapter does not reference protected trees at the side of Park Gate woods nor the protected group of trees in Park Gate woods (Burnell Above Ground area and North Weald above ground area) – these should be **SCOPED IN** and greater clarity provided

by Thames Water that it will properly identify and assess all protected trees in the assessment area.

CLARIFICATION - Biodiversity Net Gain “The Project will meet a 10% Biodiversity Net Gain (BNG), in accordance with the requirements of the Environment Act 2021. The objective of the BNG will be to leave the natural environment in a measurably better state than prior to the Project, through habitat creation and/or enhancement.” **Note** – Thames Water are requested about how or where BNG improvements will be made. There is no reason given as to why TW have not considered aiming for more than the minimum BNG expected. While it is acknowledged that this target has not been adopted and used for development management purposes and following debate at the EIP, it appears unlikely that the 20% figure will become adopted policy, Thames Water are requested to provide more detail on this topic.

For information, the reference in the public domain is in the [Council's record of actions arising from hearings \(Week 3\) \(HA-03\)](#) which captures points the Inspectors set out at the end of all of the hearings. This states that the Inspector has directed that a modification would be needed to the draft Local Plan to align the borough’s minimum Biodiversity Net Gain requirements with national minimum requirements at 10% (rather than 20%).

Chapter 10: Aquatic Ecology

General note - it is understood that the Regulators’ Alliance for Progressing Infrastructure Development (RAPID) gated process provides the regulatory framework to ensure proposals meets stringent environmental standards. The scheme will also need environmental permits that the Environment Agency regulate.

A numerical commitment to biodiversity net gain is required in order to be in line with the Environment Act 2021 and should be realised equally in both terrestrial and aquatic habitats using the Natural England Biodiversity and Rivers Metrics.

The Watercourse Unit Module (previously referred to as the Watercourse Metric and/or Rivers and Streams Metric) (one component of the Biodiversity Metric 4.0) (or any superseded version) will need to be submitted for the river element of the BNG metric, where the BNG guidance advises this is necessary in order to provide increased watercourse connectivity and associated habitat improvements.

SCOPE IN - The Council expects development adjacent to rivers to contribute to improvement in water quality where relevant, to ensure that development meets the objectives of the Water Framework Directive.

SCOPE IN - The Council expects the EIA to demonstrate that the TDRA Project causes no change to the chemical make-up of the river water and the temperature, which could harm river life, including insects, plants, fish and birds.

SCOPE IN - The Two Lipped Doorsnail needs to be scoped in to protected species.

Table 10.1 – CORRECTION (in red type) - The LBR Local Plan ~~2015~~-2018 and the LBR ‘Pre-Publication’ Draft (**Regulation 19**) Local Plan (2024**3**)

Paragraph 10.4.32 - OMISSION - Other data sourced should be investigated for evidence of important species. As with terrestrial ecology, GiGL records alone may not be sufficient for the EIA.

Paragraph 10.4.38 - OMISSION METHODOLOGY - Thames Water state "no further change to current baseline is envisaged". Note - Can Thames Water need to explain further the assumption underlying this statement? Does this mean that no more baseline surveys are being done? Can Thames Water make clear they have undertaken surveys on all appropriate issues in all seasons?

Table 10.5 – OMISSION, **SCOPE IN** - Aquatic protected and notable species from within 2km of the EIA Scoping Boundary. Note – this table does not include Sea Trout (Salmo Trutta) in the list of protected and notable species of fish. Sea Trout is identified as a priority species that is declining. Sea Trout is a migratory species that spawns in freshwater and so has a life cycle dependent on sea and freshwater environments such as that in the TDRA outfall area. Thames Water should confirm that they have correctly identified all relevant aquatic receptors for their scoping.

OMISSION - BNG is mentioned briefly in the EIA scoping document in relation to the river but with no information on the scope of the aquatic assessment. The following documents may be useful. PAS Watercourse Metric FAQs - final.pdf Statutory biodiversity metric calculation tool - Case study 3 - River restoration.pdf

Paragraph 10.4.8 - Abstracted water should be **SCOPED IN**. Storm surges of sewage from Hogsmill and Moles mean you must assess this water quality. Thames Water has changed its wording from the abstracted water being “the same” as in the Thames Lee Tunnel to “similar”... so this should not be scoped out.

Paragraph 10.7.4 – CLARIFICATION - A qualified assessor is needed for river condition assessment as part of BNG. Thames Water says ."The Project will meet a 10% Biodiversity Net Gain (BNG), in accordance with the requirements of the Environment Act 2021. The objective of the BNG will be to leave the natural environment in a measurably better state than prior to the Project, through habitat creation and/or enhancement" There is no reason given as to why TW have not considered aiming for more than the minimum BNG expected While it is acknowledged that this target has not been adopted and used by LBRuT for development management purposes and following debate at the EIP, it appears unlikely that the 20% figure will become adopted policy, Thames Water are requested to provide more detail on this topic.

Paragraph 10.8.1 – OMISSION, **SCOPE IN** - In Table 10.7, summary of scope for aquatic ecology numerous entries are Scoped Out for Operation but there seems to be no consideration of longer-term such as the cumulative impacts of components in the treated

effluent on the aquatic flora and fauna and organisms at the aquatic/terrestrial interface. These should be scoped in.

Chapter 11: Ground Conditions and Contaminated Land

General note - Embankment stability, collapsible ground, ground subsidence impacting the Project or causing damage to neighbouring land or property is scoped out, in both construction and operation. This cannot be agreed. There is concern in relation to scoping out during construction, due to (as set out in paragraph 11.3.6) potential issues or risks related to the stability of land and property being mitigated by design alterations. While paragraph 11.2.1 suggests consultation responses were anecdotal, there have been instances in the borough of land collapse, such as the recent closure on the Thames Towpath at Kew. This comment is also linked with Chapter 20, which also scopes out all potential major accidents and disasters effects, for example a land collapse. With ground investigation reports due, it is requested that this matter is **SCOPED IN** during construction along with the other ground conditions considered in this chapter.

Table 11.1 – CORRECTION (in red type) - The LBR Local Plan ~~2015~~-2018 and the LBR ‘Pre-Publication’ Draft (**Regulation 19**) Local Plan (2024**3**)

Paragraphs 11.4.17 - 11.4.22 – OMISSION, **SCOPE IN** - Figure 11.3 and Table 11.4 do not include the areas of Ham that were subject to infilling of sand and gravel workings with waste before housebuilding on some of the land - officers are of the view that there is likely to be landfill (building waste) at the former Ham Gravel Pits, this will need to be considered in the scoping report.

It is concerning that the Scoping report appears to completely miss the fact that sand and gravel were extracted from large parts of Ham in the first half of the 20th century and infilling with rubble, rubbish, abandoned vehicles, etc took place from the late 1940s to the early 1960s when houses were built on some of the infilled land. The depth of the infill is unclear, but one estimate is 15 metres or more.

Plans should also be submitted in regard to any off-grid energy supply requirements where temporary grid supply is demonstrated and evidenced not to be possible.

These should include use of battery pack and inertial hybrid options to keep generator loading optimal and reduce operational hours of the engine to a minimum.

Paragraph 11.4.21 – OMISSION, **SCOPE IN** - Table 11.6 summarises historical OS mapping, but the information about land use in Ham in the 19th and 20th centuries is incomplete. The infilling of sand and gravel workings was active for much longer than the information provided suggests.

Paragraph 11.7.2 – OMISSION, **SCOPE IN** - The proposed tunnel will run under some residential and commercial properties and the EIA should include an assessment of whether this will lead to an increased risk of subsidence.

Paragraph 11.8.6 - OMISSION **SCOPE IN** - in Table 11.10 Under Land and Property the entry concerning “Embankment stability, collapsible ground, ground subsidence impacting the

Project or causing damage to neighbouring land or property during construction” should be **SCOPED IN** rather than SCOPED OUT as this must be assessed further by the ground investigations. (p239) Thames Water suggest not scoping in the possibility for “Embankment stability, collapsible ground, ground subsidence impacting the Project or causing damage to neighbouring land or property during construction”. NOTE – it is acknowledged that a comment advising that this will be assessed further by ground investigation it is considered that this should be scoped in pending the Ground Investigation results.

Table 11.6 – OMISSION, **SCOPE IN** - “Summary of Historical OS Mapping “– the OS historical mapping for the 250m area for Burnell and Northweald does not refer to the Aircraft factory which was in the area 1917 – 1992. The factory was decommissioned circa 1990s. Given this Thames Water must clearly show they have correctly identified all potentially contaminated land areas in the assessment area - it will be important to survey Royal Park Gate open space for contaminants before any excavation in this area. This is important to rule out the presence of any contaminants that could pose a risk to the river and the abstraction of water and transfer to the Thames Lee tunnel.

Table 11.10 – CORRECTION - Summary of the Scope for Ground Conditions - error, row 3, the column referring to LAs for the infrastructure reference including TLT Northweald Lane should include RBK.

Chapter 12: Townscape and Visual Amenity

General note – **SCOPE IN** - Reference is made to the Thames Path but not its classification as part of a National Trail (Thames Path National Trail). The building over of the lower Thames Path at the intake site is not described nor the resultant change in character and usage this will create. This issue should be clearly described and scoped in as appropriate under all of the topic headings; in particular Townscape and Visual amenity, Human Health, Socioeconomics, Community, Access and Recreation and Traffic and Transport.

Table 12.1 – CORRECTION (in red type) - The LBR Local Plan ~~2015~~-2018 and the LBR ‘~~Pre-~~Publication’ Draft (~~Regulation 19~~) Local Plan (2024~~3~~)

Table 12.2 – CLARIFICATION / ERROR - Townscape designations column for Above Ground Sites includes abstraction/outfall ?

Paragraph 12.4.12 – OMISSION, **SCOPE IN** – should reference the listed Teddington Lock footbridge

Paragraph 12.4.13 – OMISSION, **SCOPE IN** – should include reference to N Thames riverside the Broom Water Conservation Area, Trowlock Island, Broom Water, Broom Water West and The Lensbury hotel/water centre and sports club

Paragraph 12.6.28 - OMISSION - For the purpose of this TVIA, it is proposed that the visual assessment will be supported by a viewpoint assessment. Eight viewpoints are proposed”
NOTE - Where the Intake and Outfall will be constructed on Burnell open space there are 2 of the viewpoints: one from the Hawker centre riverside and one from Teddington weir bridge. It

is not clear if there will be scoping proposed for other views: e.g. the views from Broomwater, Trowlock Island and the Lensbury Club/Water Centre side of the river, from the river itself or views of users on the towpath, roads. There is no mention of the visual impact of Kiosks in Burnell open space. All of these other viewpoints must be '**SCOPED IN**' to the Townscape and visual amenity scoping and Type 4 visuals (as for eg view 108) created to illustrate the impact.

Table 12.11 - Summary of Scope for the EIA

Construction phase

Row for Intermediate shaft at Ham Lands – OMISSION, **SCOPE IN RECEPTORS** - The potentially sensitive visual receptors should also include recreational users along Thames Street, Ham Playing Field (depending on final location of shaft) and the footpaths on Eel Pie Island and residents of Eel Pie Island and nearby residential receptors on south bank

Row for Intake, outfall, reception shaft, connection shaft, TLT connect-ion shaft and temporary works areas – OMISSION, **SCOPE IN RECEPTORS**

- Visitors/members of the Lensbury Hotel (155 bedrooms), Lensbury Watersports Centre and other facilities (25 acre site including 24 tennis courts, squash courts, swimming pool, playing fields, gym and fitness facilities) – training facilities for high profile teams e.g All Blacks, England Lionesses, Man Utd.
- Residential receptors to north at Broom Water West, Broom Water, River Reach and Trowlock Island
- Residential receptors to south at Beaufort Road as well as Burnell Avenue

Intake, outfall, reception shaft, connection shaft, TLT connect-ion shaft and temporary works areas - CORRECTION - Spelling mistake 'King Hery's Mound' should read King Henry's Mound.

Mogden STW site – OMISSION, **SCOPE IN RECEPTORS** – The potentially sensitive visual receptors should Scope In visitors/spectators to the Allianz Stadium

Operations phase

Intermediate Shaft and Intake/Outfall – **SCOPE IN** - As per comments above and in addition the following:

Intake, outfall, reception shaft, connection shaft, TLT connect-ion shaft and temporary works areas – OMISSION, **SCOPE IN** - The potentially sensitive visual receptors should Scope In Recreational users on the Thames

CORRECTION – error in the LPA column in the last row of the table should show LBK alongside LBR for Intake and Outfall screening. Thames Water must identify all areas, issues and impacts to be scoped correctly.

Table 12.11 – OMISSION – should include Thames Landscape Strategy vistas

CLARIFICATION – please clarify for the Intermediate shaft and Intake/Outfall that the term ‘Recreational users of the Thames’ does **Scope In** the many visitors on river cruise boats eg Turks and Colliers boats and the river education boats of River Thames Boat Project

Chapter 13: Water Resources and Flood Risk

General note on water quality - the regulator for rivers is the Environment Agency and while outside our normal regulatory function, the Council hold concerns over the impact on water quality the TDRA Project would or could have on the Thames and its ecology. The Council maintains the view that there needs to be some independent and ongoing assessment of water quality, including a clear testing regime, before, during and after the proposal that has been agreed by all 3 Councils. This assessment needs to be transparent and instill public confidence should the scheme go ahead. Also, there would need to be an action plan with clear triggers if there is ultimately an impact on water quality.

There will need to be resources for the LA’s to manage and regulate the environmental impact during the construction and operation phases - **SCOPE IN**.

General note on flood risk - As identified in the construction phase impacts, there are potential impacts to the Burnell Avenue site and nearby offsite developments from increased pluvial and fluvial flood risk. Permanent infrastructure and hardstanding will be constructed at Burnell Avenue within Flood Zone 2 and 3 which has potential to reduce the floodplain volume. There would also be an increase in impermeable areas, which could increase surface water runoff rates to areas on-site and off-site developments.

The proposed development must meet the requirements of the Local Plan, the Strategic Flood Risk Assessment and the London Plan Policy SI 13 Sustainable Drainage. Due to the risk of surface water flooding on the site, a drainage strategy must be provided outlining how the development will implement sustainable forms of drainage, especially where adding impermeable area. These features should be implemented preferentially according to the hierarchy of drainage as detailed in the London Plan.

The development should achieve greenfield runoff rates or achieve as close as reasonably practicable, and should provide evidence of the greenfield, current and proposed runoff rates. Evidence should be provided that the site will not flood in the 1 in 30 year rainfall event, that there will be no flooding of buildings as a result of events up to and including the 1 in 100 year rainfall event, and on-site flow as a result of the 1 in 100 year event with a climate change consideration (40%) must be suitably managed.

As the site is located in Flood Zone 2 and 3, a detailed Flood Risk Assessment must also be provided. This should also take into account the planned decrease in use of the Thames Barrier, and associated increase in flood risk.

