



Jessica Potter

The Infrastructure Planning Commission
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2 November 2011

Dear Jessica

Thames Tunnel phase two public consultation by Thames Water Utilities Limited
Sections 42 to 48 Planning Act 2008;
Regulation 3 of the Infrastructure Planning (Application: Prescribed Forms and Procedure) Regulations 2009 ("Application Regulations"); and
Regulation 6(1)(b) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2010 ("EIA Regulations")

Following our meeting on 8 September I am writing to inform you of our Phase two public consultation on the Thames Tunnel that will commence on 4 November 2011.

As you know the Thames Tunnel is not yet formally designated as a nationally significant infrastructure project ("NSIP") to which the requirements of the Planning Act 2008 and related legislation apply. However the Secretary of State for Environment Food and Rural Affairs has confirmed that the Thames Tunnel project should be considered as a NSIP under the Planning Act 2008 and has consulted on a draft order under section 14(3) of the 2008 Act the effect of which would be to designate the project as an NSIP. The Thames Tunnel was included as a proposed NSIP in the draft National Policy Statement on Waste Water on the basis of its national significance and is expected to be included in the adopted Policy Statement and it is listed on the IPC website as a project in respect of which an application for development consent is intended to be made.

The draft section 14(3) order contains a supplemental provision that would enable the IPC (or its successor body) on receipt of the application for development consent for the Thames Tunnel to treat activities undertaken before the project was formally designated as an NSIP as having met the pre-application requirements set out in Chapter 2 of the Planning Act 2008, the Infrastructure Planning (Environmental Impact Assessment) Regulations 2010 ("EIA Regulations") and the Infrastructure Planning (Application: Prescribed Forms and Procedure) Regulations 2009 ("Application Regulations") provided

those activities would have met the relevant statutory requirements had they applied when the activities were undertaken. Consequently the project is shadowing the procedures concerning NSIPs set out in the Planning Act 2008 and related legislation with the intention that the IPC should be able to exercise the discretion it would have were the supplemental provision to be included in the confirmed section 14(3) order. The section 14(3) order is anticipated to come into effect in Spring 2012.

As indicated above Phase two consultation on the Thames Tunnel project will commence on 4 November 2011. It will run for fourteen weeks and will finish on 10 February 2012. Phase two consultation is intended to meet the requirements of section 42 and section 47 of the Planning Act 2008. Publicity of our proposed application in accordance with section 48 of the Planning Act 2008 is programmed to occur in early Summer 2012. The local planning authorities, other prescribed persons and land owners specified in sections 42, 43 and 44 of the Planning Act 2008 and regulation 3 and Schedule 1 of the Application Regulations will all be consulted as part of our Phase two consultation in accordance with section 45 of the Act.

Our original statement of community consultation in respect of the Thames Tunnel project was published in advance of Phase one consultation on the project that occurred between 13 September 2010 and 14 January 2011. In preparation for Phase two consultation we consulted on a revised SOCC during summer 2011 and have taken account of the comments we received as a result of that consultation as required by section 47. Our revised SOCC will be published in the Evening Standard on 4 November 2011 and Phase two consultation will be undertaken in accordance with its terms. The SOCC is supported by a Community Consultation Strategy that has also been updated since Phase one consultation and which will be available on the project website (www.thamestunnelconsultation.co.uk) from the start of Phase two consultation.

Our report on the outcome of Phase one consultation was published on 31 March 2011. That document and the documentation published at the start of Phase one is available on the project website. The materials we will be publishing for Phase two consultation includes the following information:

- Our Phase two scheme development report that explains the scheme that we are consulting on at Phase two and how it has been selected;
- Our Preliminary Environmental Information Report on the likely significant environmental effects of the project including a Non Technical Summary;
- A series of project and site specific information papers (as we did at Phase one).

As with our Phase one consultation we will be holding public exhibitions in the vicinity of all our construction sites. The information above will be available at the exhibitions, on the project website and at Council Offices and summary

information will be available at local libraries etc. Exhibitions will be publicised in advance. All the venues have been chosen so that they are in close proximity to the relevant construction sites and accessible to all members of the community.

A consultation report (within the meaning specified in section 37(7) of the Planning Act 2008) will be supplied with the application for development consent in accordance with section 37(3) of the Planning Act 2008 and IPC Advice Note 14. The consultation report will cover both Phase one and Phase two consultation as well as the responses to section 48 publicity (which will be undertaken in early Summer 2012).

In accordance with our policy of shadowing the NSIP process in so far as possible, notices to the IPC under section 46 of the Planning Act 2008 and regulation 6(1)(b) of the EIA Regulations are set out in Appendices A and B to this letter. We note that the IPC cannot serve notices under regulation 9 of the EIA Regulations in response to the regulation 6(1)(b) notice but there will be no prejudice to any person other than Thames Water that arises from the inability to serve those notices and we can confirm that Thames Water accepts that it will not be able to rely on regulation 9(3).

In view of the likely supplemental provision and the process we have been following in shadowing the NSIP procedures it would be very helpful if you could confirm that our Phase two consultation and the notices we have served on the IPC are in accordance with the legislative requirements of section 42, 46 and 47 of the Planning Act 2008 and regulation 6 of the EIA Regulations. Following our meeting on 8 September 2011 we understand that this advice will not be binding on any commissioner subsequently appointed to decide whether the application for development consent for the Thames Tunnel should be accepted. It would nevertheless be of assistance to the project to have the IPC's confirmation that they consider the project has met the substantive requirements of that legislation.

