

**REPORT for**  
**London Borough of Tower Hamlets**

# Review of Thames Tunnel Phase 2 Consultation Report

T1908 – Thames Tunnel Review

Status: Final

---



**19 June 2012**



*...intelligent strategy, responsible delivery*

Registered & Head Office Address: Barnards, Station Road, Horsted Keynes, West Sussex, RH17 7ED  
Registered in England Company number: 3305849. VAT number: 683 3138 28



---

# London Borough of Tower Hamlets

## Review of Thames Tunnel Consultancy Report

### Document Version Control

Version	Date	Author	Approver
Final	19 June 2012	Peter Cole	Patrick Duffy

---

**Report for:**

**Main Contributors**

**Copy to:**

---

This report has been prepared by Temple Group Ltd with all reasonable care and diligence within the terms of the contract with the client. We disclaim any responsibility to the client and others in respect of any matters outside the scope of the above. We accept no responsibility to third parties to whom this report, or any part, thereof is made available. Any such party relies upon the report at their own risk.



---

## CONTENTS

1.	EXECUTIVE SUMMARY .....	4
2.	INTRODUCTION.....	5
3.	STRUCTURE OF THIS REPORT .....	6
4.	REVIEW OF THAMES TUNNEL PHASE 2 CONSULTATION REPORT AGAINST LBTH CONSULTATION RESPONSE.....	10



## 1. EXECUTIVE SUMMARY

Temple Group was instructed by the London Borough of Tower Hamlets (LBTH) to undertake a review of Thames Water's (TW) various reports on its Phase 2 Consultation.

Specifically, LBTH has asked Temple Group to review these documents against its consultation response (Feb, 2012) to establish which issues have been considered by TW in its reports and also to identify any issues raised by the LBTH's consultation response which have not been considered within TW's consultation reports.

Section 4 of this report illustrates the findings of this review through a number of *Issues* tables, which have been embedded within LBTH's original Phase 2 Consultation response to TW.

The main finding of this review was that no new information or data has been provided by TW to enable Temple to fully understand the decisions made by TW through their site selection process. In this regard, Temple's original comments in their report 'Review of KEMP Foreshore and Heckford Street Combined Sewer Overflow Options' (February, 2012) remain valid. In some cases, it is not clear that TW have addressed specific issues raised by LBTH, and these are signposted in Section 4 of this report.

The next opportunity to provide formal feedback to TW will be during the S48 Statutory Publicity. In addition to this, however, it is also advisable that LBTH might consider commencing the preparation of their Local Impact Report over the following months, so that the Council is well placed to produce a full and detailed submission in the allotted time period (taking into account the time period required for internal consultation and Committee and sign-off).



---

## 2. INTRODUCTION

Temple Group was instructed by the London Borough of Tower Hamlets (LBTH) on the 30<sup>th</sup> May 2012, to undertake a review of Thames Water's (TW) various reports on its Phase 2 Consultation. These reports comprised:

- TW's Summary report on phase two consultation (May, 2012);
- TW's Main report on phase two consultation (May, 2012) and the Main report on phase two consultation – Appendices (May, 2012); and
- TW's Supplementary report on phase two consultation (May, 2012).

Specifically, LBTH has asked Temple Group to review these documents against its consultation response (Feb, 2012) to establish which issues have been considered by Thames Water in its reports and also to identify any issues raised by the LBTH's consultation response which **have not been** considered within Thames Water consultation reports.

Whilst this exercise has been carried out for the full range of issues raised by LBTH within its consultation response (Feb, 2012), including topics such as 'amount of settlement' and 'consultation issues', Temple Group has only assessed the adequacy of TW's responses in relation to those environmental topics addressed in Temple's report in February 2012. These are:

- Traffic and transport;
- Noise and vibration;
- Recreation, open space and visual impact; and,
- Local air quality.



### 3. STRUCTURE OF THIS REPORT

To enable TW's responses to be directly compared with the issues raised in LBTH's Consultation Response, and in order to ensure readers understand the context and background of these issues, a series of *issue* tables have been produced by Temple and embedded at the relevant points within the original LBTH's Phase 2 Consultation Response (February 2012). LBTH's Phase 2 consultation response, with the *issue* tables included, can be found in Section 4 of this report.

The inserted tables summarise the issues raised by Tower Hamlets Council and are labelled thus:

Issue No.	Title
<b>Bekesbourne Street</b>	
1	Bekesbourne as preferred site
2	Traffic and Transport
<b>KEMP Foreshore</b>	
3	Overall Council Response
4	Value of KEMP
5	The Use of River Transport
6	Construction Noise/Vibration
7	Odour During Operation
8	Ecology During Construction
9	Townscape/Visual Impact/Heritage Impacts during Construction
10	Townscape/Visual Impact/Heritage Impacts during Operation
11	Impacts upon Park Users During Construction
12	Comparison of Planning Impacts
<b>Heckford Street Site (including site in KEMP)</b>	
13	Heckford Option – Traffic and Transport
14	Heckford Option – Amount of Settlement
15	Heckford Option – Site Selection Issues
16	Heckford Option – Local Community Opinion
<b>Management of Construction Works</b>	
17	Traffic and Transport - Construction
18	Traffic and Transport – Glamis Road
19	Noise and Vibration – Construction
20	Air Quality - Construction
21	Code of Construction Practice
22	Design Issues



Issue No.	Title
<b>Management of Operational Impacts</b>	
23	Traffic and Transport – Operation
24	Noise and Vibration - Operation
25	Air Quality and Odour – Operation
<b>Consultation</b>	
26	Adequacy of Consultation

An explanation of how these tables function is provided below:

Issue		
Summary of LBTH issue	Thames Water Response	Temple Comments on Adequacy of Thames Waters Response
A summary of what Temple perceives are the main issues raised by LBTH in their Phase 2 Consultation Response is provided in this column.	<p>Using Chapter 24 of TW’s Supplementary Report on the Phase Two Consultation (the most detailed report), TW’s responses are included within this column.</p> <p>It should be noted that although TW identifies where it is responding to an LBTH issue, it does not always clearly specify what specific issue that might be (as the report seeks to combine a number of similar issues raised by different consultees where it thinks that one answer will suffice).</p> <p>Where no applicable TW responses have been identified, this is signposted within this column.</p>	<p>Temple has made comment only on those issues related to it earlier report (i.e. noise, air quality, traffic/transport, open space, recreation and visual impact).</p> <p>Where Temple has made no comment, we have in places advised who might be best to consult within LBTH.</p>

### Overarching Comments

No new information or data has been provided by TW to enable Temple to fully understand the decisions made by TW through their site selection process. In this regard, Temple’s original comments in their report ‘Review of KEMP Foreshore and Heckford Street Combined Sewer Overflow Options’ (February, 2012) remain valid.

TW’s Consultation Reports acknowledge most of the issues raised by LBTH (see Section 4 of this report), however, this tends to take the form of re-stating their position that the KEMP Foreshore remains their preferred option and then cross-referring to various TW reports prepared for their Phase 2 consultation, most notably *Appendix S of the Phase 2 Scheme Development Report* and the *King Edward Memorial Park site information paper*.

In some cases, it is not clear that TW have addressed specific issues raised by LBTH, and these are signposted in Section 2 of this report.

It may be, that the Consultation Reports produced by TW are not the appropriate means to provide the actual data requested by LBTH, however, no commitment to providing this data is given at any point within the reports except when referring to the developing EIA to be submitted with the Development Consent Order.

Temple’s conclusions remain therefore that whilst the overall assessment methodologies are found to be reasonable and the information sources for the assessments are



appropriate, the assessment work from which to determine the preferred option is mostly absent. The exception to this being the landscape and visual impacts where there has been a muddled approach to addressing the alternatives and an inconsistent approach to applying the assessment methodology.

The consistent theme identified in the reviews is a lack of detail of the assessment themselves that would allow the interrogation of the decision making process and so inform the option selection process. Liaison with Thames Water indicates that much of the assessment undertaken to date has comprised professional judgment based on the baseline data available. However it appears that there may be air quality and odour and noise and vibration assessment work undertaken that has not been included in the consultation; for example the consideration of air quality refers to qualitative and quantitative assessments that are not included in the consultation documentation. As a result information germane to the determination of the preferred option appears to be unavailable, in particular in relation to the transport assessment and the landscape and visual assessment of the options but also in relation to the air quality and odour and noise and vibration assessments.

Temple's review of the noise and vibration assessment and the landscape, recreation, open space and visual impact indicates that the KEMP Foreshore option would not be the preferred option although further assessment from Thames Water would be required to confirm this. As a result the overall conclusion that the KEMP Foreshore proposal should be the preferred option is not supported at this time.

## Future Actions

The next opportunity for consultation will be following the **S48 Statutory Publicity**. The exact date and opportunity / time to respond to TW is unclear at this time. Following submission of the Development Consent Order (DCO) by TW to the Planning Inspectorate, there will be an '**acceptance**' period of up to 28 days (similar to local authority validation process) within which, LBTH can make representations to Secretary of State regarding the adequacy of the consultation carried out by TW.

In terms of assessing the feasibility of legal challenge, pertinent questions may be:

- When could legal challenge actually be made? (potentially only after ministerial decision).
- Is their scope for a legal challenge on the basis of TW's site selection decisions and the apparent lack of information underpinning their site selection?
- Is their scope for a legal challenge on the basis of TW's consultation process, particularly as to whether there is sufficient information to make intelligent comment on the proposals?

Another approach would be to focus attention on providing convincing representations to the Planning Inspectorate after the DCO is submitted by TW. We would advise the Council when making these decisions to pay due regard to the guidance set out in the National Infrastructure Planning notes, specifically:

- Advice note one: Local Impact Reports – relevant to the Council in the preparation of its submissions to the Planning Inspectorate going forward.





- Advice note fourteen: Compiling the consultation report – this note is aimed mainly at developers but provides a clearer idea of what a consultation report should include and how it should be formatted so as to be acceptable to the Planning Inspectorate.
- Advice note sixteen: The developer’s pre-application consultation, publicity and notification duties – this note is again aimed mainly at developers but also provides some clarification as to what each stage of consultation should involve (including S48 Statutory Publicity).

It is generally considered prudent (and indeed best practice) for local authorities to begin the evaluation of the local impacts of the proposed scheme during the pre-application period (which we are currently in), and in this respect, LBTH is well placed to submit a thorough Local Impact Report in a timely manner. This should be approximately 6 months from DCO submission, although the exact date is set during the early examination by the Planning Inspectorate.



## 4. REVIEW OF THAMES TUNNEL PHASE 2 CONSULTATION REPORT AGAINST LBTH CONSULTATION RESPONSE

The following text is taken directly from the Council's Phase 2 consultation response to Thames Water (February, 2012), with additional 'Issue Tables' input by Temple, as explained in the introduction to this report.

### London Borough of Tower Hamlets Response to Thames Water's Phase 2 Consultation – 9<sup>th</sup> February 2012

#### 1) Which of our preferred sites are you commenting on?

The Council's response to question 2 of this consultation refers to:

- Bekesbourne Street
- KEMP Foreshore Option
- Heckford Street Option (Site 2 within the KEMP Foreshore Site Information Paper).

The Council's response to question 3 of this consultation refers to:

- Heckford Street Option (Site 2 within the KEMP Foreshore Site Information Paper).

The Council's response to question 4, 5, 6 and 7 of this consultation refers to:

- KEMP Foreshore Option.

#### BEKESBOURNE STREET OPTION

#### 2) Given the requirements for the construction and operation of the tunnel in this location, please give us your view on whether you consider this should be our preferred site.

The Council has no objection in principle to the proposals for this site.

Issue 1 – Bekesbourne as preferred site		
Summary of LBTH issue	Thames Water Response	Temple Comments on Adequacy of Thames Waters Response
No objection.	Your support is noted and welcomed.	N/A

#### Traffic and Transport Impacts

The Council would require a s278 Highways Act 1980 agreement or equivalent provision in any development consent order, and appropriate liaison with the Streetworks and C&G section over hoardings etc shortly prior to construction.

Issue 2 – Traffic and Transport		
Summary of LBTH issue	Thames Water Response	Temple Comments on Adequacy of Thames Waters Response
S278 Highways Act 1980 agreement or equivalent provision in DCO.	No comment received.	N/A



## KEMP FORESHORE OPTION

**2) Given the requirements for the construction and operation of the tunnel in this location, please give us your view on whether you consider this should be our preferred site.**

Overall the Council’s response to the consultation is as follows:

- (a) Inadequate information has been provided by Thames Water to enable the Council to make an informed and intelligent response.
- (b) The response is made without prejudice to contention (a)
- (c) Thames Water’s consideration and comparison of the benefits and disbenefits of the KEMP Foreshore and KEMP/Heckford Street options is inadequate (see in particular paragraph 9.6 of the Temple report)
- (d) The Council’s view is that:
  - (i) There has been an inadequate comparison of the KEMP Foreshore and KEMP/Heckford options
  - (ii) As a result Thames Water’s decision to proceed with the KEMP Foreshore option is not justified by clear evidence.
  - (iii) The KEMP/Heckford option is to be preferred on the following main grounds:
    - It has significantly less impact on KEMP users during construction
    - Is the option that local residents have indicated that they would prefer
    - Minimises the impact of construction traffic on residents of Glamis Road
    - Less noise impact during construction
    - Less visual impact and less impact on the landscape in the vicinity
- (e) The response relating to mitigation measures (during construction, and in operation) is made without prejudice to the contention that the KEMP/Heckford Street option is to be preferred.

The Council is opposed to the selection of the KEMP Foreshore Option as the preferred site.

Issue 3 – Overall Council Response		
Summary of LBTH issue	Thames Water Response	Temple Comments on Adequacy of Thames Waters Response
Inadequate information provided by TW to enable Council to make informed report	Para 24.3.1 For further information on our methodology and process , refer to: <i>Site selection project information paper</i> , which sets out the process we followed to find and select our preferred sites  <i>Site selection methodology paper</i> , which details the methodology used to select construction sites along the route of the main tunnel  <i>Site selection background technical paper</i> , which provides supporting technical information to the Site selection methodology paper such as the engineering requirements for the size of construction sites.	No new information has been provided relevant to the environmental, engineering and planning assessments carried out to justify site selection.  No new response provided by TW to LBTH assertion that inadequate information has been provided to allow LBTH to provide intelligent comment on proposals. LBTH had been directed towards these documents by TW prior to the consultation and the LBTH’s Consultation Response had already taken these documents into account.