The drainage strategy and Flood Risk Assessment requirements also apply to the Ham Playing Fields/Ham Street Carpark site.

Figure 13.1 – CLARIFICATION - Map blurry

Page 331 - CLARIFICATION - All above ground sites – what is significant volumes of water use and why has it been flagged as potential impact?

Table 13.1 - OMISSION – The Thames Estuary 2100 Plan should be included in relevant legislation, policy and guidance. This relates to the current and future operation of the Thames Barrier which controls water flow levels which impact this stretch of the river. The impact of the changing use of the Thames Barrier and impact on water levels should be understood as part of the Environmental scoping and assessment.

Table 13.1 – CORRECTION (in red type) - The LBR Local Plan ~~2015-~~ 2018 and the LBR 'Pre-Publication' Draft (**Regulation 19**) Local Plan (2024**3**)

Table 13.1 – OMISSION – needs to refer to Port of London Teddington to Broadness Recreation users guidance.

Paragraph 13.4.2 – CORRECTION - Sentence is repeated.

Paragraph 13.4.8 – CLARIFICATION - Note that Scoping report states SW flood maps unlikely to have accounted for surface water drainage system on site and therefore there is an over-estimate of SW flood risk. More details are required to demonstrate this.

OMISSION THEME - The intake will be in flood zone 3, yet there is no reference to the consideration that this may mean that the structure could need to be constructed higher than the “indicative” photo of the intake and therefore be more intrusive than proposed to be assessed. It should be **SCOPED IN** as part of the EIA that this flood risk has been taken into account in the design of the Intake.

CORRECTION - There is no security fencing around the structure in the picture. This is considered a misrepresentation of what will be needed.

OMISSION , **SCOPE IN** - No reference to flood risk on the land and properties opposite the abstraction plant (designated flood risk 3a) specifically Broom Water Conservation Area, Lensbury Club and Water Centre - see figure 13.2 Flood zone map,

CLARIFICATION, **SCOPE IN** - During construction, with a cofferdam projecting 10m into the river, planned to cover at least on one winter period with its high waters and regular Environment Agency flood alerts and warnings, there is considerable concern about significantly increased flooding during both construction and operation:

“The foundations of the caisson will extend into the river Thames 10m from the riverbank. The excavation area will be 20m wide, 40m long and 9m below the river level. The structure will be constructed from reinforced concrete. When completed the structure will project into the river up to 5m”. Thames Water Strategic Resource Options: Annexe B5 Initial Environmental Assessment Para 2.3.2

Paragraph 13.5.31 – OMISSION, **SCOPE IN** - there is a noted increase in impermeable areas, but no mention of mitigating this through use of impermeable alternatives or nature-based solutions to decrease surface water runoff on the site

Paragraph 13.7.4 – COMMENT - "Development and implementation of SuDS will be considered as further mitigation measures to control water runoff and volumes". There should be greater emphasis on sustainable approaches to managing water runoff and volumes, with SuDS and nature-based solutions as the priority solution for mitigation measures, rather than being considered.

Paragraph 13.7.5 – ADVICE - Any Drainage Strategy should focus on sustainable and nature-based solutions to manage surface water runoff, with an emphasis on controlling and reducing runoff

Table 13.10 - CLARIFICATION - *Tudor drive, Mogden STW* have been scoped out as an off-site developed area impacting on surface water quality and flood risk (for Tudor Drive) on the basis it is in flood zone 1 nor is it connected to any watercourse. Clarification required on this approach, that whilst they are not hydrologically connected, they will not have an impact or be a hazard on these areas for increased flood risk or surface water quality.

CLARIFICATION - *All above and below ground sites or all aquifers* have been scoped out as the project will not have any interactions with groundwater. More clarification is required considering the GLA Drain London mapping shows areas close to Teddington Weir with increased potential for elevated groundwater.

CLARIFICATION - the *principal bedrock aquifer* has been scoped out based on the tunnelling being completed within London Clay. Further information is supplied to give assurance how near the tunnelling is to the edge of London Clay for example.

CLARIFICATION, **SCOPE IN** - *All above ground sites for potential impacts on the riverbed/and or bank stability* have been scoped out. Further clarification is sought that whilst there are no other activities planned at the riverbed itself that there isn't a cumulative impact or change of flow that will affect the riverbed/bank stability.

Chapter 14: Human Health

General note - it is noted that it is proposed to undertake a comprehensive HIA which will be integrated into the EIA process.

Environmental Impact Assessment (EIA) is a process to examine the likely significant effects of a project. 'Human health' is one of the topics that EIA is required to consider. EIA legislation provides a vital safeguard in protecting health by identifying potentially significant adverse effects on human health arising from proposed major planning developments. For this project a traditional approach should be adopted with particular emphasis on health protection issues and safeguarding of amenities.

Paragraph 14.1.3 – CLARIFICATION/ADVICE - It is important that reasons are given in terms of weighting of interactions between different health variables with regards to population impact. Focus should be on the 'likelihood' of the project influencing health, and if an effect is likely the level or 'significance' and 'sensitivity' of that impact assessed. Likely effects

should be linked to plausibility (source, pathway and receptor) and probability (when and if those effects could occur).

Paragraph 14.1.4 – ADVICE - Definition of ‘Population’ in terms of reference to ‘shared characteristics’ should be removed. Emphasis should be on the inhabitants of the area likely to be impacted (positively or negatively) by the project including the magnitude of the impact and any mitigation measures that may be needed including any unintended health risks.

Paragraph 14.1.6 – OMISSION - In relation to vulnerable groups, this must be linked to the impact of the project at site-specific and local levels. This should include review of ‘health pathways. It should describe nature of the impact and level of significance of the project on these vulnerable groups including any anticipated change in health outcomes.

Paragraph 14.2.4 - OMISSION - “Thames Water has established a River Stakeholder Forum and reports into the pre-existing Mogden Resident group and Maidenhead to Teddington Catchment partnership. Engagement with these groups will be used to help inform the socioeconomic, community access and recreation assessment and this information will be drawn on to help provide information for the health assessment where relevant”. Note - There are no engagements described to any groups / representatives in Ham or Burnell areas. These areas will be impacted by aboveground construction and operation. How will Thames Water ensure that people in those areas will be able to inform the “health assessment”? Please note this consideration also must be referenced in the “Socioeconomic, Community, Access, Recreation” chapter where Thames Water refer to similar engagement.

Paragraph 14.3.5 – OMISSION - In context of health inequalities, this must be considered in context of the project (source) and health outcomes of receptor population including temporary or permanent nature of impact.

Table 14.1 – CORRECTION (in red type) - The LBR Local Plan ~~2015-~~ 2018 and the LBR ‘Pre-Publication’ Draft (Regulation 19) Local Plan (2024~~3~~)

Table 14.3 - CLARIFICATION - Scope of population and human health assessment; “Open space, leisure and, play - Recreational routes such as the Thames Path and National Cycle Network (NCN) route 4 have the potential to be temporarily disrupted which may have indirect effects on health”. NOTE - Although it is scoped in it must be recognised that the impact on the Thames Path is not potential, it is actual. The intake will build over the lower Thames Path national trail resulting in a change in usage patterns between cyclists and walkers. There will also be significant diversions around Burnell open space riverside during construction. This should be considered as a specific land use impact in scoping for construction and operation.

Table 14.3 - OMISSION - P352 and P353 - Scope of population and human health assessment; “Open space, leisure and, play - Areas of green and blue space may also be disrupted during construction and (to a lesser extent) during operation which may result in a change to local play and leisure areas. During operation of the Project there is potential to affect the desire to access areas of green or blue space close to the discharge point. This

determinant has an interaction with 'Physical activity' scoped above". NOTE – The intake and outfall structures will create visual and physical impediments to accessing the river. There will be a loss of "a usable edge" in the river where the intake is; this would result in a safety issue for swimmers, casual recreational paddlers and kayakers as they would not be able to access the riverbank for safety. These access issues need to be fully **SCOPED IN** for construction and for operation.

Table 14.3 – OMISSION, **SCOPE IN** - P353 and P354 - Scope of population and human health assessment; "Community Safety - Health and safety legislation, [...] would ensure no likely significant community safety risks from the built infrastructure and operational plant and therefore community safety is scoped out for the operation stage". Note - This topic should be scoped in. There are concerns around the ancillary built structures (Kiosks) near the edges of open spaces, creating "hidden" spaces. These can become a focus for antisocial behaviour. This should be scoped in to ensure all aboveground structures are located and designed to limit their use in a negative way.

Table 14.3 - OMISSION THEME, **SCOPE IN** - P357 - Scope of population and human health assessment; "The discharge of recycled water has the potential to alter water quality (or the public perception of water quality) of the Thames downstream of outfall in both the freshwater and tidal stretches of the river which may have ongoing implications for health and wellbeing". Note – The treated effluent discharge will result in increased concentrations of PFAs, Pharmaceuticals and E Coli which may have direct health impacts on river users (including families with young children). The increased concentrations of harmful contaminants above Teddington in drought (a high usage time for river users) must be assessed.

SCOPE IN - The whole area of water standards, duration of examination for impacts, baseline data v specific and relevant substances is woefully underserved in this proposed scope.

Table 14.3 - OMISSION - (Scope of population and human health assessment) in TDRA's EIA Scoping Report.

For transport modes, access and connections, impacts relating to this dimension are not being considered during the operation phase, but there is the potential for continually used site maintenance access roads to affect access

OMISSION, **SCOPE IN** - Community safety has been scoped out for the operation stage, it should be Scoped In, to ensure mitigation measures are identified to counter a potential rise in anti-social behaviour resulting from the new infrastructure.

Safety risks associated with operation should also be **SCOPED IN** - the intake and outfall structures will create visual and physical impediments to accessing the river. There will be a loss of "a usable edge" in the river where the intake is; this would result in a safety issue for swimmers, casual recreational paddlers and kayakers as they would not be able to access the riverbank for safety.

OMISSION, **SCOPE IN** - Education and training - the report discusses how the project will provide an educational opportunity but does not mention how the loss of woodland and other natural features will impact current educational provision

OMISSION, **SCOPE IN** - Employment and income, this section should also mention the potential loss of income for self-employed residents who make use of impacted spaces (e.g. dog walkers)

OMISSION, **SCOPE IN** - On air quality and pollution these are scoped out for the operation phase but concerns are held regarding the ongoing effects of operation on air quality and light pollution.

OMISSION, **SCOPE IN** - Attractiveness of area; This section does not mention the potential loss of natural habitat (it only mentioned net gain) which should be reported on residents are concerned about the effects of pipe jacking under houses and about declines in property values, this is not reflected in the scoping report

Paragraph 14.4.4 – OMISSIONS, **SCOPE IN** - A selective inclusion of facilities, albeit it is acknowledged that the paragraph is a general one. Although Thames Young Mariners is an important local resource, there are other water sports (and rowing clubs) in the immediate vicinity of the project including at the Lensbury resort (Lensbury Watersports Centre) and at Albany Outdoors in RB Kingston which is an Achieving for Children Provider offering a range of water sports to children and adults.

Paragraph 14.4.9 - ERROR – first reference to LBH should be LBR?

Paragraph 14.4.10 – CLARIFICATION - States that all boroughs have a population “younger than average for England”.

However, it is also relevant to refer here to proportion of residents who are 65 years and over, which overall is lower than the England average but varies between the three boroughs (according to the data in Table 14.2 it is 11.8% in LBH, 14.4% in RBK and 16% in LBR).

Paragraph 14.5.4 – OMISSION, **SCOPE IN** - Vulnerable groups should include those who may live on the river, besides the river as well as people who use the river for recreational purposes.

Paragraph 14.6.6 – OMISSION, **SCOPE IN** - There is a Ham and Petersham Neighbourhood Plan (adopted January 2019) –consultation with the Neighbourhood Forum regarding the HIA is required.

Paragraph 14.6.17 – OMISSION, **SCOPE IN** - One area not mentioned in the scoping document relates to the human health risk from aerosols of chemical, viral, and bacterial hazards generated from tertiary treated effluent passing over the Teddington weir during operation. A risk assessment should be provided. The beach on Teddington weir island is regularly used by families in the summer and kayakers regularly “play “ in the weir pool.

Paragraph 14.6.24 – OMISSION, **SCOPE IN** - Interaction of impacts must consider whether such impacts are temporary or permanent in nature including use of professional judgment where required.

General comment: It is noted that data on deprivation are to be included as part of the ES and there is acknowledgement that those who are “more deprived” may be more susceptible to effects. It is noted that populations in Ham – very close to the proposal – are amongst the most relatively deprived in the borough. This area is one where public transport accessibility is also relatively poor with the community being located within a bend in the River Thames. It may be picked up elsewhere in the report, however, the cumulative impact of these factors should be **SCOPED IN**.

Chapter 15: Carbon and Climate Change

General note, **SCOPE IN** – future impacts of climate change have not been adequately addressed in this document. In Chapter 15, it states that "Potential flood risk impacts will be considered in Chapter 13 Water Resources and Flood Risk. The assessment will incorporate allowances for future climate change to determine flood risk impacts on receptors within the study area that is assessed for that aspect" and in Chapter 13 it states that "Potential impacts to flood risk and water resources infrastructure in relation to climate change are assessed in Chapter 15 Carbon and Climate Change". However, the future assessment is not addressed in the robustness required given that the Project is being created in response to future pressures on water resources arising from a changing climate. There should be more detailed modelling and assessment provided on what the future pressures on the operation and maintenance of the Project will be, in particular with regard to flooding risk on operation of the project and future drought scenarios

Table 15.1 – OMISSION - The following should be included in Table 15.1 relevant legislation, policy and guidance:

- London Borough of Richmond upon Thames Climate Emergency Strategy 2019-2024
- Richmond Climate Emergency Strategy 2024 Action Plan and subsequent updates
- The Thames Estuary 2100 Plan.

The latter relates to the current and future operation of the Thames Barrier which controls water flow levels which impact this stretch of the river. The impact of the changing use of the Thames Barrier and impact on water levels should be understood as part of the Environmental scoping and assessment.

Table 15.1 – CORRECTION (in red type) - The LBR Local Plan ~~2015~~-2018 and the LBR ‘Pre-Publication’ Draft (**Regulation 19**) Local Plan (2024~~3~~)

Paragraphs 15.1-15.3 - Correctly sets out the requirement for Environmental Statements of which the key definition is “...describe and assess in an appropriate manner, in light of each individual case, the direct and indirect significant effects of the proposed envelopment on...Climate” and “a description of the likely significant effects of the development on the environment resulting from... the impact of the project on climate...and the vulnerability of the project to climate change”

Paragraph 15.2.2 – OMISSION CLARIFICATION - Includes commitment to follow circular economy principles “where practicable to do so” more details should be provided on how the circular economy guidance and principles will be followed and what if any circumstances will lead to parts being considered impracticable.

