

## Thames Tideway Tunnel DCO Examination

### Examining Authority (ExA) Questions (First Round)

Response from Mayor of London Unique Ref no. SP00032

30<sup>th</sup> October 2013

On 26<sup>th</sup> September the ExA issued a number of questions. Most of these were for the applicant Thames Water to respond to. One question (9.1) is specifically addressed to the Mayor, and this paper also sets out responses to a number of other questions which GLA officers have identified that the ExA would benefit from the Mayor's views. Some of these questions are covered in the Mayor's Local Impact Report (LIR) but for clarity all of his answers are contained in this note.

#### **Q5.1 To what extent would the project design accord with the guidance in the London View Management Framework Supplementary Planning Guidance?**

##### **Answer 5.1 for Mayor of London**

As set out in the Mayor's LIR – the Mayor is content that the design does accord with the View Management SPG.

#### **Q5.16 How will surface water run off from the proposed hardstanding be mitigated?**

##### **Answer 5.16 from the Mayor**

As set out in the Mayor's LIR – the Mayor believes that this project should demonstrate good practice in terms of surface water management. London Plan policy 5.13 (Sustainable Drainage) sets out a sustainable drainage hierarchy. For the completed development sites that are adjacent to the Thames or other rivers, it is likely that the most sustainable drainage option is a direct discharge to that river. During the construction phases this strategy may need to be amended if there is a significant risk of contamination of surface water due to construction activities.

#### **Q 6.1 Is there a consensus between all Parties that the definition and description as currently drafted encompasses all necessary matters and works in a form that allows all parties to understand the fundamental parameters, structure, approach and limitations of the consents sought?**

##### **Answer 6.1 from the Mayor**

TfL will address this question

#### **Q9.1 Can the GLA confirm the current position in relation to the review and comment with explanatory reasoning on any implications this may have for any of the work sites?**

##### **Answer 9.1 from the Mayor**

The following construction sites are on currently safeguarded wharves as set out in the Mayor's 'London Plan Implementation Report – Safeguarded Wharves on the River Thames' from 2005:

<b>Thames Tideway Tunnel Site</b>	<b>Safeguarded Wharf Site within Tunnel Site Boundary</b>
Carnwath Road Riverside	Hurlingham Wharf
Cremorne Wharf Depot	Cremorne Wharf
Heathwall Pumping Station	RMC Vauxhall

	(now renamed to Middle Wharf),
Kirtling Street	RMC Battersea – Metro Greenham (now renamed to Kirtling Wharf)

In addition, the Safeguarded Wharf Cringle Dock is directly adjoining the Kirtling Street site.

For all these wharves the safeguarding designations have been confirmed through the Mayor’s Safeguarded Wharves Review. For Cringle Dock the boundary was changed to include its marine infrastructure, for Kirtling and Middle Wharf minor boundary changes also reflect ownership and operational needs.

The Mayor’s Final Recommendations were submitted to the Secretary of State in March 2013 for approval and the issuing of the revised set of Safeguarding Directions. The date of the Secretary of State’s approval of the Review and the new set of Directions coming into force is not known.

The Mayor’s Final Recommendations recognise the proposed Thames Tideway Tunnel development within the Site Assessments of these individual wharves as well as the Thames Tunnel Safeguarding Directions. The Thames Tunnel related conclusions of these Site Assessments, which informed the case for continued safeguarding alongside the demand/capacity forecasts, are set out as follows:

- Hurlingham, Cremorne and Middle Wharf (all not currently operational as wharf): Proposals should ensure that this wharf is used to transport bulk construction/excavation materials by water and that the site can be used as a viable wharf following completion of the Tunnel.
- Kirtling Wharf (operational as wharf): Navigational access will need to be maintained during the construction period. The proposals for this wharf should also ensure that it is used to transport bulk construction/excavation materials by water.
- Cringle Dock (operational as wharf): Navigational access will need to be maintained during the construction period.

The conclusions above are set out in the ‘Implementation’ section for the wharves’ Site Assessments. This section was introduced to facilitate the implementation of the safeguarding recommendations.