<b>Issue 3 – Overall Council Response</b>		
<b>Summary of LBTH issue</b>	<b>Thames Water Response</b>	<b>Temple Comments on Adequacy of Thames Waters Response</b>
	<p>Para 24.3.2</p> <p>The results of the site selection process up to phase two consultation are set out in:</p> <p>Site information papers, which provide summary information on each of our preferred sites, including the reasons for selecting them</p> <p><i>Phase two scheme development report</i>, which describes how our proposals for the Thames Tunnel project have evolved and provides a detailed account of the site selection process for each of the preferred sites.</p>	
<p>TW's consideration and comparison of benefits and disbenefits of KEMP Foreshore Option and KEMP/Heckford Option is inadequate</p>	<p>Ref 24.3.25/24.3.26</p> <p>We believe that our assessments, which have been carried out in accordance with the <i>Site selection methodology paper</i>, are comprehensively explained in appendix S of the <i>Phase two scheme development report</i>.</p> <p>Based on our assessment we consider that, on balance, King Edward Memorial Park Foreshore is the most suitable site.</p> <p>For responses to the detailed points raised and more information on the results of the site selection process, refer to appendix S of the <i>Phase two scheme development report</i>.</p> <p>Ref 24.3.29</p> <p>We consider that we have justified our choice of preferred site and why other shortlisted sites are less suitable. Heckford Street is considered less suitable than King Edward Memorial Park Foreshore because it would also require a site within King Edward Memorial Park as well as the site at Heckford Street. The additional tunnelling works would be likely to take longer, cause more disruption to both park users and the local community with 24-hour construction at Heckford Street for the connection tunnel, and put more traffic on local roads. The sites would result in the disruption and potential loss of some businesses in an area where the council's planning policies seek to protect employment uses. The use of these sites would also result in greater effects on people living and working near this site in comparison to our preferred site as it would not be possible to utilise the River Thames to move materials. Furthermore the tunnels would pass below significantly more buildings and the connection tunnel would be at a much shallower depth.</p> <p>For a response to the detailed points raised, refer to appendix S of the <i>Phase two scheme development report</i>.</p> <p>Ref 24.3.31</p> <p>We consider that we have undertaken a thorough</p>	<p>Same as above.</p> <p>This response provides no new information and is same as provided in TW's KEMP Foreshore Site Information Paper (page 6, para 3) which was addressed under Section 3 of the LBTH's Consultation Response.</p>



<b>Issue 3 – Overall Council Response</b>		
<b>Summary of LBTH issue</b>	<b>Thames Water Response</b>	<b>Temple Comments on Adequacy of Thames Waters Response</b>
	<p>and comprehensive consultation exercise. As part of this, we carefully considered the information we made available at our phase two consultation to ensure that consultees had sufficient information to respond to the consultation. Details of our shortlisted sites are described and illustrated throughout the phase two consultation material, including the <i>King Edward Memorial Park Foreshore site information paper</i>, which provides an overview of the detail in appendix S of the <i>Phase two scheme development report</i>. We are confident, therefore, that the information we have provided is sufficient.</p> <p>Ref 24.3.40/24.3.41</p> <p>Our site selection process has had regard to possible likely significant effects on the local area and community, and the environmental impact assessment process will undertake further assessment and recommend any necessary mitigation measures.</p> <p>The environment and community assessments undertaken as part of site selection considered the number and nature of sensitive receptors as well as possible likely significant effects from traffic and construction works including noise, air quality and visual impact. We also considered likely significant effects on employment uses and possible conflict with planning policy seeking to protect local amenity. Accordingly, we consider that the scale of possible likely significant effects on the local area and community has been adequately considered.</p>	<p>No new information has been provided relevant to the environmental, engineering and planning assessments carried out to justify site selection.</p> <p>This information has not been provided to LBTH in sufficient detail so as to fully understand / assess TW's rationale within their site selection.</p>
<p>LBTH reasons why KEMP/Heckford Option is preferred</p>	<p>Ref 24.3.28</p> <p>Our re-assessment of sites prior to phase two consultation and our review of phase two consultation comments does not support the use of Heckford Street as our preferred site. Heckford Street is less suitable than our preferred site because it would also require a site within King Edward Memorial Park as well as the site at Heckford Street. The additional tunnelling works would be likely to take longer, cause more disruption to both park users and the local community with 24-hour construction at Heckford Street for the connection tunnel, and put more traffic on local roads. The sites would result in the disruption and potential loss of some businesses in an area where the council's planning policy seeks to protect employment uses. The use of these sites would also result in greater effects on people living and working near this site in comparison to our preferred site as it would not be possible to utilise the River Thames to move materials. Furthermore the tunnels would pass below significantly more buildings and the</p>	<p>This response provides no new information and is same as provided in TW's KEMP Foreshore Site Information Paper (page 6, para 3) which was addressed under Section 3 of the LBTH's Consultation Response.</p>



Issue 3 – Overall Council Response		
Summary of LBTH issue	Thames Water Response	Temple Comments on Adequacy of Thames Waters Response
	<p>connection tunnel would be at a much shallower depth.</p> <p>Ref 24.4.4            We consider that Heckford Street is a less suitable site than King Edward Memorial Park Foreshore. Using King Edward Memorial Park Foreshore means that all our works could be undertaken within one construction site. If we used Heckford Street, although it is brownfield land, we cannot undertake all the necessary works at Heckford Street and we would need a second site to intercept the CSO and receive the TBM from the connection tunnel driven from Heckford Street. This is because the existing sewer runs under King Edward Memorial Park and as the <i>Site selection methodology paper</i> stresses we need to intercept the CSO above or in close proximity to the existing line of the sewer. Works associated with intercepting the CSO would have to be undertaken within a site in King Edward Memorial Park. The options therefore being compared are a single foreshore site (King Edward Memorial Park Foreshore – used to intercept the North East Storm Relief CSO and connect it to the main tunnel) or Heckford Street (used to connect the intercepted CSO via a connection tunnel to the main tunnel) and a site in the northern areas of King Edward Memorial Park. (Used to intercept the North East Storm Relief CSO).</p> <p>The central reason why we consider the Heckford Street and park option to be less suitable is because two sites would be required and the cumulative effect of these works would be greater than at the single site at King Edward Memorial Park Foreshore. In addition to only requiring one site, use of King Edward Memorial Park Foreshore would also provide the opportunity for improvements to be made to the existing facilities provided within the park.</p> <p>Some of the effects arising from the use of the Heckford Street option include:</p> <p>Additional tunnelling works associated with the deep drop shaft at Heckford Street and the connection tunnel between Heckford Street and King Edward Memorial Park which would cause more disruption to both park users and the local community, most notably at Heckford Street because of the 24-hour tunnelling for the connection tunnel.</p> <p>More traffic on local roads, which would have a greater effect on people living and working near this site because, in comparison to our preferred site, it would not be possible to utilise the River Thames for movement of materials</p>	<p><b>In general, no new information or data has been provided.</b></p> <p>The foundation of TW's rationale as to why Heckford Street is less suitable seems to be the difference between using one site (KEMP Foreshore) and having to use two sites (KEMP and Heckford St).</p> <p>TW argue the use of two sites would have bigger cumulative impacts – <b>although TW has provided no actual data to support this assertion.</b></p> <p>They also reason that the KEMP Foreshore option would provide an opportunity to improve existing facilities within the park, however, it is not clear why the same couldn't be true for Heckford Street option.</p> <p>TW provide no further evidence to substantiate their claim that the additional tunnelling works (namely the connection tunnel) would cause more disruption to both park users and local community.</p> <p>TW suggest that the 24 hour tunnelling that may be required for the connection tunnel would be one source of this disruption, however, no information on timescales or noise levels has been provided.</p> <p>Further detail on the actual predicted impacts that the higher levels of likely construction traffic involved with the Heckford Option, are likely to have has not been provided. Higher levels of construction traffic do not necessarily lead to significantly greater impacts given the existing context of the area (i.e. the ambient noise levels on Glamis Road and on the Highway). Please see Temple's original analysis in this respect.</p> <p>Settlement impacts for both options are unlikely to be significant, please see Issue 14 for TW's response on this topic.</p>



<b>Issue 3 – Overall Council Response</b>		
<b>Summary of LBTH issue</b>	<b>Thames Water Response</b>	<b>Temple Comments on Adequacy of Thames Waters Response</b>
	<p>The disruption and potential loss of some businesses in an area where the Council's planning policies seek to protect employment uses as well as loss of recreational space in an area which is deficient in terms of provision of open space</p> <p>The tunnels would pass below significantly more buildings and the connection tunnel would be at much shallower depth, increasing the risk of potential effects arising from construction of the connection tunnel.</p> <p>We recognise that if an approach is taken where individual elements of the two options are compared against each other that elements of the proposals at King Edward Memorial Park Foreshore may appear less suitable than the Heckford Street option. Our response to examples of this are set out below. However, when these considerations are compared to the cumulative effects of using two sites instead of one, we do not consider that these considerations outweigh our preference for King Edward Memorial Park Foreshore, especially when the long term benefits of using King Edward Memorial Park Foreshore mean that additional public space can be provided and enhanced public amenities can be provided.</p> <p>Taking individual considerations into account:</p> <ul style="list-style-type: none"> <li>• Heckford Street site does have an existing access from The Highway but access to the CSO site would also need to be provided for the site within King Edward Memorial Park. This would require the creation of an improved access off Glamis Road and a haul road across the King Edward Memorial Park, which is likely to necessitate the temporary re-location of the memorial. Access to King Edward Memorial Park would be close to a signalised junction, which increases the complexity to undertaking these works and operating the access while the haul road would also affect the existing pedestrian subway under the Highway. In comparison, the benefit of using the Heckford Street option is that it would have less effect on the Thames Path, which passes along the southern edge of the King Edward Memorial Park. However, as set out in our proposals for phase two consultation, we consider that it is possible to provide an arrangement which means access to the riverside is provided throughout the duration of the construction works. Diversions to the Thames Path would also be provided, where necessary. After construction is completed we would enhance the Thames Path route</li> </ul>	<p>As regards the Heckford Street option, TW's asserts that an access closer to the signalised junction of Glamis Road with the Highway 'increases the complexity to undertaking these works and operating the access', however, no evidence has been provided to test this assumption. Please see Temple's original analysis in this respect.</p>



Issue 3 – Overall Council Response		
Summary of LBTH issue	Thames Water Response	Temple Comments on Adequacy of Thames Waters Response
	<p>for pedestrians and cyclists because at present the route is a narrow and enclosed footway with poor public surveillance. Refer to King Edward Memorial Park Foreshore site information paper for further details.</p> <ul style="list-style-type: none"> <li>• Our assessment has taken into account that existing jobs would be put at risk if the Heckford Street option was selected. We accept that it may be possible to re-locate the businesses that are located in the area but there is a risk that suitable locations may not be available. Use of King Edward Memorial Park Foreshore would not result in the loss of employment land or jobs.</li> <li>• We recognise that our proposals at King Edward Memorial Park Foreshore would affect sports facilities within the park and on the River Thames. However, it should be noted that the Heckford Street option requires works to be undertaken within the park which would also affect recreational use of this space. For our preferred option, we continue to work with the respective organisations to ensure that the effects of our works are minimised.</li> <li>• Our assessment of likely significant environmental effects covers ten individual specialisms and when compared the two options have on balance similar overall effects. For example, the King Edward Memorial Park Foreshore site has greater effect on water ecology whereas the site at Heckford Street has greater noise effects particularly when 24 hour/day working would be required for construction of the connection tunnel. Therefore the environmental assessment does not help to distinguish between use of King Edward Memorial Park Foreshore and Heckford Street plus King Edward Memorial Park.</li> </ul>	<p>TW provides no further data or detail to substantiate their assessment of likely significant environmental effects. Some of these predicted effects seem dubious, please see Temple's original analysis in this respect.</p> <p><b>Please note that within this particular response (Ref 24.4.4) TW do suggest that the environmental assessment has not helped them to distinguish between options. This seems in conflict with other parts of their overall response and also historically (e.g. interim engagement materials).</b></p>

The Council's detailed response to question 2 is set out under the following headings:

1. The value of the King Edward VII Memorial Park (KEMP)
2. The KEMP Foreshore Option
  - i. Traffic and Transport
  - ii. Noise and vibration
  - iii. Air Quality





- iv. Ecology
- v. Landscape/townscape, visual impact
- vi. Recreation

### 3. Conclusion

The question posed in the consultation exercise contemplates that there may be alternatives to the 'preferred site'. It is the Council's view that Thames Water have not provided 'information sufficient for the relevant consultee to assess the impacts of the proposals on their area of interest'<sup>1</sup> and in particular have not provided sufficient information relating to the KEMP/Heckford Street alternative to the KEMP foreshore site. As a result of the lack of information it is the Council's view that it is not in a position to provide an intelligent and considered response to the consultation. The response is provided without prejudice to the Council's contention that TW have failed to provide sufficient information.

Further, in a letter dated 24<sup>th</sup> January 2012, TW responded to the Council's request for survey data relating to noise, traffic, air quality and park use by stating that it would be supplied "within the next few days." That data has not been supplied in time to allow it to be considered in formulating this response. The Council request that the consultation period be extended to allow the Council and its consultants to consider that data, and to make any necessary revisions to this response. If the consultation period is not extended the consultation will have been defective, as a result of TW's failure to provide information in time for the Council to make an informed an intelligent response.

#### 1. Value of King Edward VII Memorial Park (KEMP)

The park functions much above the definition of its public open space classification as a 'local park' under the GLA Open Space Hierarchy. Prevailing local conditions of dense housing and limited access to green space ensure that this park serves a wider area than the typical 400m radius.

The park has previously enjoyed Green Flag status, and its management plan specifically highlighted its function as a 'green oasis', with 'superb views of the Thames'. The Council fully expects this status to be regained during 2012. The proposals for the KEMP Foreshore would effectively remove both of these highly valued characteristics, by removing direct views of the Thames and introducing construction noise, construction traffic and dust impacts across the majority of the southern length of the park.