Paragraph 15.4.1 – ADVICE - It is worth noting that this will have to include accurate data on transport emissions (event and non-event days), including for replacement assets from across the country which can be a challenge to gather thoroughly.

Paragraphs 15.4.6 and 15.4.7 – OMISSION, **SCOPE IN** - GHG emissions and carbon budgets do not take into account local targets for net zero - Richmond upon Thames has a target of being net zero by 2043 and the construction and operation of this significant and likely energy intensive Project does not give consideration to the impact on local net zero targets.

CLARIFICATION - Assessment of likely sources of GHG emissions are included alongside potential mitigations to reduce these, but it is not clear as to where these potential emissions will be reported and published. It is also not clear on how much of a priority designing in the reduction of carbon emissions to the construction approach and the operation of the Project will be.

Paragraphs 15.4.8-15.4.11 – COMMENT - Accurately outlines existing climate risks at the location including heat waves exacerbated by the heat island effect leading to wildfire and IT failure and flooding.

Table 15.4 – OMISSION OR CLARIFICATION – is a concern: "Future climate scenarios could lead to increased drought conditions which could require the Project to be utilised more than expected, putting increased pressure on the Project during operation", which does not give confidence that the future scenarios have been adequately modelled and taken into account in the design of the Project.

Paragraphs 15.4.13-15.4.20 – CLARIFICATION - Sets out existing weather patterns and threats and describes projected climate changes. This all seems accurate. Although the UKCP18 high emissions future climate projection seems an appropriate choice, explanation why this rather than other high emissions projections has been used would be welcomed.

Paragraph 15.4.19 – this paragraph considers additional sources of risk from climate change including increased risk and severity of heat waves and flooding as well as risks to foundations from clay shrink-swell and drought. It also refers to Storm Tides and expected sea level rise in the Thames Estuary of 1.15m by the end of the century.

OMISSION, **SCOPE IN** - No reference is made to the changing role and impact of the changing use of the Thames Barrier, and that it will no longer be used to manage smaller fluvial flows by 2035, which is likely to cause increased flooding. There is a footnote (373) referencing the Thames Estuary 2100. But is it not clear that the scoping report will assess the impact of both increased flooding and drought on the biodiversity/habitat of the river and water quality in the area most impacted by the TDRA.

Paragraph 15.5.1-15.5.5 – **ADVICE/OMISSION** - Correctly sets out the Life Cycle Carbon Assessment (BS EN 15978) methodology which will be used to calculate the development impact on carbon. To conduct this properly, accurate, detailed, and timely data will need to be provided by a number of parties including transport, energy, material, and chemical use. This methodology does not mention emissions from demolition which should be **SCOPED IN**.

Paragraph 15.5.5 (Table 15.3)

- A0 (Surveying) and B7 (operation water use) have been scoped out as negligible. the assumption that these will contribute <1% of the total carbon emissions is considered sound.
 - B5 (Refurbishment) is scoped out as it will occur outside the time frame of the environmental assessment.
 - I agree with all other aspects being scoped in. These include materials (A1-3) transport (A4) construction (A5), in use energy (B6) and chemicals (B1), maintenance repair and replacement parts (B2-4).
- It is a requirement that the development ‘not be likely’ to materially affect the government’s ability to meet its emissions targets. As such it is important that detailed data of all elements of emissions such as transport, construction, O&M etc are provided, to monitor and report on impact.

Paragraphs 15.5.12-15.5.13 – **CLARIFICATION or OMISSION, SCOPE IN** - Construction and operation carbon emission sources are listed. Consideration of emissions from demolition of existing infrastructure should be provided even if only to explain why outside the scope.

Paragraphs 15.5.15 (table 15.4) – **OMISSION, SCOPE IN** - Lists potential risks. Risks that are not included are having the right conditions for foundations and concrete to set well and the risk of flooding causing pollution downstream, or risks to waterways during construction.

Paragraphs 15.6.2 – **OMISSION, SCOPE IN** - Sets out that the crux is “whether a development contributes to reducing greenhouse gas emissions relative to a comparable baseline consistent with a trajectory toward net zero by 2050”. That being the case as well as the negative environmental impacts assessed in the ES the positive environmental impact of the scheme needs to be reported so they can also be considered.

Paragraphs 15.7.2 – **COMMENT** - Includes maximising the use of on-site materials. This will assess the position of building material and require pre-demolition audits before works commence.

Paragraph 15.7.3 – **OMISSION, SCOPE IN** - no reference to on-site renewable energy generation.

Paragraphs 15.7.7 - **CLARIFICATION** - Lists some example of mitigation measures including design, specification, and maintenance measures. More detailed information will be needed at later stages. Ensuring regularity of inspections will be a key factor.

15.8 Summary of Scope for the EIA

Paragraph 15.8.1 A summary of those factors to be scoped in or out of the ES is provided in Table 15.9.

- Greenhouse gas emissions are correctly scoped in for both construction and operation phases. However, looking at Table 15.3 specific aspects of operation are scoped out (see above comments on 15.5.5) – these should be **SCOPED IN**.
- **OMISSION/SCOPE IN** - Vulnerability to climate change has been scoped out for the construction phase on the basis that climate changes over the short term are minimal. However, climate changed between the baseline and the expected end construction date in 2031 are likely to be significant and need accounting for.
- **COMMENT** - In combination climate assessment refers to the combined impacts of climate change on environmental receptors assessed for other environmental aspects “i.e. whether the receptor’s susceptibility and vulnerability and/or their value/importance changes based on future climate projections.” As such, it is considered that the applicability of climate change during construction depends on the relevant disciplines’ own methodologies and their baseline years. i.e. 2031 will mean that some disciplines will have to assess against their “future climate” methodology.

Chapter 16: Socio-economics, Community, Access and Recreation

General note - this section has very little detail even though the Human Health chapter refers to it many times. The topics of community, amenity, access and “severance” are all important topics that clearly link to Human Health and eg Noise Topics etc. The level of information relating to benefits and enhancements should be significantly increased. The whole area is a centre of community activity and wellbeing and this aspect is given scant recognition in the EIA

As a general comment, the construction phase will have a significant impact on Ham and what the Council can book on the Ham Playing Fields pitches which will require mitigation.

Other concerns include

Public health – concerns around the project that there once in operation there could potentially be more water borne bacteria, viruses and parasites

Water quality – linked to the above many water users may enter the water as part of their use of the river (e.g. capsized training drills, paddleboard capsizes) and would express concern about the quality of the water were they to swallow and ingest water

Restricted access – more likely during the construction phase but any restriction on access would affect both the quality of the experience for users and also could affect the viability and sustainability of some of the clubs in the vicinity of the development of the project

Reduced access to the river – linked to the above, reduced access to the river could have a significant impact on the water-based clubs

Reduction in club membership affecting club sustainability – particularly during construction members of sports clubs affected by this project could decide to move to other local clubs further away from the affected area which as above undermines the sustainability of voluntary sports clubs who rely on membership numbers and fees for survival.

Recreational use of the river and towpath– this is an incredibly popular area for casual use of the river by walkers, runners, cyclists, paddleboarders, kayakers and swimmers and any interruption of access to these areas will have a significant impact on these individual users.

Table 16.1 – CORRECTION (in red type) - The LBR Local Plan ~~2015=~~ 2018 and the LBR 'Pre-Publication' Draft (**Regulation 19**) Local Plan (2024**3**)

Table 16.1 – OMISSION - Include reference to Ham and Petersham Neighbourhood Plan (adopted January 2019)

Paragraph 16.2.3 – RECOMMENDATION - There is a Ham and Petersham Neighbourhood Plan (adopted January 2019) – may therefore be relevant to include consultation with the Neighbourhood Forum regarding the socio-economic impacts. [Please note the Council and its partners are developing a vision and action plan for Richmond Town Centre referred to comments relating to Transport. An [Engagement Report](#) was published in January 2024.]

Paragraph 16.2.3 – CLARIFICATION – little information on membership of River Stakeholder Forum – should include recreational receptors

Table 16.3 - OMISSION THEME - P411 Potential socioeconomic, community, access and recreation effects. Note - Whilst accepting that this is a generalised table some of the described potential benefits veer into fantasy given that there is no description of how such benefits will accrue and where. So, for example, “Potential for beneficial effects associated with enhancement of recreation and community receptors such as open space and PRowS”. Where would such enhancements be and what designs have been made to this end?

Paragraph 16.4.5 – CORRECTION - Twickenham is located in the London Borough of Richmond upon Thames.

Paragraph 16.4.6 - CORRECTION - Ham is described as south of Twickenham but is located on the opposite bank of the Thames

Paragraph 16.4.6 – ADDITION (in red type) - LBR is least densely populated in part owing to the large areas of green space within its boundary, including Richmond Park, Hampton Court/**Home Park**, **Old Deer Park** and Bushy Park.

Paragraph 16.4.6 – OMISSION, **SCOPE IN** - this paragraph should mention the Ham Close Regeneration project which is currently under construction

Paragraph 16.4.12 – RECOMMENDATION - If the estimates are too small the 2021 Census would give a figure that would be better than no data.

Paragraphs 16.4.14-16.4.15 - DISAGREEMENT METHODOLOGY - Education – the way the information is reported, by combining information about the three boroughs understates the variation between the boroughs which can be quite wide (for example percentage of residents in Hounslow over 16 and without any formal qualifications (18.6%) is around double that of Richmond Residents (9.1%))

Paragraphs 16.4.16 onwards – DISAGREEMENT METHODOLOGY - it is not right that this section provides statistics for combined data across all 3 boroughs? Not a very detailed approach to considering these characteristics. Likely that these characteristics will differ markedly between boroughs.

Paragraph 16.4.26 – OMISSION, **SCOPE IN** - this project crosses the River Thames and interacts with a significant number of water-based activities. Apart from Thames Young Mariners and the Lensbury Watersports Centre, other users of recreational receptors include the following known clubs which may not be exhaustive:

Twickenham Bank

- Twickenham Rowing Club
- Twickenham Yacht Club (includes Paddleboarding)
- Richmond Yacht Club
- Royal Canoe Club
- Informal use by open water swimmers, Paddleboarders, Canoeists and Kayakers

Ham bank

- Albany Outdoors
- Slipway is extensively used by the following:
- Paddleboarders
- Canoeists and Kayakers
- Open water swimmers

The towpath on this side of the River Thames is also extensively used for activities such as walking, running and cycling both informally and formally

The slipway is also the location for the finish of the annual Great River Race – 21.6 miles from Millwall slipway E14 3QS to Ham, Richmond TW10 7RS (with over 2,500 competitors competing for 37 trophies, it is the biggest and most prestigious event of its kind in Europe).

Locations and maps – The Great River Race – 2024

Other recreational receptors include

- Ham Lands – clubs include Richmond Baseball Club & Kew and Ham Association Football Club

- King George’s Field - Richmond Park FC, Ham and Petersham Cricket Club & Ham and Petersham Rifle and Pistol Club

Paragraph 16.5.1 – OMISSION, **SCOPE IN** - List of community and recreational receptors should both specifically include the River Thames and Ham slipway which is recognised elsewhere as a major recreational resource.

OMISSION, **SCOPE IN** - List should include specific mention of town and local centres – although it is noted that businesses generally are included in the list.

Paragraph 16.6.4 – CLARIFICATION/GUIDANCE - Note comment that there is limited guidance on the assessment of socioeconomic, community access and recreation impacts in the UK. The comments of the Council’s relevant technical experts will be of relevance here. For information the following comments have been received on recreational impacts needing to be assessed:

Paragraph 16.6.17 - CLARIFICATION/GUIDANCE - Note comment that there is limited guidance on assessment of effects of construction on skills and education – contact with colleagues in Economic Development Office are able to provide further guidance on assessing this impact locally within LBR.

Table 16.5 - CLARIFICATION/GUIDANCE - Note Employment and Skills and Education aspects have been scoped out for operation stage as impacts are expected to be minimal – contact with LBR technical consultees necessary to confirm this approach

Table 16.5 – ACTION - Note Access: Land Take aspects have been scoped out for operation stage as no significant effects are expected – Thames Water should contact LBR technical experts to confirm this approach.

Chapter 17: Waste and Materials

Table 17.1 & Paragraph 17.4.5 – CORRECTION (in red type) - The LBR Local Plan ~~2015-~~ 2018 and the LBR ~~‘Pre-Publication’~~ Draft (Regulation 19) Local Plan (2024~~3~~)

Paragraph 17.4.5 – OMISSION - Reference should also be made to the London Borough of Richmond upon Thames emerging Local Plan given it is at an advanced (‘Publication’) stage and may update, add to or differ from the adopted 2018 Plan

Paragraph 17.4.28 – CLARIFICATION - Is there existing capacity at Modgen STW to handle the sludge TTP?

Paragraph 17.5.10 – CLARIFICATION - It is noted that details and tonnages of waste are not known at this stage, hence the number of road and/or river movements transporting waste are also not known with any certainty. **SCOPE IN** impacts from construction waste is also required for this reason.

In line with emerging policy 7 of the new Local Plan the approach of managing the waste should also align with the principles of the circular economy not just the waste hierarchy.

Paragraph 17.7.3 – COMMENT - Whilst it is assumed to be addressed within the Construction Management Plan, the prevention of waste and construction materials being spilled onto streets or being dragged out of sites by vehicles is a very important issue for the Council.

Chapter 18: Traffic and Transport

The Council is both Local Planning Authority and Local Highway and Traffic Authority. The comments provided are corporate comments and it is not expected that the highway authority will send separate comments at this stage; however, the highway authority is expected to have detailed comments on any subsequent transport or highways assessments submitted in support of the proposal.

General note – OMISSION **SCOPE IN** - given the scale and significance of the RFU's Allianz Stadium and its proximity to some of the proposed works at Mogden Sewage Treatment Works, especially during the construction phase of the tunnel and disposal of spoil, there is a clear need for all baseline data, methodologies and assessment work to consider and be informed by local traffic and transport conditions on both event days (matches and concerts) and non-event days. This is not explicitly referred to in the Scoping Report at all. This assessment has to include impacts for the transport management plans and other operational requirements set by planning conditions and s106 agreements linked to the use of the Stadium for concerts (55,000 spectators) - planning permissions including refs: 00/1098/FUL (appeal consent) and 06/0154/FUL - as well as match days. Mitigation measures such as no construction vehicles (deliveries and collections) on event days should be considered to offset potentially significant harms to the local and strategic road network, public transport systems, shuttle buses and crowd management.

A similar assessment of the impacts on road conditions on event and non-event days at the Twickenham Stoop (Harlequins home ground) is also required. Again, this is not explicitly referred to in the Scoping Report and needs to be included. The Applicant should contact the Local Planning Authority for further details on the planning history and traffic management requirements for this site. Mitigation on match days during the construction phase should be required.

