

THE PLANNING ACT 2008

THE INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE) RULES 2010

APPLICATION BY THAMES WATER UTILITIES LIMITED FOR THE THAMES TIDEWAY TUNNEL EXAMINATION

**WRITTEN SUMMARY OF ORAL SUBMISSIONS OF CAPITALSTART LIMITED TO ISSUE SPECIFIC HEARING HELD
ON MONDAY 11 NOVEMBER 2013**

REFERENCE: WW010001

UNIQUE REFERENCE NUMBER: 10017855

DATED 26 NOVEMBER 2013

**ASSERSON LAW OFFICES
38 WIGMORE STREET
LONDON
W1U 1RU**

Capitalstart Limited ("**Capitalstart**") is an "interested party" (within the meaning of section 102 of the Planning Act 2008) in relation to the forthcoming examination into Thames Water Utilities Limited's ("**TW**") application for a Development Consent Order ("**DCO**") in respect of the Thames Tideway Tunnel ("**the Application**").

Capitalstart owns premises at 2-4 Lower Richmond Road, Putney, London SW15 1LB.

The premises are immediately adjacent to a site selected by TW for a replacement combined sewer overflow ("**CSO**") known as the Putney Embankment Foreshore Site ("**the Application Site**").

The premises are the flagship restaurant of the "Thai Square" chain of restaurants.

This note is a summary of the oral submissions made on behalf of Capitalstart to the issue specific hearing held on Monday 11 November 2013 (rationale for the selection of work sites and tunnel drive strategy matters (Putney Embankment Foreshore Alternatives)).

The oral submissions were based on written representations submitted on behalf of Capitalstart on 4 November 2013 in pursuance of section 90(1) of the Planning Act 2008 and rule 10(1) of the Infrastructure Planning (Examination Procedure) Rules 2010, which comprised:

- a. Capitalstart's detailed case in response to the Application and in particular the selection of the Application Site for the replacement CSO at Putney Bridge.
- b. A report prepared by Montagu Evans LLP ("**ME**") addressing the heritage impacts of TW's decision to locate the CSO at the Application Site, dated November 2013 ("**the ME 2013 Report**").
- c. A report prepared by ME in response to the Applicant's notice regarding the proposed application for a DCO published in July 2012 under section 48 of the Planning Act 2008, dated October 2012 ("**the ME 2012 Report**").

As part of the oral submissions, reference was made to the fact that the flagship restaurant of the Thai Square chain is located in an iconic building, which has won a number of design awards and that the restaurant overlooks the River Thames and is located at the start of the Oxford and Cambridge boat race.

Reference was also made to the ME 2012 Report and the ME 2013 Report which questioned the need for the proposed CSO and proposed alternative locations.

The selection of the Application Site for the CSO instead of alternative locations identified to the East and West of Putney Bridge was challenged: the selection process adopted by Thames Water indicated that the Application Site was "less suitable" on four out of the five assessment criteria used, the only site to be considered by the Examining Authority with such a poor rating. After the works (including any mitigation) have been carried out, it was said, there would continue to be adverse effects arising under four of the criteria. Reference was made to the fact that the disadvantages of the Application Site have not been properly assessed.

Oral submissions were also made concerning the location of the Application Site within a Conservation Area and Policy PL9 which seeks to protect the Putney Embankment Foreshore.

In conclusion the proposed CSO site was accepted by Thames Water and the LB of Wandsworth as the "trickiest" that the Examining Authority was being asked to consider and, in response, submissions were made on behalf of Capitalstart challenging the need for the CSO and highlighting more suitable locations.

Asserson Law Offices, 26 November 2013.