Thames Water have considered alternative sites that could offer a similar experience to KEMP, however, it is the Council's opinion that there are no comparable alternative facilities in the vicinity, based on consideration of the issues for families accessing them and the breadth of amenity provision on offer once there.

---

<sup>1</sup> See paragraph 81 of the DCLG Guidance on Pre-application Consultation (September 2009)



<b>Issue 4 – Value of KEMP</b>		
<b>Summary of LBTH Issue</b>	<b>Thames Water Response</b>	<b>Temple Comments on Adequacy of Thames Waters Response</b>
<p>It is the Council's opinion that no comparable alternative facilities to KEMP exist in the vicinity.</p>	<p>Ref 24.3.19</p> <p>Only one site is needed to intercept the CSO and connect to the main tunnel, which also eliminates the cumulative effects of undertaking construction works at two sites at the same time, avoids direct impact on businesses, and there are opportunities to use the river for transportation of materials. The majority of the temporary work site is situated in the foreshore; therefore, we sought to minimize effects on the park as far as possible. Furthermore, the tunnels would pass under fewer buildings.</p>	<p>TW's comments are accurate within themselves, however, do not highlight adverse impacts on park.</p> <p>More importantly, TW do not appear to have provided comment on availability or suitability of alternative facilities in the vicinity.</p>
	<p>Ref 24.3.33</p> <p>Whether a site is brownfield or greenfield/open space was taken into account along with other considerations as set out in the <i>Site selection methodology paper</i>.</p>	<p>No new information has been provided relevant to the environmental, engineering and planning assessments carried out to justify site selection.</p>
	<p>Ref 24.5.146</p> <p>Our proposals for the preferred site at King Edward Memorial Park Foreshore would require use of approximately 25 per cent of the park during the construction phases, as illustrated at section two of the site information paper. Our works would include moving the existing children's playground to a new location within the park and the temporary loss of part of the multi-purpose sports area, which would be temporarily replaced where some of the tennis courts are currently located. We are looking at ways to minimise the use of the sports pitches in developing our design further. Much of the park would remain open during the construction.</p> <p>We have completed a preliminary assessment of the likely significant effects on the temporary loss of public open space, the amenity for park users and the SBOAC, as set out in our <i>PEIR</i> (volume 23, section 10). Our assessment recognises that there would be a loss of multi-sports pitches, grassed space and the pavilion and that the effects of the construction would affect park users. However, while the park would be affected by the temporary loss of some recreation facilities this would not negatively affect the opportunity to continue to use the park, as temporary</p>	<p>TW acknowledge the loss of sport pitches and have committed to investigating</p> <p>Whether they can locate any construction site facilities off-site to reduce the effects on the recreational facilities at the western end of the Park.</p> <p><b>TW provide no new information in response to the Council's opinion regarding the lack of alternative facilities in the area.</b></p> <p>TW suggest that the proposals would not negatively affect opportunities to use the park, and therefore they would continue to work with LBTH and the community to design a temporary open space to meet both the needs of the community and TW works (i.e. they seem to imply this would not be an alternative site, simply a</p>



<b>Issue 4 – Value of KEMP</b>		
<b>Summary of LBTH Issue</b>	<b>Thames Water Response</b>	<b>Temple Comments on Adequacy of Thames Waters Response</b>
	<p>replacement sports facilities would be provided and areas of open space retained.</p> <p>We note that there are other open spaces and sports facilities at Stepney Green Park and Wapping Gardens/John Orwell Sports Centre that could be used as alternatives, although we recognise that there are physical barriers that may affect ease of access to these facilities.</p> <p>We will continue to work with the LBTH and the community to design a temporary open space that meets the needs of the community and our works.</p> <p>We are considering further noise attenuation measures for the construction works in response to comments received.</p>	<p>temporarily redesigned version of the existing park).</p>

## **2. The KEMP Foreshore Option**

### ***i) Traffic and Transport***

#### ***Construction***

There is a lack of detailed information or assessment results relating to alternatives (e.g. the Heckford Street option), which might be used to inform a comparison between options. Please refer to section 8.3 of Appendix A, for further explanation as to why the information supplied for the Phase 2 Consultation has been found to be inadequate. In particular the effects of construction traffic on road junctions have not been modelled.

The Council has considered a number of environmental aspects in relation to traffic:

#### ***Traffic Noise***

In terms of noise from construction traffic, the residential properties to the west side of Glamis Road may be affected by a significant increase in traffic noise due to the increase in traffic flows as a result of the KEMP Foreshore option. The extent of any such impact cannot be assessed until it is known whether or not barges can be used to transport materials by river.

Traffic associated with the KEMP/Heckford Street option would also give rise to noise effects, as there are residential properties to the south of The Highway at the junction with Heckford Street. However, due to the higher baseline flows on the highway, although a considerably larger number of construction traffic movements will be generated by this site as a matter of certainty, the increase in traffic noise levels is less likely to be significant. Our conclusion on the noise impacts of



---

both options are considered further under the noise and vibration impact sections of this consultation response.

#### *Air Quality (emissions from transport)*

The whole borough of Tower Hamlets has been declared an Air Quality Management Area in terms of both nitrogen dioxide (NO<sub>2</sub>) and Particulate Matter (PM<sub>10</sub>). Therefore, the additional emissions from the construction vehicles will be a concern. Our conclusion on the air quality impacts of both options are considered further under the noise and vibration impact sections of this consultation response.

#### *Congestion*

The key issue for both the KEMP Foreshore option and the Heckford Street option is the interaction of construction traffic with existing traffic on The Highway. The Highway typically suffers from congestion throughout the day.

For both options, the need for lorries to make right turns from Glamis Road into the Highway means that additional delays to traffic on The Highway are likely to be caused, particularly if vehicles are blocking traffic while they are queuing to turn.

This will also be an issue at the Heckford Street Junction (for the Heckford Street option), where construction vehicles would need to queue in the middle of the carriageway to make a right turn into the site causing additional delays.

The Council acknowledges that using the limited information provided as part of the Phase 2 Consultation it would appear that the KEMP Foreshore option would lead to less congestion. However it should be noted that this is wholly dependent on the assumption that barges will be used for the KEMP Foreshore option. For further explanation, please see sections 8.6 and 8.7 of Appendix A.

#### *The Use of River Transport*

The key data summary presented at the Glamis Estate consultation exhibition (23<sup>rd</sup> November, 2011) within Tower Hamlets, states that there would be 2100 lorry movements and 220 barge movements to service the KEMP Foreshore option scheme. It is assumed that this figure is for total numbers over the course of the project, although this has not been made clear. Neither is it clear how this number relates to Table 2.3 within the Site Information Paper which seems to imply that a far larger number of both lorry and barge movements might be expected.

In the Site Information Paper it is claimed (p18) that, “Each barge would remove approx 55 lorries from the road...reduc[ing] the number of lorry visits to/from by approx 55% (saving 12,000 lorry visits over the construction period)”. Elsewhere there is a claim to an even higher proportion – the Transport Project Info paper states “By using the river to move excavated material we can reduce the number of lorry trips from our sites on the River Thames by up to two-thirds”. Clarification on the number of lorry and barge movements is needed.

The Council welcomes the intention by Thames Water to use barges to the extent indicated within the Phase II consultation information, but requests information on what would be the worst case



scenario for the KEMP Foreshore option if their use could not be secured (by condition or contract – or combination).

The potential congestion, noise and air quality impacts which would likely arise if only lorries were to be used during construction, are unlikely to be acceptable to the Council. In addition, the Council considers that allowing Thames Tunnel's future construction contractors to be responsible for deciding on economic grounds whether barges should be used is unacceptable.

For a more detailed analysis of all these transport related factors, please refer to section 8.6, pg's 36-37 of Appendix A.

<b>Issue 5 – The Use of River Transport</b>		
<b>Summary of LBTH issue</b>	<b>Thames Water Response</b>	<b>Temple Comments on Adequacy of Thames Waters Response</b>
Clarification on the number of lorry and barge movements is needed.	<p>Fig 24.3.18</p> <p>It is our intention to use the river to transport excavated and cofferdam materials, as detailed in our <i>King Edward Memorial Park Foreshore site information paper</i>. However, it is not generally practical or cost-effective to transport all materials by barge so we would still need to transport some materials by road. At this site, use of barges would remove approximately 12,000 lorries from the road during construction.</p> <p>Fig 24.5.245</p> <p>We have discussed the use of the river for transporting materials with the PLA, the body responsible for regulating the use of the River Thames for London. We are preparing a <i>Navigational risk assessment</i> for submission as part of our DCO application, the approach to which is being discussed with the PLA. We will continue to discuss our proposals to minimise risk to river navigation by commercial or leisure river users. We will also complete a survey of river usage, the findings of which will be reported in our DCO application and will inform further discussions with the PLA.</p>	<p>No new information provided, however, on the basis of this response, LBTH might take this as confirmation that lorry visits will be reduced by 55%.</p> <p>This response does not appear to be relevant to LBTH issue.</p>
The Council requests information on what would be the worst case scenario for the KEMP Foreshore option if their use could not be secured.	<p>Ref 24.5.249</p> <p>If a Development Consent Order is granted we anticipate a series of requirements (similar to planning conditions) that would control the development. We expect that the requirements would secure the provision of the mitigation measures set out in the <i>Environmental statement</i> that will be submitted with the application.</p>	<p>No further data provided in this respect. TW reaffirm their commitment to a 'series of requirements' within the DCO (again, no further information provided on the wording of any relevant requirement).</p>



## ii) Noise and Vibration Impacts

### Construction

There is a lack of detailed information or assessment results relating to alternatives (e.g. the Heckford Street option), which might be used to inform a comparison between options. Please refer to section 6.3 of Appendix A, for further explanation as to why the information supplied for the Phase 2 Consultation has been found to be inadequate.

Taking into account the information that has been provided as part of this Phase 2 Consultation, **the Council considers that the KEMP Foreshore option is likely to give rise to marginally greater noise and vibration impacts on sensitive receptors than the Heckford Street option** due to the short term greater levels of noise and vibration from the piling required for the coffer dam affecting the residents of Free Trade Wharf; and the long term noise from lorry movements on the internal site road affecting the residents of the houses abutting the KEMP south western boundary. For a more detailed analysis, please refer to section 6.6, pg's 21-22 of Appendix A.

Issue 6 – Construction Noise/Vibration		
Summary of LBTH issue	Thames Water Response	Temple Comments on Adequacy of Thames Waters Response
The Council considers that the KEMP Foreshore option is likely to give rise to marginally greater noise and vibration impacts on sensitive receptors than the Heckford Street Option.	Ref 24.3.28 Our re-assessment of sites prior to phase two consultation and our review of phase two consultation comments does not support the use of Heckford Street as our preferred site. Heckford Street is less suitable than our preferred site because it would also require a site within King Edward Memorial Park as well as the site at Heckford Street. The additional tunnelling works would be likely to take longer, cause more disruption to both park users and the local community with 24-hour construction at Heckford Street for the connection tunnel, and put more traffic on local roads. The sites would result in the disruption and potential loss of some businesses in an area where the council's planning policy seeks to protect employment uses. The use of these sites would also result in greater effects on people living and working near this site in comparison to our preferred site as it would not be possible to utilise the River Thames to move materials. Furthermore the tunnels would pass below significantly more buildings and the connection tunnel would be at a much shallower depth.  For a response to the detailed points raised and further details on the results of site selection process, refer to appendix S of <i>Phase two scheme development report</i> .	TW have still not provided the detail of their original construction noise and vibration assessment or any re-assessment.  In particular they have not provided details of the noise impacts from the double sheet piling to form the coffer dam for the KEMP foreshore works. These works will last for a considerable time and their closest approach to residential receptors will be significantly nearer than the shaft head works at Heckford Street.  Additionally the existing eastern boundary wall of the Heckford Street site will provide a substantial noise barrier to the closest residential premises to the east; whilst those to the west are newly built and incorporate noise insulation to cope with the traffic noise from The Highway.
	Ref 24.3.41 Our site selection process has had regard to possible likely significant effects on the local area and community, and the environmental impact assessment process will undertake further	This is an inadequate response. TW have not provided details of these assessments and have not considered all the relevant potentially significant noise and



<b>Issue 6 – Construction Noise/Vibration</b>		
<b>Summary of LBTH issue</b>	<b>Thames Water Response</b>	<b>Temple Comments on Adequacy of Thames Waters Response</b>
	<p>assessment and recommend any necessary mitigation measures.</p> <p>The environment and community assessments undertaken as part of site selection considered the number and nature of sensitive receptors as well as possible likely significant effects from traffic and construction works including noise, air quality and visual impact. Accordingly, we consider that the scale of possible likely significant effects on the local area and community has been adequately considered.</p>	<p>vibration impacts.</p>

### **Operation**

The Council acknowledges that the KEMP Foreshore option includes an approximately 2000m<sup>2</sup> extension of the foreshore, which could be seen as an extension of a valuable ‘quiet space’ (section 6.6, pg 20 of Appendix A), however, this needs to be considered alongside other issues relevant to landscape and other amenity issues.

### **iii) Air Quality Impacts**

#### **Construction**

There is a lack of detailed information or assessment results relating to alternatives (e.g. the Heckford Street option), which might be used to inform a comparison between options. Please refer to section 7.3 of Appendix A, for further explanation as to why the information supplied for the Phase 2 Consultation has been found to be inadequate.

The Council acknowledges that, using the information that has been provided as part of the Phase 2 Consultation, it would appear that the KEMP Foreshore option would give rise to less impact on the number of sensitive receptors than the Heckford Street option due to their proximity to the proposed sites and the additional demolition activities at the Heckford Street site. For a more detailed analysis, please refer to section 7.6, pg’s 29-30 of Appendix A.

This difference in likely impact is however, likely to be minimal. According to ‘*Appendix S Phase Two Development Scheme Report*’ both the KEMP and the Heckford /KEMP option are less suitable from the perspective of air quality. The difference between such impacts for each option have, however, not been quantified or qualified.