Table 18.1 – CORRECTION (in red type) - The LBR Local Plan ~~2015-~~ 2018 and the LBR 'Pre-Publication' Draft (Regulation 19) Local Plan (2024~~3~~)

Figure 18.1 – ADVICE - Without necessarily implying support for the A307 South Option, the A307 North Option via Richmond Town Centre and Petersham Road is considered to have a relatively low degree of resilience and would require vehicles being routed through often congested roads with narrow footways. The Council is developing proposals to improve Richmond Town Centre – whilst there are no developed proposals the project aims to enhance Richmond as a place and the road network in the town centre may not in future operate in the way it currently operates.

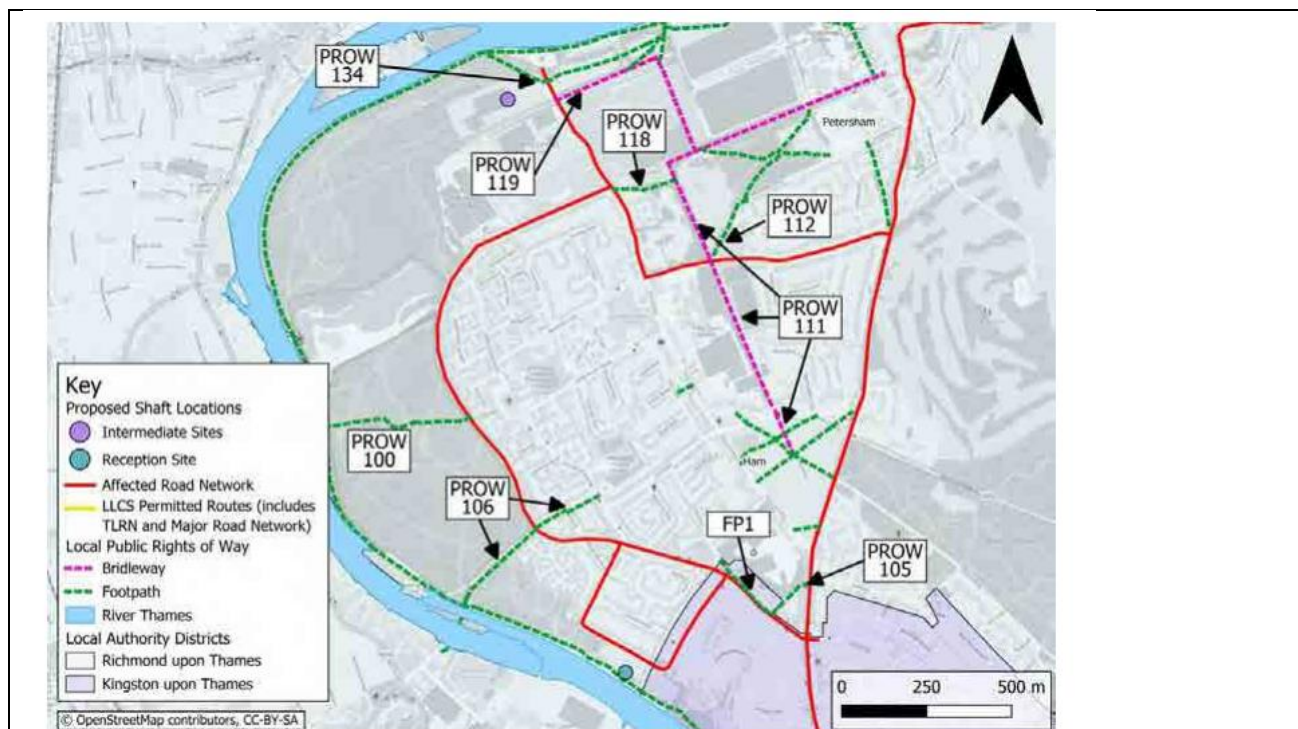


Figure 18.2 PRoW Routes linking to the local affected road network south of the River Thames

Figure 18.2 – COMMENT - It should be noted that the routes linking to the affected road network south of the river Thames are very congested, especially the route into Richmond via Petersham Road from Kingston

Paragraph 18.4.15 – OMISSION, **SCOPE IN** - The amenities listed as being within 500m of the local affected road network appear to have omissions (including Petersham Meadows, Russell School, the German School, Ham Polo Club, Ham Youth Club and probably others). Recognition that there will be other amenities potentially affected should be noted.

Paragraph 18.4.19 – RECOMMENDATION - We understand 2023 data is now available, so this should be checked for any significant differences from the data used.

OMISSION - Traffic counts on A316 and other local roads must be carried out on both event and non-event days at either the RFU Allianz Stadium or Twickenham Stoop

Paragraph 18.4.32 – RECOMMENDATION - We cannot confirm if the proposed traffic count locations which are listed “as a minimum” would enable full assessment. We would need to see the totality of the data from all sources. We would strongly recommend agreement with TfL and councils on the traffic survey locations and scope.

Paragraph 18.4.36 – OMISSION - It should be noted that a road that is not designated as a cycle route (i.e. because it does not have dedicated cycling facilities) may be no less important a road for cycling. Richmond upon Thames has a high proportion of journeys by bike – the Ham, Petersham and Teddington area is no exception. Many of these roads lack the capacity or width to include dedicated cycling facilities. That roads may not have

dedicated cycling facilities does not negate the need to consider the impact on cyclists – arguably the opposite is true and there is a greater need to consider impact on cyclists on roads where there are no dedicated cycling facilities.

Table 18.10 – OMISSION, **SCOPE IN** - as per 18.4.15, the trip attractors appear incomplete

Paragraph 18.6.4 – COMMENT - The document says that further consideration will be given for the use of water to transport materials, waste and equipment as the design develops. We are sceptical that anything will come of this.

Paragraph 18.6.6 – CLARIFICATION - We note the locations in Richmond upon Thames where HGV flows are expected to increase by greater than 30%. For “Dukes Avenue, between Riverside Drive and Hardwicke Road” we think the word “between” may be the wrong word.

Paragraphs 18.6.14 and 18.6.15 - OMISSION - We consider the duration of the impact to be important – it is not only the magnitude that determines the significance.

Table 18.13 – CLARIFICATION - In the row titled “Severance” reference is made to “potential temporary disruptions to local communities, such as limiting access to essential services like schools, healthcare....”. For the avoidance of doubt, we think it should be clearly stated that access whilst it may be disrupted or diverted would always be maintained to essential services for all.

OMISSION, **SCOPE IN** - In the row titled “Hazardous/large loads”, consideration should be given to transporting abnormal loads/plant/the TBM components by river.

Chapter 19: Cumulative Effects

General note – COMMENT - the River Thames Scheme (RTS), a nationally significant infrastructure project which will impact the Teddington Lock and Weir area in terms of the land and the river, also proposes works in the immediate vicinity at Teddington Weir. This is a flood alleviation scheme currently going through the DCO process. It is noted that reference to assessing the cumulative impacts of the RTS and TDRA Projects is included in Appendix G– Cumulative effects and will be fully taken into account. No other mention or recognition in the scoping document is surprising as there would be impacts from both RTS and TDRA in the same part of the river. There are risks, potential overlaps (e.g. BNG), and proposed mitigations associated with the construction and operation of both schemes and these need to be reflected in the TDRA EIA.

OMISSION, **SCOPE IN** - There is also no recognition of Thames Water’s recently announced Lower Thames Surbiton to Queen Mary Reservoir scheme that will abstract hundreds of millions of litres of water from the same stretch of river

CLARIFICATION - what will replace the abstracted water from the Lower Thames Surbiton to Queen Mary Reservoir scheme...new treated water from the enhanced size of pipe now proposed for TDRA? This major potential cumulative impact is not mentioned in the Scoping Report and should be **SCOPED IN** to the assessment on water quality impacts for the TDRA.

Table 19.1 – CORRECTION (in red type) - The LBR Local Plan ~~2015-~~ 2018 and the LBR ~~‘Pre-~~ Publication¹ Draft (**Regulation 19**) Local Plan (2024~~3~~)

Paragraph 19.2 – OMISSION, **SCOPE IN** - The first note in table references the 10km zone of influence notes bats as a qualifying feature. It should also include aquatic and amphibian species, where flooding is a major consideration. Should the distance downstream also be considered as a zone of influence based on specialist environmental guidance?

Paragraph 19.6.16 – CLARIFICATION - Applications that come in during the EIA process will be considered in cumulative effects. Also refused applications will be removed if the 6month appeal deadline passes. It would be helpful to understand up to which point in the EIA process schemes can be added or removed.

Paragraph 19.6.14 – CLARIFICATION - Developments for which only vague plans exist (e.g. allowed for in Local Plan but no application yet) will only be considered in the higher-level parts of the EA not in detailed technical chapters.

Paragraph 19.6.17 (Appendix G) an initial list of sites to be considered has been provided but will need to be continually revised, LPA input will be needed for this.

Paragraph 19.8.1 – OMISSION, **SCOPE IN** - Potential impacts on under developments that have not been mentioned includes the altered hydrology impact on ground source and water source heat pumps.

Transport

SCOPE IN - The documentation tends to concentrate on other potential development/construction. It is possible that roadworks, such as TfL roadworks on A316 at London Rd junction (commenced 21/10/24), could take place in advance or during the works that are currently unknown about. The project should be cognisant of such potential.

SCOPE IN - The recent announcement by the RFU that they plan to redevelop within the Twickenham Stadium site and to increase events, including concerts and sporting activities, appears to have come after much of the Scoping documentation had been put together. This should be noted and the Inspectorate are requested to require that the Environmental Statement takes into account recently published information by the RFU regarding operational changes (nos of events/year – 15 concerts rather than 3) and future construction proposals at the Stadium all of which could occur in the timeframe of the project and therefore requiring the impacts to be assessed, especially for the construction phase.

Chapter 20: Major Accidents and Disaster

CLARIFICATION **SCOPE IN** – Chapter covers the impacts of disasters on the project and potential for the project to cause/contribute to disasters (defined as extremely unlikely but extremely high impact events). It is stated that existing legislation covers all relevant risks but clarification on, what legislation covers what risks, would be welcome at this stage. Key legislations are The Water Resources Act 1991, Control of Major Accident Hazards Regulations 2015 (COMAH 2015), Environmental Permitting (England and Wales) Regulations 2016 (Environmental Permitting Regulations) and NPPF. At this stage it is not

possible to identify if any risks fall outside the scope of this legislation and whether further appropriate processes should be put in place to look for them in the EA and propose action on any found.

Paragraph 20.2.1 - CLARIFICATION - says that local authorities made no specific comments. Whilst it then notes that the focus of engagement was not accidents or disasters, it seems unnecessary to say that councils made no comment about something that they were not asked about! The SR needs to be clear at this point that this is a Thames Water project and that they must take full responsibility for. It is not acceptable for Thames Water to say “councils didn’t raise concerns” or “the council/Planning Inspectorate/Environment Agency/etc. signed this off”. Whenever there is an accident or incident, the promoter will I suspect inevitably try and spread responsibility.

Paragraph 20.2.2 – CLARIFICATION - None of the summer meetings covered major accidents and Thames Water did not request the Council’s emergency planner to attend

Paragraph 20.3.14 – The Reg 19 and Reg 18 & 19 for Richmond and Kingston respectively are noted as local policies relevant to the project.

Table 20.1 – CORRECTION - does not mention Highways or Traffic Management legislation CORRECTION (in red type) - The LBR Local Plan ~~2015~~ 2018 and the LBR ‘Pre-Publication’ Draft (**Regulation 19**) Local Plan (2024**3**)

Paragraph 20.6.14 – OMISSION - **SCOPE IN** - last bullet to include in list of types of subsidence during construction – riverbank and towpath collapse (recent incident example in Kew - 20 Oct - <https://www.bbc.co.uk/news/articles/czd19jrq85zo>)

Paragraph 20.6.17 (Table 20.2) – OMISSION - **SCOPE IN** - provides a list of risk events to consider, however not specifically mentioned, that should be considered are UXO (unexploded ordinance) and risk to downstream ecosystems from chemicals in floods.

Paragraph 20.6.24 (Table 20.2) – OMISSION - **SCOPE IN** - does not identify the transport of hazardous material. This should be included.

Paragraph 20.6.22 (Table 20.3) - OMISSION – **SCOPE IN** - The major accidents and disasters aspect has been scoped out, in both construction and operation, on the assumption mitigation proposed either as part of the project design or legislation and standards would prevent or reduce the risk to a level that is not likely to cause a significant effect. However, exactly what legislation or design provides what reduction and mitigation is not explained in this section, so it is not possible to assess if this is accurate. By doing this, there is no detailed consideration of the likelihood and magnitude of events set out. This topic was introduced into EIA in 2014 and while signposting to existing assessment is acceptable, it should not downplay demonstrating how risks have been considered to stakeholders. There are understandable concerns that existing regulatory frameworks are not proven, and the project introduces new abstraction and treatment infrastructure for which there may not be existing legal requirements, and codes and standards in place. For example, concerns about pollution incidents, despite recent upgrades there were historic occasions of partially

treated sewage overflows into the River Thames when the Mogden STW become overloaded after heavy rain (as recognised in chapter 11). It is recommended that further clarification is needed to show how/why the potential effects in Table 20.3 have been considered as not likely to cause a significant effect, or whether some aspects should be **scoped in**.

Appendices

Appendix B

B.10 – CORRECTION - The LBR Local Plan ~~2015=~~ 2018 and the LBR ~~'Pre=~~Publication¹ Draft (Regulation 19) Local Plan (2024~~3~~)

Table B.4 – CORRECTION - Relevant Policies LBR Local Plan ~~2015=~~ 2018

ADDITION - List of Policies to include:

LP4 – Non-Designated Heritage Asset
 LP 17 – Green Roofs and Walls
 LP28 - Social and Community Infrastructure
 LP43 - Visitor Economy
 LP44 - Sustainable Travel Choices

Table B.5 Relevant chapter or policies – CORRECTION - Richmond ~~Publication~~ Draft (Regulation 19) Local Plan (~~Regulation 19~~)(2023)

ADDITION - List of Policies to include:

Chapter 7 - Place-based Strategy for Teddington & Hampton Wick
 Chapter 10 - Place-based Strategy for Ham, Petersham & Richmond Park
 Policy 5 - Energy Infrastructure (Strategic Policy)
 Policy 26 - Visitor Economy
 Policy 30 - Non-designated Heritage Assets
 Policy 47 - Sustainable Travel Choices (Strategic Policy)
 Policy 49 - Social and Community Infrastructure (Strategic Policy)

The list of legislation in B.6 is considered relevant to environmental issues and are referred to in the sections of the report dealing with different topics. B2.2 says that it is not necessarily exhaustive, which is presumably the case, and therefore identification should be an on-going process as appropriate.

Appendix F WFD

OMISSION, **SCOPE IN** - There is no mention of ongoing water quality testing, however, F.5.4 In line with the requirements of the WFD Regulations the following WFD waterbodies are identified as requiring further assessment in Stage 3 of the WFD process.