If there are any questions arising from the above please do not hesitate to contact me.

Yours faithfully



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Enclosures: CD and Book of Plans referred to in regulation 6(1)(b) notice at Appendix B to this letter

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Appendix A

Notice in respect of the Thames Tunnel under section 46 of the Planning Act 2008

We hereby notify you of our intention to submit an application for development consent for the Thames Tunnel project further to section 46 of the Act.

Our consultation website enables you to view our plans and associated information that is being made available to the local authorities, the GLA, other prescribed consultees and the local community as part of our Phase two consultation for the purposes of compliance with sections 42 and 47 of the Act: www.thamestunnelconsultation.co.uk.

You may find the site specific information papers, needs report and project overview particularly useful. We would be happy to provide full copies of the available documents upon request. Our plans can also be reviewed at a series of exhibitions to be held close to our proposed construction sites.

Section 48 publicity is programmed and is anticipated to take place in early Summer 2012.

Thames Water Utilities Limited

2 November 2011

Appendix B

Notice in respect of the Thames Tunnel under regulation 6(1)(b) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2010

Further to regulation 6(1)(b) we can confirm that we propose to provide an environmental statement in respect of the Thames Tunnel project as part of the application for development consent for the project in respect of which notification was served on the IPC on 2 November 2011.

The Thames Tunnel project involves development in 14 London Boroughs. We enclose with this notice plans that identify the land to which our proposal relates, including our preferred route of the proposed tunnel and sites for its construction and operation. We would stress that these plans identify our current proposals and these may change to reflect the outcome of Phase two public consultation.

We envisage a construction period for the project of approximately 6-7 years. We set out below a working description of the preferred scheme that is the subject of our Phase two consultation.

The construction and operation of an underground wastewater storage and transfer tunnel ('the main tunnel') of approximately 25 km in length and with a maximum internal diameter 7.2 metres under the River Thames, at a varying depth from 30-67 metres below ground, from our existing operational site Acton Storm Tanks to the site of our Abbey Mills Pumping Station, plus associated works for the interception of combined sewers overflows (CSO) and transfer into the main tunnel. To facilitate construction of the main tunnel, five drive/reception shaft sites will be located at Acton Storm Tanks (reception shaft), Carnwath Road Riverside (combined drive and reception shaft), Kirtling Street Walk (drive shaft), Chambers Wharf (combined drive and reception shaft) and Abbey Mills Pumping Station (reception shaft).

The associated works include sites to intercept flows from existing sewers at 16 Combined Sewer overflow ("CSO") sites are required throughout the route for interception chambers, valve chambers, ventilation/odour control structures, CSO drop shafts, connection culverts and/or connection tunnels to the main tunnel or one of the long connection tunnels. Two long connection tunnels will be provided from King George's Park to the main tunnel at Carnwath Road Riverside via Dormay Street (1.1 km long and 2.6 metres internal diameter) and from Greenwich Pumping Station to Chambers Wharf (4.6 km long and 5 metres internal diameter). There are also associated works to be completed at Beckesbourne Street (modifications to the existing sewer), Shad Thames Pumping Station (modifications to our existing pumping station) and Beckton Sewage Treatment Works (works to provide additional pumping capacity and flow control structures).

The temporary construction working areas will include material storage and handling areas and tanks, parking areas, areas for the storage and handling of concrete tunnel and shaft segments, temporary site and welfare facilities and jetty bridges for construction purposes.

There are a number of varying permanent works at each CSO site including: access, hard standing, boundary treatment, ventilation buildings and equipment buildings, shaft covers and chambers and landscaping'.

The locations referred to in the description and the individual CSO sites are shown on the enclosed plans.

The Thames Tunnel project is required to tackle the problem of overflows of untreated storm water through CSOs from the capital's Victorian sewers into the River Thames by constructing a tunnel to intercept them and carry the flows away for treatment. The scheme will lead to improved water quality and associated environmental benefits to the River to enable the UK to meet European Union environmental standards.

The Thames Tunnel project will be the subject of an environmental impact assessment ("EIA") that will be undertaken in accordance with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2010 and will include consultation with the relevant consultees and stakeholders. A Preliminary Environmental Information Report (including a Non Technical Summary) will be published for the purposes of Phase two consultation on the Thames Tunnel project. The scale, nature and proposed locations of the scheme mean that some effects on the environment will be likely, especially during the construction phase of the project. These effects will be both positive and adverse.

At present we anticipate that there will be temporary adverse effects during construction most likely in terms of effects on amenity (noise and dust creation) and traffic and potentially also effects on ecology and the historic environment. In the operational phase the effects will be positive in terms of improved water quality and marine ecology. Adverse effects on amenity (noise and dust creation and traffic) are not anticipated in the operational phase due to the minimal maintenance activity anticipated at the sites. There is potential for adverse operational impacts from the tunnel ventilation system on air quality. Adverse effects will be mitigated as far as reasonably possible through the EIA and scheme design process and the likely significant environmental effects of the project, positive and negative, will be fully reported in the Environmental Statement for the Thames Tunnel project.

Thames Water Utilities Limited

2 November 2011