<b>Issue 7 – Odour During Operation</b>		
<b>Summary of LBTH issue</b>	<b>Thames Water Response</b>	<b>Temple Comments on Adequacy of Thames Waters Response</b>
<p>Content of odour assessment for both sites.</p>	<p>No adequate response given.</p> <p>Ref 24.5.29 (N.B. this was not a response directly to an LBTH comment, but one that we have picked up as perhaps being most</p>	<p>TW’s response is inadequate as it focuses on construction impacts not operational impacts</p> <p>There was an absence of detailed</p>



<b>Issue 7 – Odour During Operation</b>		
<b>Summary of LBTH issue</b>	<b>Thames Water Response</b>	<b>Temple Comments on Adequacy of Thames Waters Response</b>
	relevant) As part of our PEIR (volume 23, section 4) we assessed the air quality, traffic and residential amenity of the proposed development, based on a methodology discussed and agreed with the LBTH. The proposals set out in our draft CoCP are included in the assessment. While we acknowledge that this is a preliminary assessment, we believe that sufficient information was available for the purposes of our phase two consultation. We are preparing a full assessment for submission within the Environmental statement as part of our DCO application. If significant effects are identified, appropriate mitigation will be proposed.	information in the public consultation documentation relating to the assessment of air quality and odour to enable an informed opinion on the assessment results. No further information is forthcoming in the TW response.
Lack of quantification of difference in odour impacts between sites.		TW's response inadequate as it focusses on construction impacts not operational impacts There was an absence of detailed information in the public consultation documentation relating to the assessment of air quality and odour to enable an informed opinion on the assessment results. No further information is forthcoming in the TW response.

### **Operation**

The content of the odour assessment for both sites is absent, please see section 7.3.3, pg. 26 of Appendix A, for further details. The Council considers that both the KEMP Foreshore option and the Heckford Street Option have the potential to have odour impacts during the operation of the tunnel, however, the difference (if any) between such impacts does not appear to have been quantified or qualified.

### **iv) Ecology**

#### **Construction**

KEMP has recently been proposed as a Site of Borough Grade II Importance for Nature Conservation (SINC), primarily because of its range of habitats, including wildflower meadows, small area of developing woodland which has been under planted with native woodland wild flowers, pond with good population of frogs and the number of mature trees.

The construction site for the KEMP Foreshore Option occupies an area of KEMP, but also occupies a large area of the Thames foreshore which is designated as a Site of Metropolitan Importance for Nature Conservation, i.e. of higher biodiversity value than KEMP itself.

In terms of direct impacts upon ecology, the Heckford Street Option involves a construction site that will occupy an area of the park which is of limited biodiversity value and is also a smaller site area. The construction site will also be operation for approximately half the amount of time than would be case for the site proposed for the KEMP Foreshore option.

The main Heckford Street site is composed of buildings and hard standing and is of very limited biodiversity value.





It is therefore likely that the Heckford Street Option will have less impact upon biodiversity than the KEMP Foreshore Option.

It should be acknowledged that due to the likely nature of the construction for each option (periods of elevated noise and vibration), impacts upon any biodiversity in the wider KEMP area can be expected. This period of disturbance would be less for the Heckford Street Option due to the shorter construction period within the park.

<b>Issue 8 – Ecology During Construction</b>		
<b>Summary of LBTH issue</b>	<b>Thames Water Response</b>	<b>Temple Comments on Adequacy of Thames Waters Response</b>
<p>Concern that KEMP Foreshore option will have greater impact than Heckford Street Option</p>	<p>Ref 24.5.93</p> <p>We have sought to minimise tree loss and damage where possible. Our draft CoCP sets out how we would protect existing trees during construction. Measures such as protective fencing and prohibition of storing material within the protected area would be implemented prior to works being undertaken as specified in British Standard BS5837 where practicable and in consultation with the LBTH tree officer.</p> <p>Our proposals for permanent site landscaping incorporate the planting of more trees than the number expected to be lost during construction. Furthermore our proposals do not currently include works to the Lleylandi trees under which the fungus is believed to be present.</p> <p>Ref 24.5.97</p> <p>Our preliminary assessment of the likely significant effects on wildlife associated with the construction of the tunnel is set out in our PEIR (volume 23, section 6) which sets out the effects in terms of notable species, including bats and birds, land-based habitats and the King Edward Memorial Park SINC. The project has been designed to minimise effects on wildlife and habitats where possible. Where likely significant effects have been identified, mitigation has been built into the design. We are undertaking an environmental impact assessment, which will include a comprehensive assessment of the likely significant effects arising from the proposals. The findings of the assessment, together with any recommendations for mitigation, will be available as a part of the Environmental statement that will be submitted with our DCO application.</p> <p>The CoCP, which will be submitted with the application, would ensure that works are undertaken in compliance with applicable legislation, and with relevant nature conservation policies and guidance, including the Mayor of London's Biodiversity strategy and local biodiversity action plans. Where species are protected by specific legislation, approved guidance would be followed, appropriate mitigation proposed and any necessary licences or consents obtained.</p> <p>Ref 24.3.25/24.3.26</p> <p>We believe that our assessments, which have been carried out in accordance with the <i>Site selection methodology paper</i>, are comprehensively explained in appendix S of the <i>Phase two scheme development report</i>.</p> <p>Based on our assessment we consider that, on balance, King Edward Memorial Park Foreshore is the most suitable site.</p> <p>For responses to the detailed points raised and more information on the results of the site selection process, refer to appendix S of the <i>Phase two scheme development report</i>.</p>	<p><b>Please refer to LBTH Ecology Officer (John Archer)</b></p>



---

## v) Landscape/Townscape, Visual Impact and Heritage

### **Construction**

The consideration of the alternatives is confused and inconsistent. As a result the impacts of the Heckford Street option are not identified clearly and a direct comparison with the preferred option is not possible. Most noticeably:

- There appears to have been no assessment of the Heckford Street option as a whole and no Site Suitability Report covers the whole option (KEMP element and Heckford Street element).
- The KEMP element of the Heckford Street option has not been assessed separately of the KEMP 'whole site' option at any point.
- As a consequence, no reasoned comparison has been made in terms of the impact upon the park of the two alternatives. The only such reference is made within the Interim Engagements Report (pg 90, Ref 13.3.5).

This inadequacy of the approach taken is further explained within section 9.3 of the Appendix A.

The failure to compare the preferred option (KEMP Foreshore) with a feasible alternative (KEMP/Heckford Street) undermines the credibility of the site selection process. Very little, if any, weight can be afforded to TW's conclusion that KEMP Foreshore is to be preferred, as that conclusion is based upon a faulty analysis.

The Council would urge Thames Water to revise their assessments, taking into account the following:

1. Construction site area and timescales (within KEMP) – The Heckford Street Option would involve a smaller construction site area (approximately 50%) than the KEMP Foreshore Option, for a shorter period of time.
2. Impacts on residential amenity – the closest residential receptors to KEMP Foreshore option are 10m, whilst the closest residential receptors to the Heckford Street Option are 16m. This combined with point (1) above would seem to suggest that the Heckford Street Option would be preferable from a townscape/landscape impact perspective.
3. Impacts on heritage assets – given the river frontage is a key feature of the Wapping Wall Conservation Area, the provisions of point (1) above and the assessment errors regarding this topic in Appendix S to the Scheme Development Report (Table 2.3), the Council would suggest that the Heckford Street Option would be preferable from a heritage perspective. Please see section 9.6, pg's 45-46 of Appendix A, for further information as regards the apparent errors in assessment.



<b>Issue 9 – Townscape/Visual Impact/Heritage Impacts during Construction</b>		
<b>Summary of LBTH issue</b>	<b>Thames Water Response</b>	<b>Temple Comments on Adequacy of Thames Waters Response</b>
<p>Failure to compare the KEMP Foreshore Option with the full Heckford Street Option through site selection process.</p>	<p>Ref 24.3.25/24.3.26</p> <p>We believe that our assessments, which have been carried out in accordance with the Site selection methodology paper, are comprehensively explained in appendix S of the Phase two scheme development report.</p> <p>Based on our assessment we consider that, on balance, King Edward Memorial Park Foreshore is the most suitable site.</p> <p>For responses to the detailed points raised and more information on the results of the site selection process, refer to appendix S of the Phase two scheme development report.</p> <p>Ref 24.4.4</p> <p>We recognise that if an approach is taken where individual elements of the two options are compared against each other that elements of the proposals at King Edward Memorial Park Foreshore may appear less suitable than the Heckford Street option. Our response to examples of this are set out below. However, when these considerations are compared to the cumulative effects of using two sites instead of one, we do not consider that these considerations outweigh our preference for King Edward Memorial Park Foreshore, especially when the long term benefits of using King Edward Memorial Park Foreshore mean that additional public space can be provided and enhanced public amenities can be provided.</p> <p>Taking individual considerations into account:</p> <ul style="list-style-type: none"> <li>• Heckford Street site does have an existing access from The Highway but access to the CSO site would also need to be provided for the site within King Edward Memorial Park. This would require the creation of an improved access off Glamis Road and a haul road across the King Edward Memorial Park, which is likely to necessitate the temporary re-location of the memorial. Access to King Edward Memorial Park would be close to a signalised junction, which increases the complexity to undertaking these works and operating the access while the haul road would also affect the existing pedestrian subway under the Highway. In comparison, the benefit of using the Heckford Street option is that it would have less effect on the Thames Path, which passes along the southern edge of the King Edward Memorial Park. However, as set out in our proposals for phase two consultation, we consider that it is possible to provide an arrangement which means access to the riverside is provided throughout the duration of the construction</li> </ul>	<p>Our February review sets out in detail the failure to make a clear comparison between the two options. It also identifies a lack of evidence to support the statement that KEMP foreshore Option is preferable with regard to townscape and visual impacts.</p> <p>This comment puts forward the cumulative effects of using two sites rather than one as a reason for preferring the KEMP Foreshore option. This has not previously been raised as a reason for preferring the KEMP Foreshore site with regard to townscape/ visual/ park users issues. As there is no assessment that considers the Heckford Street Option as a whole it is unclear at what point in the townscape/ visual/ park users assessment process the cumulative impacts were considered.</p> <p>It is not clear how this comment illustrates that the cumulative impact of having two sites results in greater impacts on townscape/ visual/ park users.</p> <p>The complexity or otherwise of the transport access options are not considered as part of the townscape/ visual/ park users assessment.</p> <p>This comment acknowledges that the Foreshore Option would have greater impacts on the Thames Path during the construction phase. Following construction enhancements to the Thames Path</p>



	<p>works. Diversions to the Thames Path would also be provided, where necessary. After construction is completed we would enhance the Thames Path route for pedestrians and cyclists because at present the route is a narrow and enclosed footway with poor public surveillance. Refer to <i>King Edward Memorial Park Foreshore site information paper for further details.</i></p> <ul style="list-style-type: none"> <li>• We recognise that our proposals at King Edward Memorial Park Foreshore would affect sports facilities within the park and on the River Thames. However, it should be noted that the Heckford Street option requires works to be undertaken within the park which would also affect recreational use of this space. For our preferred option, we continue to work with the respective organisations to ensure that the effects of our works are minimised.</li> <li>• Our assessment of likely significant environmental effects covers ten individual specialisms and when compared the two options have on balance similar overall effects. For example, the King Edward Memorial Park Foreshore site has greater effect on water ecology whereas the site at Heckford Street has greater noise effects particularly when 24 hour/day working would be required for construction of the connection tunnel. Therefore the environmental assessment does not help to distinguish between use of King Edward Memorial Park Foreshore and Heckford Street plus King Edward Memorial Park.</li> </ul>	<p>are proposed. The benefit of enhancements is one of the factors to be weighed against the loss of visual amenity to the path during the construction works.</p> <p>This comments acknowledges that whilst both schemes would affect recreational users the impact would be greater with the Foreshore Option.</p> <p>There is no acknowledgement in the assessments seen to date that the Foreshore Option will have greater impacts on townscape/ visual/ park users. Nor have I seen any suggestion that these greater impacts are outweighed by lesser impacts in other areas. The conclusion of Appendix S (Phase two Scheme development report) is that all disciplines agreed that the Foreshore site should remain the preferred site (page 339) and the Site Information Paper (page 6) claimed that the Heckford Option would cause more disruption to park users.</p>
<p>Impact of KEMP Foreshore Option on Wapping Wall Conservation Area.</p>	<p>Ref 24.6.27</p> <p>The site is located within the Wapping Wall Conservation Area and is in proximity to a number of listed structures, including the air shaft to the Rotherhithe Tunnel, the Shadwell Dock stairs on the southern fringe of the park, and several other listed structures in the wider area. The design proposals at this site have sought to enhance the setting of these heritage assets.</p> <p>We are undertaking a historic environment assessment, which will assess likely significant effects on the setting of these assets, as part of our environmental impact assessment. This will identify any likely significant effects during construction and together with any recommendations for mitigation.</p> <p>We will take into account all relevant policy and guidance in developing our proposals.</p> <p>Ref 24.5.61 to 24.5.63</p> <p>Although this park itself does not have a formal heritage designation the project has been designed to preserve and enhance the character and appearance of the conservation area, and to</p>	<p>A detailed assessment of the impact of the proposals on the setting of the Conservation Area and the other heritage assets will of course be required in the Environmental Statement. This comment does not appear to address the fact that within the assessments to date the Heckford Option was considered to be <b>less suitable</b> than the Foreshore Option with regard to impacts on the setting of heritage assets. It fact it is likely to have a greater adverse impact, in particular on the Conservation Area.</p>



	<p>complement the existing park features through creation of a new area of public realm and landscaping proposals that we would like to develop with the local community.</p> <p>An assessment of the likely significant effects on the historic environment is being completed as a part of our environmental impact assessment. We are consulting with English Heritage as part of this process. The findings of the assessment, together with any recommendations for mitigation, will be available as a part of the <i>Environmental Statement</i> that will be submitted with our DCO application.</p> <p>Our draft <i>CoCP</i> (provided at phase two consultation) indicates that works close to listed buildings would be undertaken in accordance with all required consents and licences and that protection measures, as required, would be put in place at the start of the works. We would also notify English Heritage and the local planning authority prior to undertaking works.</p>	
--	---	--

**Operation**

The land extension that would be required for the KEMP Foreshore Option legacy would be very visible from both the park and the residential developments to the north east of the site. The legacy would change the shape of the park and the Thames Path. Whilst it is accepted that there would be no level change with the park, the vent and kiosk structures may be more visible on the land extension than they would be with the Heckford Street Option.