- Thames (Egham to Teddington) (ID: GB106039023232)
- Thames Upper (ID: GB530603911403)
- Lockwood Reservoir (ID: GB30641865)
- Banbury Reservoir (ID: GB30647003)
- High Maynard Reservoir (ID: GB30641884)

- Lower Thames Gravels Ground Water Body (ID: GB40603G000300)

Appendix G

Short List – Stage 2 onwards – OMISSIONS, **SCOPE IN** - Construction traffic and other environmental aspects linked to the following developments may have a bearing on the TDRA Project and should progress to the Short list Stage 2 until more detail is known regarding construction programmes, timings and/or environmental impacts

- 22/1168/FUL - Richmond Upon Thames College, Langhorn Drive, Twickenham, TW2 7SJ
- 21/3136/FUL - Richmond Upon Thames College, Langhorn Drive, Twickenham, TW2 7SJ
- 21/2758/FUL – 1- -1C King Street, 2-4 Water Lane, The Embankment And River Wall, Water Lane, Wharf Lane And The Diamond Jubilee Gardens, Twickenham
- 22/3139/FUL - Thames Young Mariners Base, Riverside Drive, Ham, Richmond, TW10 7RX
- 22/2204/FUL - St Clare Business Park and 7-11 Windmill Road, Hampton
- 22/3004/FUL - Kneller Hall, Royal Military School of Music, Kneller Road, Twickenham, TW2 7DU
- 22/2556/FUL- Greggs and No. 2 Gould Road, Twickenham, TW2 6RT

OMISSIONS, **SCOPE IN** - Future applications at

- Allianz Stadium, 200 Whitton Rd, Twickenham, TW2 7BA should also be included due to potential traffic impacts including baseline traffic counts
<https://www.timeout.com/london/news/this-massive-london-stadium-could-soon-start-hosting-15-gigs-a-year-100824>
- Thames Water's recently announced Lower Thames Surbiton to Queen Mary Reservoir scheme

From: Colin Herbst [REDACTED]@london-fire.gov.uk>
Sent: 15 October 2024 12:52
To: Teddington Direct River Abstraction
Subject: WA010006 Application by Thames Water Utilities Limited for an Order granting Development Consent

You don't often get email from [REDACTED]@london-fire.gov.uk. [Learn why this is important](#)

Good afternoon

At present the London Fire Brigade do not have any comments to make.

Formal comments will be made on receipt of formal consultation from Thames Water, Local boroughs or the design project or their representatives.

Regards

Colin

Colin Herbst (EngTech, MIFireE, MIFSM)

Team Leader
Transport Liaison Group
London Fire Brigade Headquarters
169 Union Street
London SE1 OLL

M: [REDACTED]
T: [REDACTED]
E transport@london-fire.gov.uk

london-fire.gov.uk



From: DIO-Safeguarding-Statutory (MULTIUSER) <DIO-Safeguarding-Statutory@mod.gov.uk>
Sent: 30 October 2024 20:08
To: Teddington Direct River Abstraction
Subject: 20241030_MOD_Response_WA010006

You don't often get email from dio-safeguarding-statutory@mod.gov.uk. [Learn why this is important](#)

Thank you for consulting the MOD on application reference WA010006.

The Defence Infrastructure Organisation (DIO) Safeguarding Team represents the Ministry of Defence (MOD) as a consultee in UK planning and energy consenting systems to ensure that development does not compromise or degrade the operation of defence sites such as aerodromes, explosives storage sites, air weapon ranges, and technical sites or training resources such as the Military Low Flying System.

I can confirm that, following review of the application documents, the proposed development would be considered to have no detrimental impact on the operation or capability of a defence site or asset. The MOD has no objection to the development proposed.

The MOD must emphasise that this email is provided specifically in response to the application documents and supporting information provided on the Planning Inspectorate website as of the date of this email.

Amendments to any element of the proposed development (including the location, dimensions, form, and/or finishing materials of any structure) may significantly alter how the development relates to MOD safeguarding requirements and may result in detrimental impact(s) on the operation or capability of defence sites or assets.

In the event that any:

- revised plans
- amended plans
- additional information
- further application(s)

are submitted for approval, the MOD, as a statutory consultee, should be consulted and provided with adequate time to carry out assessments and provide a formal response whether the proposed amendments are considered material or not by the determining authority.

Kindest regards,

Fi Morrison | she/her | Assistant Safeguarding Manager

Defence Infrastructure Organisation
Estates | Safeguarding
DIO Head Office | St George's House | DMS Whittington | Lichfield | Staffordshire | WS14 9PY
Skype: +
Email: @mod.gov.uk / dio-safeguarding-statutory@mod.gov.uk

From: box.assetprotection <box.assetprotection@nationalgas.com>
Sent: 14 October 2024 11:39
To: Teddington Direct River Abstraction
Subject: RE: Teddington Direct River Abstraction project - EIA Scoping Consultation and Regulation 11 Notification

Hi,

Thank you for your email.

Regarding planning application , there are no National Gas Transmission gas assets affected in this area.

If you would like to view if there are any other affected assets in this area, please raise an enquiry with www.lsbud.co.uk. Additionally, if the location or works type changes, please raise an enquiry.

Kind regards

Jordane Maples
Asset Protection Assistant
Asset Protection

[\[redacted\]@nationalgas.com](mailto:box.assetprotection@nationalgas.com)



National Gas Transmission, Warwick Technology Park, Gallows Hill, Warwick, CV34 6DA
nationalgas.com | [Twitter](#) | [LinkedIn](#)

Please consider the environment before printing this email.

Tiffany Bate
Development Liaison Officer
UK Land and Property
[REDACTED]@nationalgrid.com
+44 [REDACTED]

www.nationalgrid.com

SUBMITTED ELECTRONICALLY:
teddingtondra@planninginspectorate.gov.uk

07 November 2024

Dear Sir / Madam

**RE: Teddington Direct River Abstraction project (the Proposed Development)
Scoping Consultation**

I refer to your letter dated 11th October 2024 regarding the above Proposed Development.

This is a response on behalf of National Grid Electricity Transmission PLC (NGET).

NGET has no existing apparatus within or in close proximity to the proposed site boundary but would like to be kept informed as the proposal progresses.

I enclose a plan showing the location of NGET's apparatus in the area.

New Infrastructure

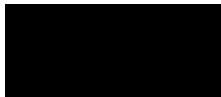
Please refer to the Holistic Network Design (HND) and the National Grid ESO website to view the strategic vision for the UK's ever growing electricity transmission network. <https://www.nationalgrideso.com/future-energy/the-pathway-2030-holistic-network-design/hnd>

The Great Grid Upgrade is the largest overhaul of the electricity grid in generations, we are in the middle of a transformation, with the energy we use increasingly coming from cleaner greener sources. Our infrastructure projects across England and Wales are helping to connect more renewable energy to homes and businesses. To find out more about our current projects please refer to our network and infrastructure webpage. <https://www.nationalgrid.com/electricity-transmission/network-and-infrastructure/infrastructure-projects>. Where it has been identified that your project interacts with or is in close proximity to one of NGET's infrastructure projects, we would welcome further discussion at the earliest opportunity.

These projects are all essential to increase the overall network capability to connect the numerous new offshore wind farms that are being developed, and transport new clean green energy to the homes and businesses where it is needed.

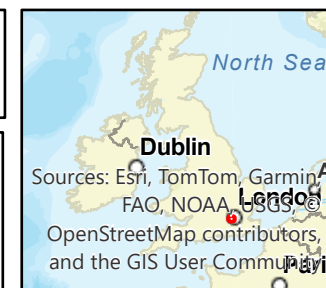
If you require any further information, please do not hesitate to contact me.

Yours faithfully



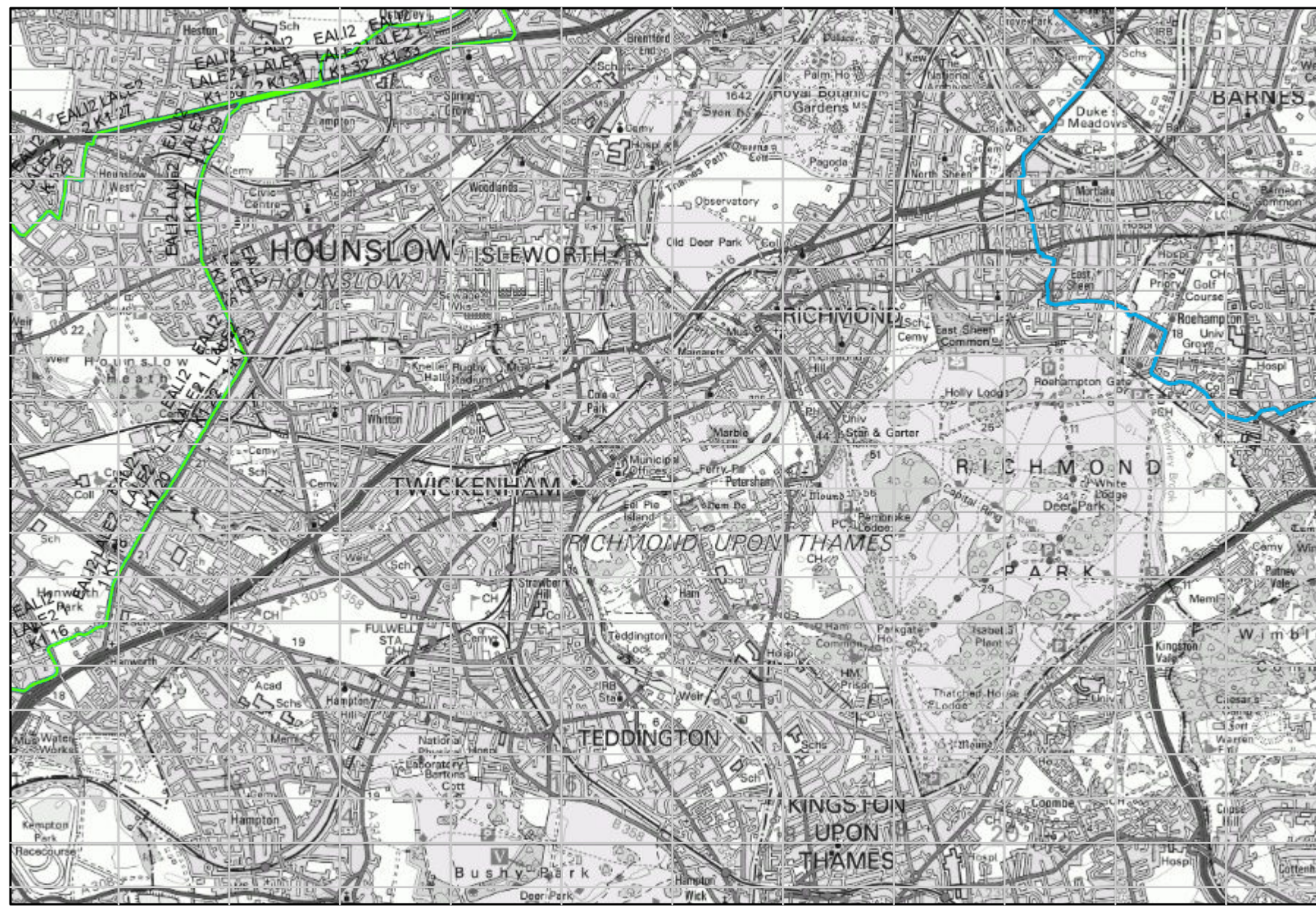
Tiffany Bate

**Development Liaison Officer
Commercial and Customer Connections
Electricity Transmission Land and Property**



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, OpenStreetMap contributors, and the GIS User Community

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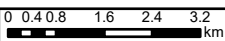


Legend

- Cable Accessories
- Pilot Cable
- Buried Cable
- Buried Cable
- Commissioned

Notes

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OS Disclaimer: Background Mapping information has been reproduced from the Ordnance Survey map by permission of Ordnance Survey on behalf of The controller of His Majesty's Stationery Office. ©Crown Copyright Ordnance Survey National Grid Electricity Transmission (100024241) & National Gas Transmission (100024886)

Date: 11/4/2024 Page size: A4 Landscape
 Time: 10:54 AM Printed By: Tiffany.Bate
 Scale: 1:50,000



NG Disclaimer: National Grid UK Transmission. The asset position information represented on this map is the intellectual property of National Grid PLC (Warwick Technology Park, Warwick, CV346DA) and should not be used without prior authority of National Grid.
 Note: Any sketches on the map are approximate and not captured to any particular level of precision.

Date: 08 November 2024
Our ref: 490663
Your ref: WA010006



Teddingtondra@planninginspectorate.gov.uk

BY EMAIL ONLY

Consultations
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 900

Dear Laura Feekins-Bate,

Environmental Impact Assessment Scoping consultation under Regulation 10 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulation 11: Application by Thames Water Utilities Limited for an Order granting Development Consent for the Teddington Direct River Abstraction project

Thank you for seeking our advice on the scope of the Environmental Statement (ES) in the consultation dated 11 October 2024 ,received on the same date.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

A robust assessment of environmental impacts and opportunities based on relevant and up to date environmental information should be undertaken prior to a decision on whether to grant planning permission. Annex A to this letter provides Natural England's advice on the scope of the Environmental Impact Assessment (EIA) for the proposed development.

Further guidance is set out in Planning Practice Guidance on [environmental assessment, natural environment and climate change](#).

I understand that Natural England has been engaged in providing advice on this project through the RAPID framework. As the scheme has progressed through the NSIP process we would welcome further engagement with the project.

Please send any new consultations or further information on this consultation to consultations@naturalengland.org.uk.

Yours faithfully,

Jonathan Shavelar
Senior Officer
Major Infrastructure
Thames-Solent Team
Natural England

Annex A – Natural England Advice on EIA Scoping

General Principles

Regulation 11 of the Infrastructure Planning Regulations 2017 - (The EIA Regulations) sets out the information that should be included in an Environmental Statement (ES) to assess impacts on the natural environment. This includes:

- A description of the development – including physical characteristics and the full land use requirements of the site during construction and operational phases
- Expected residues and emissions (water, air and soil pollution, noise, vibration, light, heat, radiation etc.) resulting from the operation of the proposed development
- An assessment of alternatives and clear reasoning as to why the preferred option has been chosen
- A description of the aspects of the environment likely to be significantly affected by the development including biodiversity (for example fauna and flora), land, including land take, soil, water, air, climate (for example greenhouse gas emissions, impacts relevant to adaptation, cultural heritage and landscape and the interrelationship between the above factors
- A description of the likely significant effects of the development on the environment – this should cover direct effects but also any indirect, secondary, cumulative, short, medium, and long term, permanent and temporary, positive, and negative effects. Effects should relate to the existence of the development, the use of natural resources (in particular land, soil, water and biodiversity) and the emissions from pollutants. This should also include a description of the forecasting methods to predict the likely effects on the environment
- A description of the measures envisaged to prevent, reduce and where possible offset any significant adverse effects on the environment
- A non-technical summary of the information
- An indication of any difficulties (technical deficiencies or lack of know-how) encountered by the applicant in compiling the required information

Further guidance is set out in Planning Practice Guidance on [environmental assessment](#) and [natural environment](#).