The safeguarding designations as such require Thames Water to consult the Mayor on proposals within the safeguarding boundaries<sup>1</sup>. The Mayoral response to Thames Water’s consultations reflect his London Plan policies in particular Policy 7.26 on water freight transport (which promotes the protection of safeguarded wharves, their increased use, the minimisation of conflicts of use and the maximisation of water transport for demolition and construction material) and the recommendations set out in his Safeguarded Wharves Review recommendations as submitted to the Secretary of State and referred to above.

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<sup>1</sup> Direction made under Article 10(3) of the Town and Country Planning (General Development Procedure) Order 1995. This requires the Mayor to be consulted before planning permission can be granted for development on safeguarded wharves.

**Q9.2 Having regard to the London Plan, is it appropriate to apply the advice set out in 4.8.18 of the NPS (Green Belt) to the project works at Barn Elms and King George's Park?**

**Q9.3 If it is appropriate to apply that advice, would elements of the project amount to inappropriate development within Metropolitan Open Land and, if so, would the harm by reason of inappropriateness, and any other harm, be clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify such development?**

**Answer Q 9.2 and 9.3 from the Mayor (taken from the Mayor's LIR)**

The London Plan contains Policy 7.17 Metropolitan Open Land (MOL). This designation applies to open land which performs a strategic function and the policy requires that it is treated in the same way as Green Belt. This policy test has been in place for many years.

There are two sites within the draft DCO that affect MOL: Barn Elms and King Georges Park, Wandsworth.

The proposed development would normally be considered inappropriate in MOL. The nature of the development is such that it is to enable the construction of an important strategic infrastructure project – Thames Tideway Tunnel. Furthermore, the construction works are temporary, albeit over a number of years and the permanent works are relatively minor and the Mayor does not feel that those permanent works affect the open-ness of the MOL.

On balance therefore the Mayor feels that the impact of the proposals on MOL is minor and the very special circumstances of delivering the Thames Tideway Tunnel justify those minor impacts.

**Q13.1 Does the policy context for the proposal described in the application documents need to be modified or supplemented to take account of all relevant and up to date policy documentation at the European, UK, English, County, District and local levels?**

**Answer 13.1 from Mayor**

The range of planning policy documentation is constantly being updated, this includes the Mayor's London Plan and his Supplementary Planning Guidance. Listed below are the relevant updates since the beginning of 2013.

#### **London Plan**

The Revised Early Minor Alterations to the London Plan (REMA) were published in October 2013. Full details are given on the Mayor's website:

[http://www.london.gov.uk/sites/default/files/REMA%2011%20October%202013\\_0.pdf](http://www.london.gov.uk/sites/default/files/REMA%2011%20October%202013_0.pdf)

In summary the alterations are aimed at ensuring that the London Plan is fully consistent with the Government's National Planning Policy Framework (NPPF, published March 2012). The revised early minor alterations document also incorporates the early minor alterations issued for consultation in February. Both sets of alterations were considered together by an independent planning inspector at an Examination in Public (EiP) in November 2012

The Mayor is currently working on Further Alterations to the London Plan (FALP). It is his intention to publish these for consultation in January 2014-March 2014, leading to an Examination in Public in Autumn 2014 and adoption in 2015.

### **Supplementary Planning Guidance**

Preparing Tree and Woodland Strategies SPG final publication Feb 2013

Draft Town Centres SPG – published for Consultation Jan – March 2013, expected final publication December 2013

Draft Shaping Neighbourhoods: Character and Context SPG, published for consultation Feb-May 2013, expected to be published in final form in early 2014. It is not possible to confirm whether this will be before the close of the Examination.

Draft Sustainable Design & Construction SPG, published for consultation July-Oct 2013, expected to be published in final form in early 2014. It is not possible to confirm whether this will be before the close of the Examination.

Draft Control of Dust and Emissions during Construction and Demolition, is currently out for consultation, ending November 2013, and is expected to be published in final form in early 2014. It is not possible to confirm whether this will be before the close of the Examination.