The legacy of the KEMP Foreshore Option is very likely to be more visible than the Heckford Option and will also change the shape and possibly character of the park.

The aerial view in Figure 3E of the KEMP Foreshore Site Information Paper shows all the trees within the Park as mature trees. It is not clear which are newly planted and which are existing mature trees.

Trees on the foreshore extension will be particularly exposed and are likely to have some difficulties in establishing. These factors will have a significant impact on the eventual appearance of the foreshore extension, which will be very prominent in the riverscape. The images suggest that it will be a continuation of the ‘green oasis’ provided by the park but this may be hard to achieve.



Issue 10 – Townscape/Visual Impact/Heritage Impacts during Operation		
Summary of LBTH issue	Thames Water Response	Temple Comments on Adequacy of Thames Waters Response
Delineation on Figures between existing and newly planted trees.	Ref 24.6.57 We have sought to minimise tree loss and damage where possible. Details of the exact number of trees that are expected to be lost will be provided in the <i>Environmental statement</i> that will be submitted with our DCO application.	Any new photomontages or aerial views should also distinguish between existing mature trees and newly planted trees.
Concerns over ability of trees to establish themselves on foreshore extension.	We are aware of the objections to our preferred site in this location. However, based on our assessment we consider that, on balance, King Edward Memorial Park Foreshore is the most suitable site. This is because only one site is needed to intercept the CSO and connect to the main tunnel, which would also eliminate the cumulative effects of undertaking construction works at two sites at the same time and avoid direct impact on businesses. The smaller footprint in the River Thames would reduce the effect on aquatic ecology and river flows (and therefore navigation in the river) and opportunities to use the river to transport materials would be maintained. The majority of the site is situated in the foreshore. We have sought to minimise land take within the park as far as possible.  Although the core of the play area would be in place before construction works begin, it could be extended and integrated with additional play equipment suitable for older children and the activity zone after construction.  It is our intention to deliver a high quality project for the site.	If minimising the landtake with the park is a key issue then the Heckford Option takes significantly less.  All other comments with regard to enhancing play equipment are applicable to both options.

## vi) Recreation Impacts

### Construction

As for the landscape/townscape, visual impacts and heritage sections, the consideration of the alternatives relevant to impacts upon park users is confused and inconsistent. As a result the impacts of the Heckford Street option are not identified clearly and a direct comparison with the preferred option is not possible. **Indeed some of the assessment previously undertaken seems to have been misapplied and as a consequence unsubstantiated support for the preferred option has resulted.**



The Council would urge Thames Water to revise their assessments, taking into account the following:

1. Impacts upon park users – given that the Heckford Street option will involve significantly less loss of land during construction for a significantly shorter period, as well not affecting the valuable river frontage, it would appear that this option would have less impact upon park users than the KEMP Foreshore option. Please see section 9.6, pg's 45-46 of Appendix A, for further information as regards the apparent errors in assessment.

<b>Issue 11 – Impacts upon Park Users During Construction</b>		
<b>Summary of LBTH issue</b>	<b>Thames Water Response</b>	<b>Temple Comments on Adequacy of Thames Waters Response</b>
<p>Failure to compare the KEMP Foreshore Option with the full Heckford Street Option through site selection process.</p>	<p>No response to the specific queries raised by LBTH as regards the deficiencies in the assessment.</p> <p>Ref 24.5.136 to 24.5.155</p> <p>Our proposals for the preferred site at King Edward Memorial Park Foreshore would require use of approximately 25 per cent of the park during the construction phases, as illustrated at section two of the site information paper. Our works would include moving the existing children's playground to a new location within the park and the temporary loss of part of the multi-purpose sports area, which would be temporarily replaced where some of the tennis courts are currently located. We are looking at ways to minimise the use of the sports pitches in developing our design further. Much of the park would remain open during the construction.</p>	<p>None of the issues raised in the review with regard to the lack of comparison between the two options are addressed here.</p>
<p>Revision of assessment taking into account relative size of sites, timescales, and affect on valuable river frontage.</p>	<p>We have completed a preliminary assessment of the likely significant effects on the temporary loss of public open space, the amenity for park users and the SBOAC, as set out in our <i>PEIR</i> (volume 23, section 10). Our assessment recognises that there would be a loss of multi-sports pitches, grassed space and the pavilion and that the effects of the construction would affect park users. However, while the park would be affected by the temporary loss of some recreation facilities this would not negatively affect the opportunity to continue to use the park, as temporary replacement sports facilities would be provided and areas of open space retained.</p> <p>We note that there are other open spaces and sports facilities at Stepney Green Park and Wapping Gardens/John Orwell Sports Centre that could be used as alternatives, although we recognise that there are physical barriers that may affect ease of access to these facilities.</p> <p>We will continue to work with the LBTH and the community to design a temporary open space that meets the needs of the community and our works.</p> <p>We are considering further noise attenuation measures for the construction works in response to comments received.</p>	<p>There is no mention of comparative durations, nor any mention of the loss of the river front views. Impacts on park users appear to be focussed on uses of the sports facilities; sport facilities may be available elsewhere - there is no other nearby park with a river frontage.</p>



---

## **Operation**

The Council accepts that in legacy, the extension into the foreshore will provide 2000m<sup>2</sup> of additional space, however, a high quality of space in terms of amenity value may be had to achieve (please see comments in previous section).

## **3. Conclusion**

The Council's ability to comment upon the KEMP Foreshore site has been severely hampered by the absence of assessment work that has been presented for consultation, relevant to the determination of the preferred option.

From our analysis of the information provided for the Phase 2 Consultation, the Council would make the following deductions (taking into account the evidence provided within this consultation response):

- In engineering terms, both the KEMP Foreshore option and the Heckford Street option are feasible and construction costs would not be significantly different.
- In planning terms, the Council acknowledges that the use of the Heckford Street Business Park/Highway Business Park, would be contrary to the Council's policies regarding Local Industrial Areas, however, this would be temporary change in land use and the Council would ensure that an equal or greater amount of employment floorspace would be re-provided following completion of Thames Tunnel's works. The Council would also assist Thames Water in relocating temporarily displaced businesses, wherever feasible.
- In environmental and socio-economic terms, the Council would suggest:
  - Noise impacts related to the KEMP Foreshore option would be slightly more adverse than for the Heckford Street option, during construction. Impacts during operation are likely to be negligible for both options.
  - Air quality impacts related to the KEMP Foreshore option would be slightly better than for the Heckford Street option, during construction. Impacts during operation are likely to be negligible for both options.
  - Traffic congestion impacts related to the KEMP Foreshore option would be slightly better than for the Heckford Street option during construction, if barges were used as assumed in the KEMP Foreshore Site Information Paper. However there is no certainty that barges will be used, and if they are not, the KEMP Foreshore option will give rise to over twice as many HGV movements than the Heckford Street option (see Table 7.1 in Appendix A). Impacts during operation are likely to be negligible for both options.
  - Ecology impacts related to the KEMP Foreshore option would be slightly worse than for the Heckford Street option during construction. Impacts are likely to be negligible for both options during operation.





- Landscape/townscape and visual impacts related to the KEMP Foreshore option would be significantly worse than for the Heckford Street option during both construction and operation.
  - Heritage impacts related to the KEMP Foreshore option would be significantly worse than for the Heckford Street option during both construction and operation.
  - Impacts upon park users related to the KEMP Foreshore option would be significantly worse than for the Heckford Street option during both construction. Impacts upon park users during operation may be slightly beneficial (although views would still be adversely affected).
- In property terms, the Site Suitability Reports covering the relevant options stated that both work sites within KEMP were less suitable, whilst the Heckford Street site was assigned a suitable rating.

In conclusion, whilst Thames Water have chosen KEMP Foreshore option as their preferred option the Council asserts that they have not sufficiently demonstrated that this represents the better or preferable option when considered against the criteria set out within their site selection methodology.

For the reasons laid out within this consultation response, consider that the KEMP Foreshore would have a significantly more adverse impact upon the park than the Heckford Street option. The Council would emphasise the importance that is attributed to the park by the local community, and would urge Thames Water to take the views of the local community into account when assigning importance to this receptor.

<b>Issue 12 – Comparison of Planning Impacts</b>		
<b>Summary of LBTH issue</b>	<b>Thames Water Response</b>	<b>Temple Comments on Adequacy of Thames Waters Response</b>
Council assurance regarding Local Industrial Area policies and overall effect on employment provision	<p>No response given to LBTH's specific point.            Ref 24.3.26</p> <p>We believe that our assessments, which have been carried out in accordance with the <i>Site selection methodology paper</i>, are comprehensively explained in appendix S of the <i>Phase two scheme development report</i>.</p> <p>Based on our assessment we consider that, on balance, King Edward Memorial Park Foreshore is the most suitable site. Refer to our response to paragraph 24.3.19 for our reasons.</p> <p>For responses to the detailed points raised and more information on the results of the site selection process, refer to appendix S of the <i>Phase two scheme development report</i>.            Ref 24.3.28 – 2.4.3.29</p> <p>Our re-assessment of sites prior to phase two consultation and our review of phase two consultation comments does not support the use of Heckford Street as our preferred site. Heckford Street is less suitable than our preferred site because it would also require a site within King Edward Memorial Park</p>	N/A



<b>Issue 12 – Comparison of Planning Impacts</b>		
<b>Summary of LBTH issue</b>	<b>Thames Water Response</b>	<b>Temple Comments on Adequacy of Thames Waters Response</b>
	<p>as well as the site at Heckford Street. The additional tunnelling works would be likely to take longer, cause more disruption to both park users and the local community with 24-hour construction at Heckford Street for the connection tunnel, and put more traffic on local roads. The sites would result in the disruption and potential loss of some businesses in an area where the council's planning policy seeks to protect employment uses. The use of these sites would also result in greater effects on people living and working near this site in comparison to our preferred site as it would not be possible to utilise the River Thames to move materials. Furthermore the tunnels would pass below significantly more buildings and the connection tunnel would be at a much shallower depth.</p> <p>Ref 24.4.4</p> <ul style="list-style-type: none"> <li>- the disruption and potential loss of some businesses in an area where the Council's planning policies seek to protect employment uses as well as loss of recreational space in an area which is deficient in terms of provision of open space</li> <li>- our assessment has taken into account that existing jobs would be put at risk if the Heckford Street option was selected. We accept that it may be possible to re-locate the businesses that are located in the area but there is a risk that suitable locations may not be available. Use of King Edward Memorial Park Foreshore would not result in the loss of employment land or jobs.</li> </ul>	



---

**3) If you think an alternative site should be used to perform the function set out in the site information paper, please tell us which one and why?**

**Site:** KEMP and Heckford Street (identified as Site 2 within the KEMP Foreshore Site Information Paper).

**Please give reasons why:**

The Council's response to question 2 is set out under the following headings:

1. The Heckford Street option (Site 2)
  - i. Traffic and Transport
  - ii. Noise and vibration
  - iii. Air Quality
  - iv. Ecology
  - v. Landscape/townscape, visual impact
  - vi. Recreation
2. Settlement Issues
3. Employment Issues
4. Thames Water's approach to site selection
5. Conclusion

The Council also relies upon the references to the Heckford Street option contained in the answers given to question 2.

**1. The Heckford Street Option (Site 2)**

***i) Traffic and Transport***

The Heckford Street option would allow the possibility of HGVs entering and exiting the site in a forward direction by using left in / out onto The Highway which would be less disruptive to traffic on the TfL Road Network (TLRN) than the increased use of the Glamis Road signals (as under the



KEMP Foreshore option), which would increase delays to TLRN traffic (accepting there would still be some level of increased use of these signals with the Heckford Street option too).

The Heckford Street option also seems to have less impact on the Rotherhithe Tunnel air shaft and the current access to it, which is likely to be preferable in terms of regular maintenance and emergency access arrangements.

The Council considers that the Heckford Street option is likely to have only **slightly more adverse impacts** in terms of traffic congestion compared the KEMP Foreshore option and that this is dependent on the use of barges as set out within the KEMP Foreshore Site Information Paper. Please see the Council’s response as set out for question 2 of this consultation response.

The Council requests a breakdown of the trips by destination (main site and park-site), linked trips between the two and lorry versus other site vehicle numbers.

Issue 13 – Heckford Option – Traffic and Transport		
Summary of LBTH issue	Thames Water Response	Temple Comments on Adequacy of Thames Waters Response
Breakdown of trips by destination for Heckford Street Option	<p>No response to LBTH’s specific query received.            Ref 24.3.28</p> <p>Our re-assessment of sites prior to phase two consultation and our review of phase two consultation comments does not support the use of Heckford Street as our preferred site. Heckford Street is less suitable than our preferred site because it would also require a site within King Edward Memorial Park as well as the site at Heckford Street. The additional tunnelling works would be likely to take longer, cause more disruption to both park users and the local community with 24-hour construction at Heckford Street for the connection tunnel, and put more traffic on local roads.</p> <p>For a response to the detailed points raised and further details on the results of the site selection process, refer to appendix S of Phase two scheme development report.            Ref 24.3.31</p> <p>We consider that we have undertaken a thorough and comprehensive consultation exercise. As part of this, we carefully considered the information we made available at our phase two consultation to ensure that consultees had sufficient information to respond to the consultation. Details of our shortlisted sites are described and illustrated throughout the phase two consultation material, including the King Edward Memorial Park Foreshore site information paper, which provides an overview of the detail in appendix S of the Phase two scheme development report. We are confident, therefore, that the information we have provided is sufficient.</p>	<p>No new information has been provided – breakdown of trips by destination for the Heckford Street Option has still not been made available.</p> <p>Without this data, it is not possible to examine in any detail the likely impacts of the proposal on Highway and junction capacity. Temple’s previous comments still stand.</p>



### ***ii) Noise and Vibration***

The Council considers that the Heckford Street option is likely to have a **slightly less adverse** impact in terms of construction noise and vibration compared with the KEMP Foreshore option. Please see the Council's response as set out for question 2 of this consultation response.

### ***iii) Air Quality Impacts***

The Council considers that the Heckford Street option is likely to have a **slightly more adverse** impact in terms of air quality during construction compared with the KEMP Foreshore option. Please see the Council's response as set out for question 2 of this consultation response.