Cumulative and in-combination effects

The ES should fully consider the implications of the whole development proposal. This should include an assessment of all supporting infrastructure.

An impact assessment should identify, describe, and evaluate the effects that are likely to result from the project in combination with other projects and activities that are being, have been or will be carried out. The following types of projects should be included in such an assessment (subject to available information):

- a. existing completed projects;
- b. approved but uncompleted projects;
- c. ongoing activities;
- d. plans or projects for which an application has been made and which are under consideration by the consenting authorities; and
- e. plans and projects which are reasonably foreseeable, i.e. projects for which an application has not yet been submitted, but which are likely to progress before completion of the development and for which sufficient information is available to assess the likelihood of cumulative and in-combination effects.

Environmental data

Natural England is required to make available information it holds where requested to do so. National datasets held by Natural England are available at <http://www.naturalengland.org.uk/publications/data/default.aspx>.

Detailed information on the natural environment is available at www.magic.gov.uk.

Natural England's SSSI Impact Risk Zones are a GIS dataset which can be used to help identify the potential for the development to impact on a SSSI. The dataset and user guidance can be accessed from the [Natural England Open Data Geoportal](#).

Natural England does not hold local information on local sites, local landscape character, priority habitats and species or protected species. Local environmental data should be obtained from the appropriate local bodies. This may include the local environmental records centre, the local wildlife trust, local geo-conservation group or other recording society.

Biodiversity and Geodiversity

General principles

The assessment will need to include potential impacts of the proposal upon sites and features of nature conservation interest as well as opportunities for nature recovery through biodiversity net gain (BNG). There might also be strategic approaches to take into account.

We advise this should include the emerging Local Nature Recovery Strategy (LNRS) which will be the key mechanism for planning and mapping local delivery of the Nature Recovery Network (NRN). The NRN refers to a single, growing national network of improved joined-up, wildlife rich places which will benefit people and wildlife; [Local nature recovery strategies](#).

Ecological Impact Assessment (EclA) is the process of identifying, quantifying, and evaluating the potential impacts of defined actions on ecosystems or their components. EclA may be carried out as part of the EIA process or to support other forms of environmental assessment or appraisal. [Guidelines](#) have been developed by the Chartered Institute of Ecology and Environmental Management (CIEEM).

Local planning authorities have a [duty](#) to conserve and enhance biodiversity as part of their decision making. Conserving biodiversity can include habitat restoration or enhancement. Further information is available [here](#).

Designated nature conservation sites

International and European sites

The ES should thoroughly assess the potential for the proposal to affect nationally and internationally designated sites of nature conservation importance, including marine sites where relevant. European sites (Special Areas of Conservation (SAC) and Special Protection Areas (SPA) fall within the scope of the Conservation of Habitats and Species Regulations 2017 (the 'Habitats Regulations'). In addition paragraph 187 of the National Planning Policy Framework (NPPF) requires that potential SPAs, possible SAC, listed or proposed Ramsar sites, and any site identified or required as compensatory measures for adverse effects on habitat (European) sites, potential SPAs, possible SACs and listed or proposed Ramsar sites have the same protection as classified sites (NB. sites falling within the scope of regulation 8 of the Conservation of Habitats and Species Regulations 2017 are defined as 'habitats sites' in the NPPF). Under Regulation 63 of the Habitats Regulations, an appropriate assessment must be undertaken in respect of any plan or project which is (a) likely to have a significant effect on a European site (either alone or in combination with other

plans or projects) and (b) not directly connected with or necessary to the management of the site. The consideration of likely significant effects should include any functionally linked land outside the designated site. These areas may provide important habitat for mobile species populations that are qualifying features of the site, for example birds and bats. This can also include areas which have a critical function to a habitat feature within a designated site, for example by being linked hydrologically or geomorphologically.

Should a likely significant effect on a European/Internationally designated site be identified (either alone or in-combination) or be uncertain, the competent authority (in this case the Local Planning Authority) may need to prepare an appropriate assessment in addition to the consideration of impacts through the EIA process. Further guidance is set out in Planning Practice Guidance on appropriate assessment

<https://www.gov.uk/guidance/appropriate-assessment>

European site conservation objectives are available at:

<http://publications.naturalengland.org.uk/category/6490068894089216>

Nationally designated sites

Sites of Special Scientific Interest are protected under the Wildlife and Countryside Act 1981 and paragraph 186 of the NPPF. Further information on the SSSI and its special interest features can be found at www.magic.gov.

Natural England's SSSI Impact Risk Zones can be used to help identify the potential for the development to impact on a SSSI. The dataset and user guidance can be accessed from the [Natural England Open Data Geoportal](#).

The Environmental Statement should include a full assessment of the direct and indirect effects of the development on the features of special interest within the SSSI and identify appropriate mitigation measures to avoid, minimise or reduce any adverse significant effects. The consideration of likely significant effects should include any functionally linked land outside the designated site. These areas may provide important habitat for mobile species populations that are interest features of the SSSI, for example birds and bats. This can also include areas which have a critical function to a habitat feature within a site, for example by being linked hydrologically or geomorphologically.

Regionally and Locally Important Sites

The ES should consider any impacts upon local wildlife and geological sites, including local nature reserves. Local Sites are identified by the local wildlife trust, geoconservation group or other local group and protected under the NPPF (paragraph 180 and 181). The ES should set out proposals for mitigation of any impacts and if appropriate, compensation measures and opportunities for enhancement and improving connectivity with wider ecological networks. Contact the relevant local body for further information.

Protected Species

The conservation of species protected under the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2017 is explained in Part IV and Annex A of Government Circular 06/2005 [Biodiversity and Geological Conservation: Statutory Obligations and their Impact within the Planning System](#).

Applicants should check to see if a mitigation licence is required using NE [guidance on licencing](#). Applicants can also make use of Natural England's (NE) [charged service](#) for a review of a draft wildlife licence application. NE then reviews a full draft licence application to issue a Letter of No Impediment (LONI) which explains that based on the information reviewed to date, that it sees no impediment to a licence being granted in the future should the DCO be issued. This is done to give the Planning Inspectorate confidence to make a recommendation to the relevant Secretary of State

in granting a DCO. See [Advice Note Eleven, Annex C – Natural England and the Planning Inspectorate | National Infrastructure Planning](#) for details of the LONI process.

The ES should assess the impact of all phases of the proposal on protected species (including, for example, great crested newts, reptiles, birds, water voles, badgers and bats). Natural England does not hold comprehensive information regarding the locations of species protected by law. Records of protected species should be obtained from appropriate local biological record centres, nature conservation organisations and local groups. Consideration should be given to the wider context of the site, for example in terms of habitat linkages and protected species populations in the wider area.

The area likely to be affected by the development should be thoroughly surveyed by competent ecologists at appropriate times of year for relevant species and the survey results, impact assessments and appropriate accompanying mitigation strategies included as part of the ES. Surveys should always be carried out in optimal survey time periods and to current guidance by suitably qualified and, where necessary, licensed, consultants.

Natural England has adopted [standing advice](#) for protected species, which includes guidance on survey and mitigation measures. A separate protected species licence from Natural England or Defra may also be required.

District Level Licensing for Great Crested Newts

District level licensing (DLL) is a type of strategic mitigation licence for great crested newts (GCN) granted in certain areas at a local authority or wider scale. A [DLL scheme for GCN](#) may be in place at the location of the development site. If a DLL scheme is in place, developers can make a financial contribution to strategic, off-site habitat compensation instead of applying for a separate licence or carrying out individual detailed surveys. By demonstrating that DLL will be used, impacts on GCN can be scoped out of detailed assessment in the Environmental Statement.

Priority Habitats and Species

Priority Habitats and Species are of particular importance for nature conservation and included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. Lists of priority habitats and species can be found [here](#). Natural England does not routinely hold species data. Such data should be collected when impacts on priority habitats or species are considered likely.

Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land. Sites can be checked against the (draft) national Open Mosaic Habitat (OMH) inventory published by Natural England and freely available to [download](#). Further information is also available [here](#).

An appropriate level habitat survey should be carried out on the site, to identify any important habitats present. In addition, ornithological, botanical, and invertebrate surveys should be carried out at appropriate times in the year, to establish whether any scarce or priority species are present.

The Environmental Statement should include details of:

- Any historical data for the site affected by the proposal (e.g. from previous surveys)
- Additional surveys carried out as part of this proposal
- The habitats and species present
- The status of these habitats and species (e.g. whether priority species or habitat)
- The direct and indirect effects of the development upon those habitats and species
- Full details of any mitigation or compensation measures
- Opportunities for biodiversity net gain or other environmental enhancement

Ancient Woodland, ancient and veteran trees

The ES should assess the impacts of the proposal on any ancient woodland, ancient and veteran trees, and the scope to avoid and mitigate for adverse impacts. It should also consider opportunities for enhancement.

Natural England maintains the Ancient Woodland [Inventory](#) which can help identify ancient woodland. The [wood pasture and parkland inventory](#) sets out information on wood pasture and parkland.

The [ancient tree inventory](#) provides information on the location of ancient and veteran trees.

Natural England and the Forestry Commission have prepared [standing advice](#) on ancient woodland, ancient and veteran trees.

Biodiversity net gain

Development should provide net gains for biodiversity in line with the NPPF paragraphs 174(d), 179 and 180. It is anticipated that major development (defined in the [NPPF glossary](#)) will be required by law to deliver a biodiversity net gain (BNG) of at least 10% from January 2024 and that this requirement will be extended to smaller scale development in April 2024. For nationally significant infrastructure projects (NSIPs) it is anticipated that the requirement for biodiversity net gain will be implemented from 2025. The relevant National Policy Statement may include further advice on the implementation of BNG for this type of proposal.

Further information on the timetable for mandatory biodiversity net gain can be found [here](#). Further general information on biodiversity net gain can be found [here](#).

The ES should use the Government's [Biodiversity Metric](#) together with ecological advice to calculate the change in biodiversity resulting from proposed development and demonstrate how proposals can achieve a net gain.

The metric should be used to:

- assess or audit the biodiversity unit value of land within the application area;
- calculate the losses and gains in biodiversity unit value resulting from proposed development; and
- demonstrate that the required percentage biodiversity net gain will be achieved.

We advise you to follow the mitigation hierarchy as set out in paragraph 180 of the NPPF and firstly consider what existing habitats within the site can be retained or enhanced. Where on-site measures are not possible, provision off-site will need to be considered.

Development also provides opportunities to secure wider biodiversity enhancements and environmental gains, as outlined in the NPPF (paragraphs 8, 73, 104, 120, 174, 175 and 180). Opportunities for enhancement might include incorporating features to support specific species within the design of new buildings such as swift or bat boxes or designing lighting to encourage wildlife.

Natural England's [Environmental Benefits from Nature tool](#) may be used to identify opportunities to enhance wider benefits from nature and to avoid and minimise any negative impacts. It is designed to work alongside the [Biodiversity Metric](#) and is available as a beta test version.

Further information on biodiversity net gain, the mitigation hierarchy and wider environmental net gain can be found in government [Planning Practice Guidance](#).

Landscape and visual impacts

Public bodies have a duty to have regard to the statutory purposes of designation in carrying out their functions (under section 11 A (2) of the National Parks and Access to the Countryside Act 1949 (as amended) for National Parks and S85 of the Countryside and Rights of Way Act, 2000 for AONBs). [Planning Practice Guidance](#) confirms that this duty also applies to proposals outside the designated area but impacting on its natural beauty.

The National Policy Statement for the relevant sector might have relevant protections.

Consideration should be given to the direct and indirect effects on this designated landscape and in particular the effect upon its purpose for designation. The management plan for the designated landscape may also have relevant information that should be considered in the EIA.

The environmental assessment should refer to the relevant [National Character Areas](#). Character area profiles set out descriptions of each landscape area and statements of environmental opportunity.

The EIA should include a full assessment of the potential impacts of the development on local landscape character using [landscape assessment methodologies](#). We encourage the use of Landscape Character Assessment (LCA), based on the good practice guidelines produced jointly by the Landscape Institute and Institute of Environmental Assessment in 2013. LCA provides a sound basis for guiding, informing, and understanding the ability of any location to accommodate change and to make positive proposals for conserving, enhancing or regenerating character.

A landscape and visual impact assessment should also be carried out for the proposed development and surrounding area. Natural England recommends use of the methodology set out in *Guidelines for Landscape and Visual Impact Assessment 2013* (3rd edition) produced by the Landscape Institute and the Institute of Environmental Assessment and Management. For National Parks and AONBs, we advise that the assessment also includes effects on the 'special qualities' of the designated landscape, as set out in the statutory management plan for the area. These identify the particular landscape and related characteristics which underpin the natural beauty of the area and its designation status.

The assessment should also include the cumulative effect of the development with other relevant existing or proposed developments in the area. This should include an assessment of the impacts of other proposals currently at scoping stage.

To ensure high quality development that responds to and enhances local landscape character and distinctiveness, the siting and design of the proposed development should reflect local characteristics and, wherever possible, use local materials. Account should be taken of local design policies, design codes and guides as well as guidance in the [National Design Guide](#) and [National Model Design Code](#). The ES should set out the measures to be taken to ensure the development will deliver high standards of design and green infrastructure. It should also set out detail of layout alternatives, where appropriate, with a justification of the selected option in terms of landscape impact and benefit.

The National Infrastructure Commission has also produced Design Principles [Design Principles for National Infrastructure - NIC](#) endorsed by Government in the National Infrastructure Strategy.

Connecting People with nature

The ES should consider the potential impacts on the Thames Path National Trail. The National Trails website www.nationaltrail.co.uk provides further information.

The ES should consider potential impacts on access land, common land, public rights of way and, where appropriate, the England Coast Path and coastal access routes and coastal margin in the

vicinity of the development, in line with NPPF paragraph 100 and there will be reference in the relevant National Policy Statement. It should assess the scope to mitigate for any adverse impacts. Rights of Way Improvement Plans (ROWIP) can be used to identify public rights of way within or adjacent to the proposed site that should be maintained or enhanced.

Measures to help people to better access the countryside for quiet enjoyment and opportunities to connect with nature should be considered. Such measures could include reinstating existing footpaths or the creation of new footpaths, cycleways, and bridleways. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure. Access to nature within the development site should also be considered, including the role that natural links have in connecting habitats and providing potential pathways for movements of species.

Relevant aspects of local authority green infrastructure strategies should be incorporated where appropriate.

