

Thames Tideway Tunnel
Thames Water Utilities Limited



Application for Development Consent

Application Reference Number: WWO10001

Thames Water's Response to Local Impact Report from London Borough of Hounslow

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**Thames
Tideway Tunnel**



Creating a cleaner, healthier River Thames

1 Response to London Borough of Hounslow Local Impact Report

1.1 Introduction

- 1.1.1 This section responds to the points raised in the Local Impact Report (LIR) submitted by the London Borough of Hounslow to the Examining Authority for the 4 November 2013 deadline. The table below is arranged by topic and sets out the comment from the LIR on the left and Thames Water’s response on the right.
- 1.1.2 We carefully reviewed the LIR and consider that many of the matters raised have already been taken into account in the *Initial Statement of Common Ground (SoCG)* with London Borough of Hounslow submitted on 4 November 2013. This response provides a commentary on those key issues that we consider may be helpful to the Examining Authority.
- 1.1.3 Ongoing discussions with the London Borough of Hounslow will result in further iterations to the SoCG.

Table 1.1 Response to London Borough of Hounslow Local Impact Report

Ref	LIR para. ref	London Borough of Hounslow comment	Our response
1.	1.11	<i>“The Council considers that there is one major omission with reference to the drafting of the requirements, which arises from the fact that most of the mitigation measures are included in the Code of Construction Practice and Design Principles. The requirements within the Development Consent Order refer to these two documents; however neither the Code of Construction Practice [CoCP], nor the design principles are part of the Order. They are non-statutory documents and therefore their implementation is not ensured unless the wording of the requirements includes the phrase “submitted and approved in accordance with the (insert supplementary document) and approved in writing</i>	Requirements PW6 and ACTST1 require the works to be undertaken in accordance with the CoCP; therefore these documents are effectively tied into the development consent order and their implementation is ensured. There would be nothing further to be gained by making these documents part of the order. There is no need to refer to “approval in writing” since this is secured by Interpretation clause 1 (1).

Response to London Borough of Hounslow Local Impact Report

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		<i>by the Local Planning Authority". All mitigation measures must be included in the Development Consent Order."</i>	
2.	2.9	<i>"They have identified that 3 listed buildings would suffer some settlement as a result of the work. The resultant requirements should be phrased to require the written approval of the London Borough of Hounslow and Ealing (where relevant) and also English Heritage."</i>	Requirement PW9 requires that where monitoring of effects on any listed building or structure or any intrusive protective works are required, these works would be undertaken in accordance with the principles set out in the Heritage Statement (Doc ref: 5.3) unless otherwise approved by the local planning authority in consultation with the Historic Buildings and Monuments Commission for England. Refer to the provisions in the Settlement Information Paper (Doc ref: 7.21).
3.	2.10	<i>"In both cases it is considered appropriate that the drafted relevant requirements are amended to include the phrase 'approved by the Local Planning Authorities in writing'."</i>	There is no need to refer to "approval in writing" since this is secured by Interpretation clause 1(1).
4.	2.15	<i>"The Code of Construction Practice document is considered an adequate baseline, but its relevant requirement phrasing should include the request for written discharge by the Local Authorities."</i>	The CoCP was submitted as part of the application for development consent and London Borough of Hounslow had an opportunity to comment on it as part of the pre-application consultation and examination process. Any further revisions would need to be approved by the Council under Requirement PW6. These opportunities are considered appropriate and sufficient.
5.	2.19	<i>"One of the Council's key concerns is the potential for increases in background noise levels and vibration during demolition, construction and post development. A continuing commitment to safeguard and protect against unwanted and unreasonable noise should be secured as part of relevant requirements."</i>	The CoCP provides that the contractor would be required to demonstrate that Best Practicable Means, as defined under Section 72 of the Control of Pollution Act 1974, are employed at all times for all activities in order to minimise noise and vibration from the works (para. 6.1.3 of CoCP Part A). This is secured by Requirement PW6.

Response to London Borough of Hounslow Local Impact Report

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6.	2.20	<i>“The Code of Construction Practice Parts A and B, and the Environmental Statement include mitigation measures to the generation of noise and or vibration during construction of the tunnel. These relevant requirements for the COCP should require approval in writing by the Local Planning Authorities.”</i>	There is no need to refer to “ <i>approval in writing</i> ” since this is secured by Interpretation clause 1(1).
7.	2.63	<i>“Within the Code of Construction Practice the requirement for site assessments and investigations is included in Chapter 9; however, there is no wording to suggest that these investigations/assessments will require approval by the Council. It states that the measures (assume mitigation measures) will be agreed with the employer and the EA, but there is nothing to suggest that the Council will have any avenue to require further works or changes if the investigation was not appropriate or if additional elements need to be addressed. A mechanism by which the Council can do this should be in place.”</i>	The draft DCO provided on 23 September 2013 includes updated Requirements on contaminated land. These provide that details will be submitted and approved by the relevant local planning authority at each site - in the case of Acton Storm Tanks it is the London Borough of Ealing. In addition, we will be proposing land quality assessments Requirements to cover tunnelling, for the approval of the Environment Agency. This will be provided under the Requirements for the relevant drive site – in this case Carnwath Road Riverside.
8.	2.64	<i>“Although the draft Development Consent Order contains a requirement for the submission of a remediation strategy, assessing contaminated land is a phased approach and it is essential that the required steps leading up to the formation of a remediation strategy are also agreed with the Council. It is therefore recommended that requirements necessitating the submission and approval of a Site Investigation Scheme and Risk Assessment are also added to the consent.”</i>	See response to ref 7 above.

Response to London Borough of Hounslow Local Impact Report

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9.	2.72	<i>“The Code of Construction Practice refers to an air quality management plan in paragraph 7.4.7, which will identify the appropriate control measures for dust. It is not made clear when this air quality management plan will be produced or if it will be submitted and approved by the local authority.”</i>	<p>A new para. 7.1.2 will be included in the next draft of the CoCP Part A, as follows:</p> <p><i>“The Contractor shall prepare an Air Quality Management Plan containing the details described within this Section. The plan shall be approved by the relevant local authority and the employer”.</i></p> <p>The relevant local authority is the London Borough of Ealing relating to Acton Storm Tanks.</p>
10.	2.92	<i>“The Environmental Statement Volume 4, Section 13 explains that the effects of the project on groundwater are negligible both during construction and operation. As a result, no mitigation measures are proposed. It is considered that even when the predicted effects are negligible loose monitoring should be in place.”</i>	<p>The groundwater management strategy (<i>Environmental Statement</i>, Doc ref: 6.02.03, Vol 3, Appendix K.1) was updated in response to point 7.1 in the Environment Agency’s relevant representations and was submitted on 4 November 2013 (see Appendix APP21 p.78). The updated groundwater environmental management dewatering and monitoring strategy sets out our commitment to groundwater monitoring. The intention is that the strategy will be secured via a Section 106 agreement with the Greater London Authority.</p>

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Thames Water Utilities Limited

Clearwater Court, Vastern Road, Reading RG1 8DB

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