### ***iv) Ecology***

The Council considers that the Heckford Street option is likely to have a **slightly less adverse** impact in terms of construction noise and vibration compared with the KEMP Foreshore option. Please see the Council's response as set out for question 2 of this consultation response.

### ***v) Landscape/Townscape, Visual Impact and Heritage***

The park should be reinstated largely as it was before with the Heckford Street Option. A number of vents would be present, whilst the kiosk might be set back into the embankment wall at the back of the park. It is considered that this option, in legacy, is likely to lead to only limited impact upon townscape and local views within the park.

The legacy structures within the Heckford Business Park site should not have a significant impact upon townscape in the area (with the context being a business park). Any future redevelopment of the site will need to take these structures into account. The scale of structures will not have a significant impact upon views given the medium to high rise context of the area around the business park.

The Council considers that the Heckford Street option is likely to have a **significantly less adverse** impact in terms of landscape/townscape, visual impacts and heritage compared with the KEMP Foreshore option. Please see the Council's response as set out for question 2 of this consultation response.

### ***vi) Recreation***

The Council considers that the Heckford Street option is likely to have a **significantly less adverse** impact in terms of recreation (park users) compared with the KEMP Foreshore option. Please see the Council's response as set out for question 2 of this consultation response.



## 2. Settlement Issues

The Council acknowledges that the Heckford Street Option requires realignment of the main Tideway Tunnel to intercept the vertical drop shaft at the Heckford Street business park. The new alignment will require passing beneath the urban environment of the borough to a greater extent, and raises the issue of ground settlement and its impact on buildings.

The Council considers, however, that with the depth of the main Tideway Tunnel at ~70m below ground level and modern underground construction technology using tunnel boring machines, the amount and form of any settlement is likely to be limited, which in turn will reduce the risk of impact to surface structures.

There have been a number of major tunnelling projects beneath East London in the last 20 years including the Jubilee Line Extension and Channel Tunnel Rail Link. Following these and other projects, the amount of settlement and its impact on surface buildings is now better understood and accurate predictions can be made. Initial calculations made by Thames Water indicate that the impact of tunnelling between KEMP and Heckford will not be significant, and the impact of the main Tideway Tunnel on buildings within the Borough is likely to be minor.

<b>Issue 14 – Heckford Option – Amount of Settlement</b>		
<b>Summary of LBTH issue</b>	<b>Thames Water Response</b>	<b>Temple Comments on Adequacy of Thames Waters Response</b>
Settlement should not be an issue for either option.	<p>Fig 24.3.28</p> <p>Our re-assessment of sites prior to phase two consultation and our review of phase two consultation comments does not support the use of Heckford Street as our preferred site. Heckford Street is less suitable than our preferred site because it would also require a site within King Edward Memorial Park as well as the site at Heckford Street. The additional tunnelling works would be likely to take longer, cause more disruption to both park users and the local community with 24-hour construction at Heckford Street for the connection tunnel, and put more traffic on local roads. The sites would result in the disruption and potential loss of some businesses in an area where the council's planning policy seeks to protect employment uses. The use of these sites would also result in greater effects on people living and working near this site in comparison to our preferred site as it would not be possible to utilise the River Thames to move materials. Furthermore the tunnels would pass below significantly more buildings and the connection tunnel would be at a much shallower depth.</p> <p>The use of Shadwell Basin or Limehouse Basin was considered to be less suitable because it would be technically challenging to undertake the construction works within water basins. They are also further away from the CSO which means an additional site to intercept the CSO would be required in the park. Given the location and use of these basins, there would be major environmental and community effects associated with their use as a construction site.</p> <p>For a response to the detailed points raised and further</p>	N/A



<b>Issue 14 – Heckford Option – Amount of Settlement</b>		
<b>Summary of LBTH issue</b>	<b>Thames Water Response</b>	<b>Temple Comments on Adequacy of Thames Waters Response</b>
	details on the results of the site selection process, refer to appendix S of <i>Phase two scheme development report</i> .	

### **3. Employment Issues**

In terms of employment effects, the Heckford Street Option will lead to the displacement of businesses in the Heckford and Highway Business Parks. These businesses would need to be given assistance to relocate and the Council considers that actual job losses may be minimal.

Upon completion of the Thames Tunnel project, the same or more commercial / industrial floor space will need to be re-provided in line with Council policies on Local Industrial Areas. The employment impact would be temporary (approx 4 years).

### **4. Thames Water’s Approach to Site Selection**

The Site Information Paper for KEMP Foreshore (page 6, paragraph 3) suggests that the Heckford Street Site is less suitable than the preferred option due to the following reasons:

1. The combination of both sites would lead to a longer total works period.
2. Cause more disruption to both park users and the local community.
3. Put more traffic on local roads.
4. Disruption and potential loss of some business in an area where the local authority is seeking to protect employment uses.
5. Greater effects on people living and working near this site as it would not be possible to utilise the River Thames for movement of materials.
6. Tunnels would pass below significantly more buildings and the connection tunnel would be at a much shallower depth.

The lack of information presented with these conclusions raise a number of questions regarding the level of assessment carried out to define the conclusions. They also seem to conflict with a number of previous conclusions reached regarding the sites throughout the preceding site selection process.

1. The Phase 2 Consultation material does not indicate what the total works period for each option would actually be. The Council believes that it is Thames Water’s intention to operate both the smaller construction site within the northern area of the park might simultaneously with the main works in Heckford Street (email from Derek Arnold – Thames Water, 11/01/2012).



---

The key data summary sheet presented at the Glamis Estate consultation exhibition (23<sup>rd</sup> November 2011) indicated that the works in the park may take as little as 1.5 years, and if this occurred during the 3.5 year works period in Heckford Street, this would have significantly less impact upon park users than the KEMP Foreshore option.

2. The key data summary sheet presented at the Glamis Estate consultation exhibition (23<sup>rd</sup> November 2011) indicated that the Heckford Street option would involve a significantly smaller area of the park for less than half the time of the KEMP Foreshore option. In addition the KEMP Foreshore option would involve the temporary closure of football and tennis pitches and disruption of the Thames Path (Table 2.4, KEMP Foreshore Site Information Paper). Clearly, the assertion that the Heckford Street option would cause **more** disruption to park users is wrong.

As stated within *Site suitability report C29XB – King Edward Memorial Park*, the environmental impacts of a smaller site in the northern part of the park would be ‘overall suitable’. The less suitable elements, including air quality and noise impacts, could be mitigated<sup>2</sup>.

In addition, the *Site suitability report S024T and S025T – The Highway Trading Centre and Business Park, Heckford Street*, states that the environmental impacts of a larger site within Heckford Street would be ‘overall suitable’, again with air quality and noise impact being minimised through mitigation.

The point being that any disruption to the local community through environmental impacts has been considered by Thames Water as being manageable through appropriate mitigation, at previous points within the site selection process.

3. The Phase 2 Consultation material (including previous Site Suitability Reports) does not include any figures to substantiate this claim. The use of river transport could reduce HGV trips, however, the actual impact of each option on the existing road network has not been assessed. It may be that the Heckford Option, despite involving more vehicle movements, will not cause significantly more impact. The Council requires more clarity on the potential local traffic impacts of the Heckford Street option in order to make intelligent comment on this assertion.
4. The Council would seek relocation of businesses temporarily displaced through the Heckford Street option, within the Borough, and would attempt to assist Thames Water in this process in whatever way feasible. The Council would require a similar or greater amount of employment floorspace to be re-provided following completion of the works, and

---

<sup>2</sup> The full Heckford Street Option, combining a smaller interception site within the northern part of the park and a main drop shaft site within the Heckford St and Highway Business Parks, appears not to have been assessed.

It is acknowledged, however, that the small CSO site (northern area of park) within the park assessed within the *Site suitability report C29XB – King Edward Memorial Park*, may be broadly equivalent to the KEMP part of the option.





therefore the impact would be temporary. The redevelopment of the site would also raise the possibility that this employment floorspace could be enhanced when reinstated.

5. This seems to be a double counting of the local traffic impact. Please see our response to point 3.
6. The Council acknowledges that the Heckford Street Option requires realignment of the main Tideway Tunnel to intercept the vertical drop shaft at the Heckford Street business park. The new alignment will require passing beneath the urban environment of the borough to a greater extent, and raises the issue of ground settlement and its impact on buildings.

The Council considers, however, that with the depth of the main Tideway Tunnel at ~70m below ground level and modern underground construction technology using tunnel boring machines, the amount and form of any settlement is likely to be limited, which in turn will reduce the risk of impact to surface structures.

As regards the connection tunnel, it is considered that settlement impacts are still likely to be minimal and it is suggested that Thames Water should fully present their evidence behind this assertion. The route of this connection tunnel could perhaps be refined to run primarily under the Highway.

There have been a number of major tunnelling projects beneath East London in the last 20 years including the Jubilee Line Extension and Channel Tunnel Rail Link. Following these and other projects, the amount of settlement and its impact on surface buildings is now better understood and accurate predictions can be made.

<b>Issue 15 – Heckford Option – Site Selection Issues</b>		
<b>Summary of LBTH issue</b>	<b>Thames Water Response</b>	<b>Temple Comments on Adequacy of Thames Waters Response</b>
Potential misrepresentation of relative construction timescales.	No specific response received to these assertions. Ref 24.3.25 to 24.3.26 We believe that our assessments, which have been carried out in accordance with the Site selection methodology paper, are comprehensively explained in appendix S of the Phase two scheme development report.	N/A
Potential misrepresentation of relative impacts upon park users and local residents.	Based on our assessment we consider that, on balance, King Edward Memorial Park Foreshore is the most suitable site. Refer to our response to paragraph 24.3.19 for our reasons.	No further information provided. TW refer again to their Phase Two Scheme Development Report.
Potential misrepresentation of traffic impacts.	For responses to the detailed points raised and more information on the results of the site selection process, refer to appendix S of the Phase two scheme development report.	No further information provided. TW refer again to their Phase Two Scheme Development Report.
Double counting of traffic impacts.	Ref 24.3.29 We consider that we have justified our choice of preferred site and why other shortlisted sites are less suitable. Heckford Street is considered less suitable than King Edward Memorial Park	No further information provided. TW refer again to their Phase Two Scheme Development Report.



<b>Issue 15 – Heckford Option – Site Selection Issues</b>		
<b>Summary of LBTH issue</b>	<b>Thames Water Response</b>	<b>Temple Comments on Adequacy of Thames Waters Response</b>
	<p>Foreshore because it would also require a site within King Edward Memorial Park as well as the site at Heckford Street. The additional tunnelling works would be likely to take longer, cause more disruption to both park users and the local community with 24-hour construction at Heckford Street for the connection tunnel, and put more traffic on local roads. The sites would result in the disruption and potential loss of some businesses in an area where the council's planning policies seek to protect employment uses. The use of these sites would also result in greater effects on people living and working near this site in comparison to our preferred site as it would not be possible to utilise the River Thames to move materials. Furthermore the tunnels would pass below significantly more buildings and the connection tunnel would be at a much shallower depth.</p> <p>For a response to the detailed points raised, refer to appendix S of the <i>Phase two scheme development report</i>.</p> <p>Ref 24.3.40 – 24.3.41</p> <p>Our site selection process has had regard to possible likely significant effects on the local area and community, and the environmental impact assessment process will undertake further assessment and recommend any necessary mitigation measures.</p> <p>The environment and community assessments undertaken as part of site selection considered the number and nature of sensitive receptors as well as possible likely significant effects from traffic and construction works including noise, air quality and visual impact. We also considered likely significant effects on employment uses and possible conflict with planning policy seeking to protect local amenity. Accordingly, we consider that the scale of possible likely significant effects on the local area and community has been adequately considered.</p> <p>For further details on the results of the site selection process, refer to appendix S of the Phase two scheme development report.</p> <p>Ref 24.4.4            See Issue 3 for full text.</p>	<p>See Issue 3 for full response.</p>
Potential misrepresentation of settlement impacts.	<b>See Issue 14.</b>	N/A
Potential misrepresentation of impacts upon local employment	<b>See Issue 12.</b>	N/A



<b>Issue 15 – Heckford Option – Site Selection Issues</b>		
<b>Summary of LBTH issue</b>	<b>Thames Water Response</b>	<b>Temple Comments on Adequacy of Thames Waters Response</b>
floorspace.		

## 5. Conclusion

The Council considers that the reasons laid out by Thames Water to discount the Heckford Street Option (Site 2) within page 6 of the KEMP Foreshore Site Information Report, are flawed.

Whilst there may be some perceived impacts in terms of settlement from the revised tunnel alignments, experience within the Borough has shown that this is likely to be minor.

The Council understands that there will be temporary local employment impacts, but considers that these impacts can be mitigated throughout the construction period by the relocation of businesses within the borough, and that upon completion of the Thames Tunnel works, the employment space will be re-provided (or even increased).

The relative impacts of the Heckford Street option compared to the KEMP Foreshore option relating to transport and traffic, air quality, noise and vibration, landscape/townscape, visual impact and heritage assets and impacts upon park users, have been examined and laid out in our response to question 2 of this consultation.

In conclusion, the Council feels that the KEMP Foreshore would have a significantly larger adverse impact upon the park than the Heckford Street option. The Council would emphasise the importance that is attributed to the park by the local community, and would urge Thames Water to take the views of the local community into account when assigning importance to this receptor.