Soils and Agricultural Land Quality

Soils are a valuable, finite natural resource and should also be considered for the ecosystem services they provide, including for food production, water storage and flood mitigation, as a carbon store, reservoir of biodiversity and buffer against pollution. It is therefore important that the soil resources are protected and sustainably managed. Impacts from the development on soils and best and most versatile (BMV) agricultural land should be considered in line with paragraphs 180 and 181 of the NPPF. Further guidance is set out in the Natural England [Guide to assessing development proposals on agricultural land](#).

As set out in paragraph 217 of the NPPF, new sites or extensions to sites for peat extraction should not be granted planning permission.

The following issues should be considered and, where appropriate, included as part of the Environmental Statement (ES):

- The degree to which soils would be disturbed or damaged as part of the development
- The extent to which agricultural land would be disturbed or lost as part of this development, including whether any best and most versatile (BMV) agricultural land would be impacted.

This may require a detailed Agricultural Land Classification (ALC) survey if one is not already available. For information on the availability of existing ALC information see www.magic.gov.uk.

- Where an ALC and soil survey of the land is required, this should normally be at a detailed level, e.g. one auger boring per hectare, (or more detailed for a small site) supported by pits dug in each main soil type to confirm the physical characteristics of the full depth of the soil resource, i.e. 1.2 metres. The survey data can inform suitable soil handling methods and appropriate reuse of the soil resource where required (e.g. agricultural reinstatement, habitat creation, landscaping, allotments and public open space).
- The ES should set out details of how any adverse impacts on BMV agricultural land can be minimised through site design/masterplan.
- The ES should set out details of how any adverse impacts on soils can be avoided or minimised and demonstrate how soils will be sustainably used and managed, including consideration in site design and master planning, and areas for green infrastructure or biodiversity net gain. The aim will be to minimise soil handling and maximise the sustainable use and management of the available soil to achieve successful after-uses and minimise off-site impacts.

Further information is available in the [Defra Construction Code of Practice for the Sustainable Use of Soil on Development Sites](#) and The British Society of Soil Science Guidance Note [Benefitting from Soil Management in Development and Construction](#).

Air Quality

Air quality in the UK has improved over recent decades but air pollution remains a significant issue. For example, approximately 85% of protected nature conservation sites are currently in exceedance of nitrogen levels where harm is expected (critical load) and approximately 87% of sites exceed the level of ammonia where harm is expected for lower plants (critical level of 1µg) ^[1]. A priority action in the England Biodiversity Strategy is to reduce air pollution impacts on biodiversity. The Government's Clean Air Strategy also has a number of targets to reduce emissions including to reduce damaging deposition of reactive forms of nitrogen by 17% over England's protected priority sensitive habitats by 2030, to reduce emissions of ammonia against the 2005 baseline by 16% by 2030 and to reduce emissions of NO_x and SO₂ against a 2005 baseline of 73% and 88% respectively by 2030. Shared Nitrogen Action Plans (SNAPs) have also been identified as a tool to reduce environmental damage from air pollution.

The planning system plays a key role in determining the location of developments which may give rise to pollution, either directly, or from traffic generation, and hence planning decisions can have a significant impact on the quality of air, water and land. The ES should take account of the risks of air pollution and how these can be managed or reduced. This should include taking account of any strategic solutions or SNAPs, which may be being developed or implemented to mitigate the impacts on air quality. Further information on air pollution impacts and the sensitivity of different habitats/designated sites can be found on the Air Pollution Information System (www.apis.ac.uk).

Information on air pollution modelling, screening and assessment can be found on the following websites:

- SCAIL Combustion and SCAIL Agriculture - <http://www.scail.ceh.ac.uk/>
- Ammonia assessment for agricultural development <https://www.gov.uk/guidance/intensive-farming-risk-assessment-for-your-environmental-permit>
- Environment Agency Screening Tool for industrial emissions <https://www.gov.uk/guidance/air-emissions-risk-assessment-for-your-environmental-permit>
- Defra Local Air Quality Management Area Tool (Industrial Emission Screening Tool) – England <http://www.airqualityengland.co.uk/laqm>

Water Quality

The planning system plays a key role in determining the location of developments which may give rise to water pollution, and hence planning decisions can have a significant impact on water quality, and land.

The assessment should take account of the risks of water pollution and how these can be managed or reduced. A number of water dependent protected nature conservation sites have been identified as failing condition and may be vulnerable to impacts resulting from this project. The proposal has the potential to increase chemical exposure of wildlife and the Environment Agency should be consulted for detailed advice on this potential impact.

The ES needs to take account of any strategic solutions for nutrient neutrality or Diffuse Water Pollution Plans, which may be being developed or implemented to mitigate and address the impacts on water quality.

[1] [Report: Trends Report 2020: Trends in critical load and critical level exceedances in the UK - Defra, UK](#)

Climate Change

The ES should identify how the development affects the ability of the natural environment (including habitats, species, and natural processes) to adapt to climate change, including its ability to provide adaptation for people. This should include impacts on the vulnerability or resilience of a natural feature (i.e. what's already there and affected) as well as impacts on how the environment can accommodate change for both nature and people, for example whether the development affects species ability to move and adapt. Nature-based solutions, such as providing green infrastructure on-site and in the surrounding area (e.g. to adapt to flooding, drought and heatwave events), habitat creation and peatland restoration, should be considered. The ES should set out the measures that will be adopted to address impacts.

Further information is available from the [Committee on Climate Change's](#) (CCC) [Independent Assessment of UK Climate Risk](#), the [National Adaptation Programme](#) (NAP), the [Climate Change Impacts Report Cards](#) (biodiversity, infrastructure, water etc.) and the [UKCP18 climate projections](#).

The Natural England and RSPB [Climate Change Adaptation Manual](#) (2020) provides extensive information on climate change impacts and adaptation for the natural environment and adaptation focussed nature-based solutions for people. It includes the Landscape Scale Climate Change Assessment Method that can help assess impacts and vulnerabilities on natural environment features and identify adaptation actions. Natural England's [Nature Networks Evidence Handbook](#) (2020) also provides extensive information on planning and delivering nature networks for people and biodiversity.

The ES should also identify how the development impacts the natural environment's ability to store and sequester greenhouse gases, in relation to climate change mitigation and the natural environment's contribution to achieving net zero by 2050. Natural England's [Carbon Storage and Sequestration by Habitat report](#) (2021) and the British Ecological Society's [nature-based solutions report](#) (2021) provide further information.

Contribution to local environmental initiatives and priorities

The ES should consider the contribution the development could make to relevant local environmental initiatives and priorities to enhance the environmental quality of the development and deliver wider environmental gains. This should include considering proposals set out in relevant local strategies or supplementary planning documents including landscape strategies, green infrastructure strategies, tree and woodland strategies, biodiversity strategies or biodiversity opportunity areas.

From: Before You Dig <BeforeYouDig@northerngas.co.uk>
Sent: 11 October 2024 14:19
To: Teddington Direct River Abstraction
Cc: Before You Dig
Subject: RE: EXT:Teddington Direct River Abstraction project - EIA Scoping Consultation and Regulation 11 Notification

You don't often get email from beforeyoudig@northerngas.co.uk. [Learn why this is important](#)

Hi

Northern Gas Networks do not cover this area.

Please use this online tool to find out which gas distribution network you need to contact:

<https://www.energynetworks.org/operating-the-networks/whos-my-network-operator>

Donna Casey

**Administration Assistant
Before You Dig
Northern Gas Networks
1st Floor, 1 Emperor Way
Doxford Park
Sunderland
SR3 3XR**

Direct line: +44 (0) [REDACTED]
Before You Dig: 0800 040 7766 (option 5)
www.northerngasnetworks.co.uk
facebook.com/northerngasnetworks
twitter.com/ngngas
Alternative contact:
beforeyoudig@northerngas.co.uk



Northern Gas Networks Limited (05167070) | Northern Gas Networks Operations Limited (03528783) | Northern Gas Networks Holdings Limited (05213525) | Northern Gas Networks Pensions Trustee Limited (05424249) | Northern Gas Networks Finance Plc (05575923). **Registered address:** 1100 Century Way, Thorpe Park Business Park, Colton, Leeds LS15 8TU. Northern Gas Networks Pension Funding Limited Partnership (SL032251). **Registered address:** 1st Floor Citypoint, 65 Haymarket Terrace, Edinburgh, Scotland, EH12 5HD. **For information on how we use your details please read our [Personal Data Privacy Notice](#)**

Assistant Director Strategic Planning and Infrastructure
Tim Naylor



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Website: www.kingston.gov.uk/planning

The Planning Inspectorate
Environmental Services Operations Group 3
Temple Quay House
2 The Square
Bristol BS1 6PN

7 November 2024

SENT BY EMAIL: Teddingtondra@planninginspectorate.gov.uk

Dear Sir/Madam,

Our ref: 24/02793/EIASCR
PINS REF No: WA010006 Teddington Direct River Abstraction (TDRA)

Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11 – Scoping Opinion Consultation

PROPOSAL: Application by Thames Water Utilities Limited for an Order granting Development Consent for the Teddington Direct River Abstraction Project

I write in response to the statutory consultation dated 11 October 2024 carried out in relation to the Environmental Impact Assessment Scoping Report concerning the above development proposal. Although part of this proposal would be located within the Royal Borough of Kingston upon Thames (RBK), it has been classed as a Nationally Significant Infrastructure Project and would therefore require a Development Consent Order to be determined by the Planning Inspectorate on behalf of the Secretary of State. This letter therefore constitutes the Royal Borough of Kingston upon Thames Council's response to the Environmental Impact Assessment Scoping Report consultation issued by the Planning Inspectorate.

The Scoping Report sets out the following environmental aspects as being scoped into the EIA:

- Air Quality
- Noise and Vibration
- Historic Environment
- Terrestrial Ecology
- Aquatic Ecology
- Ground Conditions and Contaminated Land
- Townscape and Visual Amenity
- Water Resources and Flood Risk
- Human Health
- Carbon and Climate Change
- Socioeconomic, Community, Access and Recreation Health
- Waste and Materials
- Traffic and Transport
- Cumulative Effects

It is noted that Major Accidents and Disasters have been scoped out in full. This Council does not consider it possible at this stage to scope all items from this chapter out on the basis that either existing legislation or project design will ensure appropriate risk reduction and mitigation. Thames Water has not identified what legislation and/or design measures provide the type and level of reduction or mitigation of environmental impact and as a consequence this section cannot be assessed for accuracy. On this ground the Royal Borough of Kingston upon Thames requests that the Major Accidents and Disaster chapter is 'Scoped In'.

Otherwise, the Council considers that the environmental aspects identified for inclusion within the EIA are appropriate subject to the general and specific comments made on the scope of the EIA in the comments below being addressed.

Chapter 2: The Project

Paragraph 2.2.39 – CORRECTION FACTUAL ERRORS - the proposed working hours of 7a.m. to 7p.m are not standard. The normal permitted hours in RBK are 8am - 6pm, Mon – Fri. 8am – 1pm Saturdays and no work on Sundays or bank holidays or days of public mourning without prior consent.

Paragraph 2.4.20 - OMISSION METHODOLOGY - the mention of routing of traffic along Dysart, Burnell and Beaufort in a possible “gyratory manner”; this is not subsequently mentioned as an issue to be scoped even though it would clearly impact residents on those roads. This should be included within the scoping - SCOPE IN.

Chapter 3: Design Evolution

Paragraph 3.1.1 - OMISSION THEME, SCOPE IN ALTERNATIVES - Planning Inspectorate’s Advice Note 7 requires the environmental impact assessment (EIA) Scoping Report to outline the reasonable alternatives considered and the reasons for selecting the preferred option.”.

OMISSION - Thames Water do not describe the alternatives in this scoping document, nor the decision-making process that resulted in the selection of the option. They merely describe their own assessment and changes within the design of the actual TDRA proposal which is not in line with the advice note’s requirements.

Chapter 6: Air Quality

General note – some of the key concerns for air quality are over site deliveries and spoil removal, especially if this is by road and the impact of additional traffic on the boroughs air Quality.

Our main concern will be during the construction phase for:

1. Dust for nearby receptors/school children/residents
2. The number, route and timing of HGV vehicles related to this project through the borough, especially near sensitive receptors such as schools or housing.

Ideally, mitigation will include the river as an alternative means of transport. RBK encourage the applicant to use the River Thames to remove excavated/waste material and reduce the need for HGV road transport where possible.

This is signposted in Chapter 18 Transport, paragraph 18.6.4 – The document says that further consideration will be given for the use of water to transport materials, waste and equipment as the design develops. This option must be fully explored with the PLA, especially for “hazardous/large loads” and processes similar to the TIDEWAY project deployed, on various grounds including air quality, noise and highways.

Paragraph 6.4.12 – OMISSION METHODOLOGY - The Ultra Low Emission Zone extension came into force in 2023 and includes Twickenham, Hounslow and Kingston, this should be referenced within this paragraph – the baseline data should be set from 1 Sept 2023 as opposed to 2022 in this regard.

Paragraph 6.4.13 – OMISSION METHODOLOGY – Thames Water state “on the basis of the extensive air quality data coverage in the study area and expected reduction in baseline

concentrations, no additional baseline monitoring is proposed to support the ES". There are no monitoring points for air quality close to Burnell. How the baseline is set without the data should be explained. This is especially important if the significance of any impact is based on a "relative change to existing" basis.

Paragraph 6.5.2 – OMISSION METHODOLOGY SCOPE IN - The chart of "sensitive air quality receptors": Note - the list is suggested to be provisional but has some clear omissions of locations that will undoubtedly be affected, for example Dysart Avenue.

Chapter 7: Noise and Vibration

General note – there is a need to better define the study area for the noise chapter. Additional noise level evidence and testing protocols are generally required for both construction and operation phases of the Project. Without greater detail, the location, type and noise profile of emergency generators are required and need to be SCOPED IN. CLARIFICATION, SCOPE IN - the use of river transport and the movement of spoil material. Clearly if spoil is to be moved by road alone, and this would involve potentially a continuous convoy of vehicles albeit over a short duration, then this would have significant implications regards short term impact and the scoping report would need to be amended to take this into full account.

OMISSION SCOPE IN - Sensitive receptors should include all towpath and playing field users within the assessment.

OMISSION METHODOLOGY - In the introduction the potential working day for the project is suggested to be from 7a.m. to 7p.m. There is also mention made of TBM needing a 24-hour schedule of spoil removal. All noise impacts etc must be considered in the context of the non-standard working hours being proposed. (As per above, it is noted that standard permitted hours in RBK are 8am - 6pm, Mon – Fri. 8am – 1pm Saturdays and no work on Sundays or bank holidays or days of public mourning without prior consent.)

Paragraph 7.5.15 – CLARIFICATION, SCOPE IN - The position is not supported by any additional acoustic assessment and appears to be anecdotal. In particular, significant concerns are held about the 50Hz electricity frequency corresponding to 100Hz transformer hum and subsequent harmonics i.e. 200Hz and 400Hz. Such wavelengths are very difficult to block and can be experienced significant distances away from the source. As such, without further evidence this impact cannot be 'scoped out' within Table 7.13 - Noise and vibration impacts scoped in and out of further assessment.