<b>Issue 16 – Heckford Option – Local Community Opinion</b>		
<b>Summary of LBTH issue</b>	<b>Thames Water Response</b>	<b>Temple Comments on Adequacy of Thames Waters Response</b>
Extent to which local community opinion taken into account	Ref 24.3.28 Our re-assessment of sites prior to phase two consultation and our review of phase two consultation comments does not support the use of Heckford Street as our preferred site. Heckford Street is less suitable than our preferred site because it would also require a site within King Edward Memorial Park as well as the site at Heckford Street. The additional tunnelling works would be likely to take longer, cause more disruption to both park users and the local community with 24-hour construction at Heckford Street for the connection tunnel, and put more traffic on local roads. The sites would result in the disruption and potential loss of some businesses in an area where the council's planning policy seeks to protect employment uses. The use of these sites would also result in greater effects on people living and working near this site in comparison to our	N/A



<b>Issue 16 – Heckford Option – Local Community Opinion</b>		
<b>Summary of LBTH issue</b>	<b>Thames Water Response</b>	<b>Temple Comments on Adequacy of Thames Waters Response</b>
	<p>preferred site as it would not be possible to utilise the River Thames to move materials. Furthermore the tunnels would pass below significantly more buildings and the connection tunnel would be at a much shallower depth.</p> <p>The use of Shadwell Basin or Limehouse Basin was considered to be less suitable because it would be technically challenging to undertake the construction works within water basins. They are also further away from the CSO which means an additional site to intercept the CSO would be required in the park. Given the location and use of these basins, there would be major environmental and community effects associated with their use as a construction site.</p> <p>For a response to the detailed points raised and further details on the results of the site selection process, refer to appendix S of <i>Phase two scheme development report</i>.</p>	

#### **4) Management of Construction Works**

- a) Do you agree that we have identified the right key issues in the site information paper?**
- b) Do you agree that we have identified the right way to address the key issues?**

The Council's response to question 4 is set out under the following headings:

1. Management of Construction Works - The KEMP Foreshore Option
  - i. Traffic and Transport
  - ii. Noise and Vibration
  - iii. Air Quality
  - iv. Ecology
  - v. Landscape/Townscape and Visual Impact
  - vi. Recreation
  - vii. Comments on the Thames Tunnel Draft Code of Construction Practice
2. Comments on the Thames Tunnel Draft Code of Construction Practice



3. Comments on environmental issues identified within the Preliminary Environmental Information Report (PEIR).

**1. Management of Construction Works – The KEMP Foreshore Option**

***i) Traffic and Transport***

No. The paucity of detail provided in this paper means it is not possible to determine the traffic impacts at the proposed site.

The baseline traffic surveys identified should provide a suitable basis on which to assess the impact of construction traffic. The lack of use of the survey data does however; make it difficult to determine the impacts of the alternatives in anything other than a general superficial way.

In relation to both options, further information on the site specific effects on the individual user groups of the Park and routes to it should be supplied (e.g. cyclists, mobility impaired, bus services and users), as at the moment Thames Water appears to place all users into a Pedestrian category.

Please see our response to question 2 within this consultation response for further details regarding the lack of information for this topic.

<b>Issue 17 – Traffic and Transport - Construction</b>		
<b>Summary of LBTH issue</b>	<b>Thames Water Response</b>	<b>Temple Comments on Adequacy of Thames Waters Response</b>
Lack of technical information means key issues cannot be determined.	<p>Ref 24.5.224</p> <p>As part of our <i>PEIR</i> (volume 23, section 12) we assessed the construction transport effects of the proposed development on pedestrian and cycle routes; bus and other public transport routes and patronage; parking; and highway layout, operation and capacity; as well as the effects on residential amenity. As part of the assessment we have considered the effects of lorry and barge transport, based on a methodology that has been discussed and agreed with the LBTH and Transport for London (TfL). The <i>PEIR</i> was available as part of our phase two consultation.</p> <p>We acknowledge that this is a preliminary assessment. We are preparing a full <i>Transport assessment</i> for submission as part of our DCO application. The <i>Transport assessment</i> will consider the cumulative effects of our works with other strategic developments in the local area, and what junction improvements may be necessary.</p> <p>Ref 24.5.246</p> <p>We carefully considered the information we made available at our phase two consultation to ensure that consultees had sufficient information to respond to the consultation. The information was based on our preliminary transport assessment which is still being developed and we will discuss the details further with TfL and the LBTH to ensure that any likely significant</p>	<p>There has been no further technical information provided to allow key issues to be determined.</p> <p>It is noted that TW has committed to providing this information via the full Transport Assessment by the time of the application.</p> <p>For the present time, there is insufficient information to respond on the traffic impacts at this site.</p>



<b>Issue 17 – Traffic and Transport - Construction</b>		
<b>Summary of LBTH issue</b>	<b>Thames Water Response</b>	<b>Temple Comments on Adequacy of Thames Waters Response</b>
	transport effects are identified in the <i>Environmental statement</i> to be submitted as part of our DCO application.	

### *Glamis Road*

LBTH considers that the construction of the KEMP Foreshore scheme would change the character, attractiveness and typical free-flow of traffic on Glamis Road particularly.

Although no information or modelling has been supplied as to the impacts on traffic flow, Thames Water score the impact on capacity as “negligible” (PEIR Volume 23, para. 12.5.60). The Council would suggest that the impacts from construction traffic are in fact likely to be significant on traffic flow and hence traffic from Council controlled side roads joining the Highway.

On-street parking in Glamis Road up to the point of access would most likely need to be suspended and the junction with The Highway widened and signalised, with traffic calming and a section of footway removed. This should be at the expense of the applicant. The Council understands that there has been some consultation with TfL on this matter, however, this will also need to be discussed and agreed with the Council’s Highways Design and Parking teams.

<b>Issue 18 – Traffic and Transport - Glamis Road</b>		
<b>Summary of LBTH issue</b>	<b>Thames Water Response</b>	<b>Temple Comments on Adequacy of Thames Waters Response</b>
Potential underestimation of impact upon Glamis Road.	No specific response to issue of underestimation of impact given.  Ref 24.5.236 We acknowledge that our proposed site access via Glamis Road would require the suspension of some on-street coach parking bays. Some on-street car parking would also be temporarily suspended during construction. We are currently considering possible alternative locations for replacement on-street parking and will work closely with the LBTH to review options and notify any affected parties.	No specific information is given to address the point of underestimation of traffic impact at Glamis Road. TW has provided some information on parking suspensions but this does not address the important issue of possible significant impacts from increased traffic flow along Glamis Road nor any further explanation of the score of ‘negligible’ impact in the PIER Volume 23 para 12.5.60.

### *Footpath from Glamis Road to Rotherhithe Tunnel Shaft*

The plans showing the future access across the Park to the completed machinery & shaft at the foreshore are not very detailed, however we discern that it will run parallel to the old route of the



Council maintained footpath from Glamis Road to the existing listed shaft in the park leading down to the Rotherhithe Tunnel.

Further discussions will be necessary prior to scheme consent, to agree the path's future status and management. It is suggested that the design and construction of the new access need not be to adoptable standards and should have the look and construction of a park road.

It is likely that, unless specific provision is made in any development consent order, an application to the Magistrates' Court for a stopping up or diversion of the highway under s.116(1) Highways Act 1980 will be applied for by the Local Authority once the proposed new parallel footpath/access for occasional maintenance has been agreed. In this case, the Council would seek funding for this procedure and for future maintenance of this path by Thames Water.

A wayleave for access will be needed and TfL should be consulted over their access requirements to maintain the existing shaft. Alternatively provision for stopping up could be made in any development consent order.

**ii) Noise and Vibration**

Yes. However, the successful mitigation of construction noise and dust impacts is based on the assumption that the control measures as outlined in the Construction Code of Practice and BS 5228 are employed without departure, for the duration of the construction works.

The concept of Best Practicable Means from the Control of Pollution Act 1974 is not limited to these measures and a commitment from the developer is needed that contractors will ensure all appropriate measures will be employed for the lifetime of the construction works.

This commitment could be by way of a condition or requirement within the Development Consent Order (DCO) for the project.

<b>Issue 19 – Noise and Vibration - Construction</b>		
<b>Summary of LBTH issue</b>	<b>Thames Water Response</b>	<b>Temple Comments on Adequacy of Thames Waters Response</b>
Commitment to BPM from developer.	No response received.	An inadequate response.

**iii) Air Quality**

Yes. However, the successful mitigation of construction dust is based on the assumption that the control measures as outlined in the London Councils and BRE's guidance is employed without departure for the duration of the construction works. Reassurance is needed that dust control measures will be suitably maintained for the lifetime of the construction works and that this is committed to by way of a condition or requirement within the Development Consent Order (DCO) for the project.



<b>Issue 20 – Air Quality - Construction</b>		
<b>Summary of LBTH issue</b>	<b>Thames Water Response</b>	<b>Temple Comments on Adequacy of Thames Waters Response</b>
Reassurance relevant to dust control measures.	Ref 24.5.40 We are continuing to develop our CoCP which will set out measures for control of dust and atmospheric emissions that appointed contractors would have to adhere to. We are undertaking this in consultation with local authority environmental health officers. The CoCP will be submitted as part of our DCO application.	The TW response is positive however this issue will require a watching brief throughout the application process. Dust control measures need to be suitably maintained for the lifetime of the construction works committed to by way of a condition or requirement within the DCO for the project. Ultimately a decision for the MIPU (Planning Inspectorate).

#### ***iv) Ecology***

Yes. KEMP has been identified as a Site of Local Importance for Nature Conservation in this year's review of SINCs. The revised plans for the construction site will reduce the adverse impacts on the park's biodiversity, avoiding the meadows in the east of the park which would have been lost under the original plans.

The northern limit of the worksite at the east end of the park should be kept as close to the river as possible, to try to avoid damage to the trees and scrub which are a locally important habitat.

There is mention within the documents to the loss of trees and clearly the more mature trees add visually to the treescape in a highly urbanised area and to the park in particular. Also there are a number of commemorative trees planted in the park and care must be taken to avoid their loss from the park.

#### ***v) Landscape/Townscape and Visual Impact***

On the whole the correct issues have been identified. However, there are a number of inconsistencies in the way these issues have been considered in relation to the various alternatives that undermine the assessment of impacts and consequently the validity of the selection of the preferred option.

Please see our response to question 2 within this consultation response for further details of these inconsistencies.

#### ***vi) Recreation***

On the whole the correct issues have been identified. However, there are a number of inconsistencies in the way these issues have been considered in relation to the various alternatives that undermine the assessment of impacts and consequently the validity of the selection of the preferred option.

Please see our response to question 2 within this consultation response for further details of these inconsistencies.





## 2. Comments on the Thames Tunnel Draft Code of Construction Practice

### *Chapter 2 – Compliance with the environmental statement and appropriate assessments.*

- Both 2.1.2 and 2.4.1 refer to both Thames Water and contractors employing ‘reasonably practicable means’. This introduces an element of ambiguity and we would expect to see ‘best practicable means’.

### *Chapter 6 – Noise and Vibration*

- This chapter seems to be lacking a noise insulation and temporary rehousing policy.
- The Council would point towards the Crossrail IP D9 document as an example (please find attached to this feedback).

### *Chapter 7 – Air Quality*

- The Council will require a 12 month monitoring baseline for dust.
- In the Council’s experience, passive monitoring has not proved useful, so we would encourage the use of real-time monitoring.
- In the event of contaminated spoil being present on site, we may require chemical compositional sampling.
- Section 7.2 - there seems to be no undertaking that there will be compliance with any applicable European Emission Standards.

### *Chapter 9 – Land Quality*

- Section 9.2.2 – a desktop examination of all historical records on the proposed site should precede the proposed monitoring exercise. The Council has borough specific historic information and a risk rating on various parcels of land as part of its site prioritisation exercise under Part 2A. This could be obtained from the Environmental Protection Team.
- Additionally, all remedial strategies should be agreed with the LA prior to implementation.

<b>Issue 21 – Code of Construction Practice</b>		
<b>Summary of LBTH issue</b>	<b>Thames Water Response</b>	<b>Temple Comments on Adequacy of Thames Waters Response</b>
Various LBTH requirements and preferences.	No specific responses received.	LBTH Environmental Health



### **3. Comments on environmental issues identified within the Preliminary Environmental Information Report (PEIR).**

Please refer to the Council document: '**Review of the Thames Tunnel Preliminary Environmental Information – Interim Review Report (December, 2010)**', included as Appendix B to this consultation response.

This document requests a number of clarifications in terms of the specific environmental topic methodologies to be utilised to assess environmental impacts and also key issues that have been identified at this stage.



**5) Section 3 of the site information paper sets out a number of site specific issues which have influenced our permanent design for this site.**

**Do you agree that we have identified the right issues?**

The Council is opposed to the selection of the KEMP Foreshore Option as the preferred site. As such, our comments on Thames Water's permanent design for this option and the issues that have influenced that design, are limited.

Please see our comments in response to question 6 within this consultation response document.



---

**6) Section 3 of the site information paper sets out our proposals for the permanent design and appearance of the site. Please give us your views.**

The Council's response to question 6 is set out under the following headings:

1. Design Issues

**1. Design Issues**

While various factors have influenced the design in landscape terms it is not evident from the images produced that the landscaping of the preferred option is entirely realistic.

It is unclear from the images in the Site Information Paper for the KEMP Foreshore scheme, which trees are existing and which are proposed and the images show a number of large mature trees on the proposed new area of the park. In such an exposed area it may prove difficult to establish such trees and as such the illustrative images may be considered misleading.

In addition there is a lack of sensitivity shown in the surface detailing around the base of the Rotherhithe ventilation shaft.

The whole area lies within the Wapping Wall Conservation Area, emerging proposals need to make specific reference to the whole historic environment around the park, particularly the London Docks and Wapping Wall to the west. Additionally reference needs to be made specifically to the Council's published Conservation Area Appraisal and Management Plan. This is published at the following web address: [http://www.towerhamlets.gov.uk/lgsi/501-550/511\\_conservation\\_areas/character\\_appraisals.aspx](http://www.towerhamlets.gov.uk/lgsi/501-550/511_conservation_areas/character_appraisals.aspx)

With regards to the new Thames wall, on the submitted renderings this appears to be a sheer concrete river wall. This may not be an acceptable design in terms of its impact on views of the park from the south across the Thames, intervisibility with Listed structures, and overall on the appearance of the riparian environment.

The proposals for the intervention/addition to the foreshore within the park need to respect the established character of the park with its late Edwardian Beaux Arts design and layout. The proposals as laid out require further design review and justification to ensure new work fits appropriately with the existing. The Council's conservation officers would currently question the appropriateness of surface finishes. The consultation document sets out that the 'reinstated areas of the park would be designed in consultation with the relevant stakeholders to ensure that the character of the conservation area is to be preserved and enhanced'. This approach would equally apply to the access route and gateway to Glamis Road and the ventilation columns.



*Improvements to Park*

If improvements were to be made to the park it would be possible to develop a playful landscape with natural play elements throughout the park together with an upgraded play area.

More could be made of the view of the Thames with improved surfacing and visually less intrusive railings.