SCOPE IN – This chapter also does not detail the tertiary treatment proposed to ensure the effluent is of suitable water quality for discharge including meeting Bathing Water standards. As such a number of tertiary treatment options are available including ultraviolet disinfection. Such systems generally use 'medium pressure' ultraviolet technology with the disinfection lamps deployed powered by control systems with large transformers. Given the volume of flow required it is likely an extensive treatment would be required with implications regards low frequency and the nature of the tertiary treatment should be considered within Chapter 7.

Paragraph 7.5.15 – OMISSION, SCOPE IN - The possibility of emergency generators and the need to test them is described here. Note - There is no indication of emergency generators in the project description (and not in any of the consultations). The operational impacts of the noise from these is scoped out but given the absence of any information as to where any such generators may be this should be Scoped In. Also, noise is cumulative, you should not simply break down elements, say they are not significant and scope them out. Paragraph 7.5.15 - The acoustic limits for testing and days on which testing is permitted, i.e. bank holidays and weekends should be avoided, should be considered within the submission.

Paragraph 7.5.16 – CLARIFICATION - The submission should confirm there are no residential dwellings associated with the pumping stations.

Paragraph 7.5.18 - CLARIFICATION - The submission should include any measures which will be incorporated to ensure laminar flow is generally achieved for example the inclusion of surge protection.

Paragraph 7.6.4 – OMISSION, SCOPE IN - Proposed that no baseline vibration survey is undertaken and the vibration baseline is assumed to be zero. This cannot be agreed. It is recommended that baseline assessment is taken at nearest sensitive receptors to ensure cumulative impact does not go above threshold without appropriate mitigation

Construction Equipment Emissions

Infrastructural projects should seek to meet or exceed the requirements of the Mayor of London's Low Emission Zone for construction machinery.

This escalating set of requirements is set out at <http://nrmm.london>

Construction plans should set out how equipment is to be appropriately procured and deployed according to the EU framework of emission standards under EU97/68 and 2016/1628.

Chapter 18: Traffic and Transport

Paragraph 18.4.36 – OMISSION - It should be noted that a road that is not designated as a cycle route (i.e. because it does not have dedicated cycling facilities) may be no less important for cycling. RBK has a high proportion of journeys by bike – the North Kingston/ Ham area is no exception. Many of these roads lack the capacity or width to include dedicated cycling facilities. That roads may not have dedicated cycling facilities does not negate the need to consider the impact on cyclists – arguably the opposite is true and there is a greater need to consider impact on cyclists on roads where there are no dedicated cycling facilities.

Paragraphs 18.6.14 and 18.6.15 - OMISSION - We consider the duration of the impact to be important – it is not only the magnitude that determines the significance.

Table 18.13 – CLARIFICATION - In the row titled “Severance” reference is made to “potential temporary disruptions to local communities, such as limiting access to essential services like schools, healthcare.....”. For the avoidance of doubt, we think it should be clearly stated that access whilst it may be disrupted or diverted would always be maintained to essential

services for all.

OMISSION, SCOPE IN - In the row titled "Hazardous/large loads", consideration should be given to transporting abnormal loads/plant/the TBM components by river.

Chapter 20: Major Accidents and Disaster

CLARIFICATION SCOPE IN – Chapter covers the impacts of disasters on the project and potential for the project to cause/contribute to disasters (defined as extremely unlikely but extremely high impact events). It is stated that existing legislation covers all relevant risks but clarification on what legislation covers what risks, would be welcome at this stage. Key legislations are The Water Resources Act 1991, Control of Major Accident Hazards Regulations 2015 (COMAH 2015), Environmental Permitting (England and Wales) Regulations 2016 (Environmental Permitting Regulations) and NPPF. At this stage it is not possible to identify if any risks fall outside the scope of this legislation and whether further appropriate processes should be put in place to look for them in the EA and propose action on any found.

Paragraph 20.2.1 - CLARIFICATION - says that local authorities made no specific comments. Whilst it then notes that the focus of engagement was not accidents or disasters, it seems unnecessary to say that Councils made no comment about something that they were not asked about. The SR needs to be clear at this point that this is a Thames Water project and that they must take full responsibility for. It is not acceptable for Thames Water to say "Councils didn't raise concerns" or "the Council/Planning Inspectorate/Environment Agency/etc. signed this off". Whenever there is an accident or incident, the promoter will I suspect inevitably try and spread responsibility.

Paragraph 20.2.2 – CLARIFICATION - None of the summer meetings covered major accidents and Thames Water did not request the Council's emergency planner to attend

Paragraph 20.6.17 (Table 20.2) – OMISSION - SCOPE IN - provides a list of risk events to consider, however not specifically mentioned, that should be considered are UXO (unexploded ordinance) and risk to downstream ecosystems from chemicals in floods.

Paragraph 20.6.24 (Table 20.2) – OMISSION - SCOPE IN - does not identify the transport of hazardous material. This should be included.

Paragraph 20.6.22 (Table 20.3) - OMISSION – SCOPE IN - The major accidents and disasters aspect has been scoped out, in both construction and operation, on the assumption mitigation proposed either as part of the project design or legislation and standards would prevent or reduce the risk to a level that is not likely to cause a significant effect. However, exactly what legislation or design provides what reduction and mitigation is not explained in this section, so it is not possible to assess if this is accurate. By doing this, there is no detailed consideration of the likelihood and magnitude of events set out. This topic was introduced into EIA in 2014 and while signposting to existing assessment is acceptable, it should not downplay demonstrating how risks have been considered to stakeholders.

Conclusion

The Royal Borough of Kingston upon Thames consider that in general terms the Scoping Report meets the statutory requirements for scoping set out in the EIA Regulations. The scope of the EIA is considered to be adequate subject to the inclusion of a Major Accidents and Disasters chapter and the comments/concerns/omissions set out above being taken into account by The Planning Inspectorate as part of the process before adopting its Scoping Opinion.

We expect that ongoing detailed discussions with Thames Water will continue whilst the EIA is undertaken, and as environmental implications come to light. This is especially relevant as proposals are developed and amended through the pre-application and consultation process.

The Council would formally request that receipt of this response is confirmed by The Planning Inspectorate. The following email addresses should be used as primary points of contact for further correspondence to ensure that the Development Management Team is reached directly:

Development.Management@Kingston.gov.uk

 [@Kingston.gov.uk](mailto:Redacted@Kingston.gov.uk)

The statutory consultee response is provided without prejudice to any actions the Council may take as landowner should the need arise.

Yours sincerely

Toby Feltham
Lead Officer (Specialisms)



Proposed DCO Application by Thames Water Utilities Limited for Teddington Direct River Abstraction

Royal Mail response to EIA Scoping Consultation

Under section 35 of the Postal Services Act 2011, Royal Mail has been designated by Ofcom as a provider of the Universal Postal Service. Royal Mail is the only such provider in the United Kingdom. The Act provides that Ofcom's primary regulatory duty is to secure the provision of the Universal Postal Service. Ofcom discharges this duty by imposing regulatory conditions on Royal Mail, requiring it to provide the Universal Postal Service.

Royal Mail's performance of the Universal Service Provider obligations is in the public interest and should not be affected detrimentally by any statutorily authorised project. Accordingly, Royal Mail seeks to take all reasonable steps to protect its assets and operational interests from any potentially adverse impacts of proposed development.

Royal Mail and its advisor BNP Paribas Real Estate have reviewed the EIA Scoping Report dated October 2024. There are four operational Royal Mail properties within 5 km of the proposed scheme.

Particularly noting the information set out in Transportation chapter of the Scoping Report on potentially affected routes, the construction of this infrastructure proposal has been identified as having potential to impact on Royal Mail operational interests. However, at this point in time Royal Mail is not able to provide a consultation response due to insufficient information being available to adequately assess the level of risk to its operation and the available mitigations for any risk. Consequently, Royal Mail wishes to reserve its position to submit a consultation response/s at a later stage in the consenting process and to give evidence at any future Public Examination, if required.

In the meantime, any further consultation information on this infrastructure proposal and any questions of Royal Mail should be sent to:

Holly Trotman ([REDACTED]@royalmail.com), Senior Planning Lawyer, Royal Mail Group Limited

Daniel Parry-Jones ([REDACTED]@realestate.bnpparibas), Director, Development & Planning, BNP Paribas Real Estate/Strutt & Parker

Please can you confirm receipt of this holding statement by Royal Mail.

End

Email: planning.consultations@surreycc.gov.uk



Environmental Services
Operations Group 3
Temple Quay House
2 The Square
Bristol, BS1 6PN

Planning and Place,
Third Floor
Quadrant Court
35 Guildford Road
Woking
GU22 7QQ

Sent by email to:
Teddingtondra@planninginspectorate.gov.uk

8th November 2024

Dear Ms Feekins-Bate,

Response to Consultation under Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11

Application by Thames Water Utilities for an Order granting Development Consent for the Teddington Direct River Abstraction project

We write in response to your letter dated 11 October 2024, seeking the views of Surrey County Council on the information to be included in the Environmental Statement that will be submitted by Thames Water Utilities as part of an application for a Development Consent Order for direct river abstraction in Teddington. The County Council has reviewed the information presented in the prospective applicant's scoping report and has no comments to make.

Yours sincerely,

Judith Jenkins
Principal Planning Officer

Feekins-Bate, Laura

From: Sarah Pickering <[REDACTED]@tfl.gov.uk>
Sent: 01 November 2024 15:32
To: Teddington Direct River Abstraction
Subject: Teddington Direct River Abstraction project (WA010006)

You don't often get email from [REDACTED]@tfl.gov.uk. [Learn why this is important](#)

TfL Planning Reference: CBRO/24/3

Your Reference: WA010006

Proposal: Application by Thames Water Utilities Limited for an Order granting Development Consent for the Teddington Direct River Abstraction project.

Scoping consultation and notification of the Applicant's contact details and duty to make available information to the Applicant if requested.

Many thanks for consulting with TfL Spatial Planning regarding the above application.

Due to the scale and nature of the project TfL has engaged with the applicant to provide formal pre-application advice in respect of a forthcoming planning application. Although the proposals are not directly adjacent to the strategic highway network, construction activities will likely impact sections of the Transport for London Road Network (TLRN) and Strategic Road Network (SRN). TfL is the highway authority for the TLRN and has traffic management duties for the SRN. Additionally, the proposed tunnelling works will route beneath sections of the TLRN for which TfL has property interests.

Should you have any queries, please do not hesitate to contact me.

Kind regards,

Sarah Pickering ([REDACTED])
Principal Technical Planner
Spatial Planning | Customer & Strategy

M: [REDACTED]
[REDACTED]@TfL.gov.uk

TfL Spatial Planning is committed to equity, diversity and inclusion and we strive to ensure that Londoners are fully represented in the planning process

For more information regarding TfL Spatial Planning, including TfL's *Transport assessment best practice guidance* and pre-application advice please visit: <https://tfl.gov.uk/info-for/urban-planning-and-construction/planning-applications/pre-application-services>

This message has been scanned for malware by Forcepoint. www.forcepoint.com

From: Trevor Harris [REDACTED]@trinityhouse.co.uk>
Sent: 07 November 2024 17:37
To: Teddington Direct River Abstraction
Cc: Catherine Bransby
Subject: Teddington Direct River Abstraction project - EIA Scoping Consultation and Regulation 11 Notification
Attachments: WA010006 - Statutory consultation letter.pdf
Categories: EST

You don't often get email from [REDACTED]@trinityhouse.co.uk. [Learn why this is important](#)

Good afternoon Laura,

Trinity House are content with scoping report for the Environmental Statement. We also note that the proposed development area lies partially within the jurisdiction of the Port of London Authority (PLA).

Therefore, Trinity House advise that all marine works proposed are assessed with the PLA. As the report identifies there could be an affect on river levels, any navigation risk assessment will require input from the PLA, including agreement of potential risk mitigation measures and the requirement for aids to navigation.

We are aware that dialogue is already occurring between the PLA and Thames Water, and Trinity House will continue to monitor the project but is unlikely to have any further comments.

Best regards
Trevor

Capt Trevor B Harris
Navigation (Examiner) Manager

Trinity House, Tower Hill, London, EC3N 4DH
Tel: [REDACTED] Mob: [REDACTED]
Email: [REDACTED]@trinityhouse.co.uk

From: Navigation <navigation.directorate@trinityhouse.co.uk>
Sent: 11 October 2024 15:20
To: Trevor Harris <[REDACTED]@trinityhouse.co.uk>
Subject: FW: Teddington Direct River Abstraction project - EIA Scoping Consultation and Regulation 11 Notification

From: MBX - Property Team <Property.Team@ukpowernetworks.co.uk>
Sent: 22 October 2024 15:05
To: Teddington Direct River Abstraction
Cc: MBX - Property Team
Subject: Re: Teddington Direct River Abstraction project - EIA Scoping Consultation and Regulation 11 Notification

You don't often get email from property.team@ukpowernetworks.co.uk. [Learn why this is important](#)

Good afternoon Laura,

This scheme does fall within our DNO but as this is relating to a scoping opinion for environmental purposes we would not comment at this time. Once consultation for the full scheme has begun we will submit comment regarding any equipment the scheme will impact.

Many thanks,
Emma Fagg
Property Team
UK Power Networks

E: property.team@ukpowernetworks.co.uk

A: Energy House, Hazelwick Avenue, Crawley, West Sussex, RH10 1EX





Wandsworth Council

Chief Executive Directorate
The Town Hall Wandsworth High Street
London SW18 2PU

Telephone: [REDACTED]
Direct Line: [REDACTED]
Fax: [REDACTED]
Email: planning@wandsworth.gov.uk
www.wandsworth.gov.uk

Environmental Services
Operations Group 3
Temple Quay House
2 The Square
Bristol
BS1 6PN

Our ref: 2024/3544
Date: 07 November 2024

**Town and Country Planning Act 1990
Consultation in connection with a planning application**

The Council, as a neighbouring planning authority, does not wish to comment on the application referred to in the schedule below.

SCHEDULE

APPLICATION NUMBER: 2024/3544

LOCATION: Teddington Direct River Abstraction (Site in Richmond)

DESCRIPTION: EIA Scoping Consultation and Regulation 11 Notification for a Tertiary Treatment Facility with a peak output of 75Ml/d of recycled water; a recycled water drop shaft and approximately 4.5km pipeline with intermediate shafts located between Mogden Sewage Treatment Works and the River Thames upstream of Teddington Weir terminating in an outfall structure in or adjacent to the River Thames; a river water intake structure sized to abstract a maximum of 75Ml/d, located upstream of the outfall structure, a drop shaft, raw water pipeline and connection shaft to the Thames Lee Tunnel.



Nick Calder
Head of Development Management (Wandsworth)