There is potential for an outdoor gym that could be used by a variety of age groups and fitness levels. Similarly there could be investment in other sport surfaces including the Bowling Green, tennis courts and multi use games area. A relocated bandstand should have services within the bandstand and potentially a storage area for seats and access for people with disability.

There is the opportunity for significant public art, interpretation or other benefit to the area, relating to it's character or history as part of this scheme if implemented.

*Provision of Jetty*

The Council require consideration of provision of a jetty to improve availability of landings on the Tower Hamlets stretch of the Thames.

<b>Issue 22 – Design Issues</b>		
<b>Summary of LBTH issue</b>	<b>Thames Water Response</b>	<b>Temple Comments on Adequacy of Thames Waters Response</b>
Lack of clarity regarding tree planting.	<b>See Issue 10</b>	See Issue 10
Lack of sensitivity in design detail towards heritage character of the site.	<p>Ref 24.6.21            As explained in appendix S of our <i>Design development report</i>, a number of architectural design developments have taken place to ensure that the architectural design of the above-ground structures and the foreshore extension is sympathetic to the park. The new foreshore structure would extend the green area of the park as it will be designed to blend with the existing green space. We are continuing to develop our design proposals for this site in light of feedback to phase two consultation to achieve a high quality design that respects its context and provides a valuable addition to King Edward Memorial Park.</p> <p>24.6.27            The site is located within the Wapping Wall Conservation Area and is in proximity to a number of listed structures, including the air shaft to the Rotherhithe Tunnel, the Shadwell Dock stairs on the southern fringe of the park, and several other listed structures in the wider area. The design proposals at this site have sought to enhance the setting of these heritage assets.            We are undertaking a historic environment assessment, which will assess likely significant</p>	LBTH Conservation Officer (Mark Hutton)



<b>Issue 22 – Design Issues</b>		
<b>Summary of LBTH issue</b>	<b>Thames Water Response</b>	<b>Temple Comments on Adequacy of Thames Waters Response</b>
	<p>effects on the setting of these assets, as part of our environmental impact assessment. This will identify any likely significant effects during construction and together with any recommendations for mitigation.</p> <p>We will take into account all relevant policy and guidance in developing our proposals.</p>	
<p>Consideration of jetty provision.</p>	<p>Ref 24.6.81</p> <p>Your comments are noted and will be taken into consideration where possible in developing our proposals for this site.</p> <p>We note that our proposals make provision for the reinstatement of the park facilities.</p> <p>We note that we do not propose to use the river at this site and this would be a matter for discussion with the PLA. However the tidal range at this site (approximately 5m) and the height of the river wall at this location indicate that access to the river is unlikely to be feasible for safety reasons.</p>	<p>N/A</p> <p>Would suggest that clarification is needed from TW on this comment (i.e. what do they not intend to use the river for at this location?)</p>



## 7) Management of Operational Effects

- a) Do you agree that we have identified the right key issues in the site information paper?
- b) Do you agree that we have identified the right way to address the key issues?

The Council's response to question 7 is set out under the following headings:

1. Management of Operational Effects - The KEMP Foreshore Option
  - i. Traffic and Transport
  - ii. Noise and Vibration
  - iii. Air Quality (Odour)

### 1. Management of Operational Effects – The KEMP Foreshore Option

#### *i) Traffic and Transport*

Yes. The broad spread of issues has been adequately identified, however, the general tone of the statements are that Thames Water intends to make decisions on what is acceptable and economically viable for managing impacts for and by itself, or at least it will be the arbiter of management measures. The Council Highways is concerned that the Council and the community need to be involved in the decision-making processes and that Thames Water should follow the necessary operational consents/codes.

The Council requests that any development consent order include provision to replace or make good damage to the highway of Glamis Road caused by construction traffic and potentially the small footway leading from Glamis Road to the listed air shaft in KEMP.

<b>Issue 23 – Traffic and Transport - Operation</b>		
<b>Summary of LBTH issue</b>	<b>Thames Water Response</b>	<b>Temple Comments on Adequacy of Thames Waters Response</b>
Council and community need to be involved in decision making.	No response received.	No further information has been submitted. The Council's comment still stands.
DCO should include provision to make good damage to highway of Glamis Road	Ref 24.7.131 If a Development Consent Order is granted we anticipate a series of requirements (similar to planning conditions) that would control the development. We expect that the requirements would secure the provision of the mitigation measures set out in the	TW have responded to this issue stating that, if DCO is granted, it expects requirements (similar to planning conditions) to control the development and secure the provision of the mitigation measures set out in the forthcoming Environmental Statement (ES). It is important that the ES includes a mitigation



Issue 23 – Traffic and Transport - Operation		
Summary of LBTH issue	Thames Water Response	Temple Comments on Adequacy of Thames Waters Response
and small footway from Glamis Road to Rotherhithe Tunnel Air Shaft.	<i>Environmental statement</i> that will be submitted with the application.	measure to make good damage to the highway of Glamis Road and small footway from Glamis Road to Rotherhithe Tunnel Air Shaft.

**ii) Noise and Vibration**

Yes. However, the successful mitigation of operational noise and vibration from the ventilation shafts is based on the assumption that the noise mitigation measures installed during construction are sufficient and operate effectively for the duration of their operation.

Post-completion compliance noise testing, perhaps as part of the commissioning testing, would provide re-assurance that the appropriate noise control design targets have been met, whilst regular noise monitoring as part of the lifetime operation of the tunnel would enable any increase in noise due to “wear and tear” to be detected and resolved in a timely manner.

These issues could be addressed by way of a condition or requirement within the Development Consent Order (DCO) for the project.

Issue 24 – Noise and Vibration - Operation		
Summary of LBTH issue	Thames Water Response	Temple Comments on Adequacy of Thames Waters Response
Noise monitoring requests.	<p>Ref 24.7.71            Our <i>PEIR</i> (volume 23, section 9) sets out a preliminary assessment of the likely significant operational noise and vibration effects of the proposed project. No significant effects were identified, subject to appropriate noise control measures for equipment to ensure the targets in BS4142 are met. Therefore, we do not expect any effect on occupiers or users of adjacent or nearby properties, businesses or facilities, or on any sensitive structures or equipment. Our <i>Environmental statement</i>, which will be submitted with our DCO application, will provide a full assessment of likely significant noise and vibration effects.</p> <p>Ref 24.7.75            Our <i>PEIR</i> (volume 23, section 9) sets out an assessment of the likely significant operational noise and vibration effects of the proposed project. No significant effects were identified, subject to appropriate noise control measures for equipment to ensure the targets in BS4142 are met. Therefore, we do not expect any effect on occupiers or users of adjacent or nearby properties, businesses or facilities, or on any sensitive structures or equipment and therefore do not propose any noise monitoring when the site is operational.</p>	A disappointing response. No significant effects are expected because the scheme will be incorporate measures to meet specific noise target. Consequently it will be important that post construction and pre-commissioning into full time operation a compliance check is made to verify the appropriate noise target is being met. Similarly regular i.e. annual compliance monitoring and rapid response to any detected non-compliance would provide confidence that the noise target is being met. This is particularly important as TW will have a statutory authority defence against common law and statutory nuisance action if these targets are not met on commissioning or during the course of the life of the scheme the noise control measures lose effectiveness.





### **iii) Air Quality (Odour)**

Yes. However, the successful mitigation of odours from the ventilation shafts is based on the assumption that the odour control units are operating effectively for the duration of their operation. Explicit reassurance is needed that the carbon filter odour control units will be suitably maintained for the lifetime operation of the tunnel and that this is addressed by way of a condition or requirement within the Development Consent Order (DCO) for the project.

The following comments comprise the Council's observations and questions based upon the Odour project information paper presented as part of the Phase 2 Consultation information by Thames Water.

The project information paper states:

*'In our revised air management strategy, we have reduced the number of active ventilation buildings to three by making the facilities at each end of the tunnel more effective'.*

It is not clear what the effect of the reduction in active ventilation buildings is on the dynamics and quantity of air released, and on the remaining ventilation between the ends of the tunnel.

Also, what is the proof of "making the facilities at each end of the tunnel more effective". The Council would ask Thames Water for confirmation as to whether the modelling was repeated for the new configuration or whether some other assessment method was implemented.

The project information paper states:

*'As it is not practical or economic to design the fans and filters to treat all of the air in rare events, occasionally the air that needs to be released from the tunnels would be more than the treatment capacity. In these instances, excess air would bypass the fans and filters and exit untreated through the ventilation column'.*

It is not clear what the quantification of the "rare event" is, for example, how frequently will this happen, what is the amount of the untreated air released and what is the spatial distribution (concentrations) after release under typical meteorological conditions. The Council would ask Thames Water for confirmation as to whether the results obtained in the studies done before the consultations changed after the introduction of the revised structures.

The project information paper states:

*'The dampers open and air is pushed through the passive filters'.*

It is not clear if the release of the entrapped air would be a new source of increased noise which could propagate out of the ventilation building or whether this is not significant or localised and "dampened" inside the below ground structure.



<b>Issue 25 – Air Quality and Odour - Operation</b>		
<b>Summary of LBTH issue</b>	<b>Thames Water Response</b>	<b>Temple Comments on Adequacy of Thames Waters Response</b>
Reassurance that the carbon filter odour control units will be suitably maintained for the lifetime operation of the tunnel.	Ref 24.7.35 Your support is noted and welcomed.	Odour control measures need to be suitably maintained for the operational lifetime of the Tunnel committed to by way of a condition or requirement within the DCO for the project. Ultimately a decision for the MIPU.  TW response inadequate.
Clarify effect of the reduction in active ventilation buildings on the dynamics and quantity of air released, and on the remaining ventilation between the ends of the tunnel	Ref 24.7.32 Our preliminary assessment of the likely significant effects of odour associated with operation of the tunnel are set out in our <i>PEIR</i> (volume 23, section 4), which concludes that when the tunnel is operational no significant effects are predicted in relation to odour. The ventilation facilities would be arranged to minimise the release of untreated air from the tunnel system and for approximately 99 per cent of the average year, air released from the tunnel would be treated and would not have any odours. This arrangement meets the Environment Agency's odour criteria. When the tunnel is empty the ventilation system would be operated so as to maintain a pressure lower than atmospheric pressure which would prevent air from leaving the tunnel. This would be achieved by extracting air at specific active ventilation facilities which are currently proposed at our sites at Acton Storm Tanks, Carnwath Road Riverside, Greenwich Pumping Station and Abbey Mills Pumping Station where the air would be treated before being released through a high ventilation column. When the tunnel fills with wastewater the air path throughout the tunnel would gradually be lost and air would be displaced by the rising wastewater levels. This air would pass through passive filters where it would be treated before being released.	TW response inadequate.  The response does not address the issue raised.  There was an absence of detailed information in the public consultation documentation relating to the assessment of air quality and odour to enable an informed opinion on the assessment results.  No further information is forthcoming in the TW response.
Confirmation as to whether the modelling was repeated for the new configuration or whether some other assessment method was implemented.	Ref 24.7.32 Our preliminary assessment of the likely significant effects of odour associated with operation of the tunnel are set out in our <i>PEIR</i> (volume 23, section 4), which concludes that when the tunnel is operational no significant effects are predicted in relation to odour. The ventilation facilities would be arranged to minimise the release of untreated air from the tunnel system and for approximately 99 per cent of the average year, air released from the tunnel would be treated and would not have any odours. This arrangement meets the Environment Agency's odour criteria. When the tunnel is empty the ventilation system would be operated so as to maintain a pressure lower than atmospheric pressure which would prevent air from leaving the tunnel. This would be achieved by extracting air at specific active ventilation facilities which are currently proposed at our sites at Acton Storm Tanks, Carnwath Road Riverside, Greenwich Pumping Station and Abbey Mills Pumping Station where the air would be treated before being released through a high ventilation column. When the tunnel fills with wastewater the air path throughout the tunnel would gradually be lost and air would be displaced by the rising wastewater levels. This air would pass through passive filters where it would be treated before being released.	TW response inadequate.  The response does not address the issue raised.  There was an absence of detailed information in the public consultation documentation relating to the assessment of air quality and odour to enable an informed opinion on the assessment results.  No further information is forthcoming in the TW response.
Quantification of the "rare event", for example, how frequently will this happen? What is the amount of the untreated air released and what is the spatial distribution (concentrations) after release under typical	No responses specific to these issues received.  Ref 24.7.33 We consider that we have undertaken a thorough and comprehensive consultation exercise. We carefully considered the information we made available at our phase two consultation to ensure that consultees had sufficient information to respond to the consultation. We believe that sufficient information is available regarding the operation phase within the consultation documents such as our draft <i>CoCP</i> and <i>PEIR</i> (volume 23, section 4). Adjoining residential receptors have	TW response inadequate.  The response does not address the issue raised.  There was an absence of detailed information in the public consultation documentation relating to the assessment of air quality and odour to enable an informed opinion on the assessment results.



<b>Issue 25 – Air Quality and Odour - Operation</b>		
<b>Summary of LBTH issue</b>	<b>Thames Water Response</b>	<b>Temple Comments on Adequacy of Thames Waters Response</b>
meteorological conditions?	been considered as part of this work and it is noted that Bellamy's Court is on the opposite side of the river, some distance from the site, where negligible impact is expected. We are confident, therefore, that the information we have provided is sufficient.	No further information is forthcoming in the TW response.
The Council would ask Thames Water for confirmation as to whether the results obtained in the studies done before the consultations changed after the introduction of the revised structures.	We are undertaking an environmental impact assessment, which will include a comprehensive assessment of the likely significant effects arising from the proposals. The findings of the assessment, together with any recommendations for mitigation, will be available as a part of the <i>Environmental statement</i> that will be submitted with our DCO application.  Ref 24.7.71	TW response inadequate.  The response does not address the issue raised.  There was an absence of detailed information in the public consultation documentation relating to the assessment of air quality and odour to enable an informed opinion on the assessment results.  No further information is forthcoming in the TW response.
Clarify whether the release of the entrapped air would be a new source of increased noise which could propagate out of the ventilation building or whether this is not significant or localised and "dampened" inside the below ground structure.	Our <i>PEIR</i> (volume 23, section 9) sets out a preliminary assessment of the likely significant operational noise and vibration effects of the proposed project. No significant effects were identified, subject to appropriate noise control measures for equipment to ensure the targets in BS4142 are met. Therefore, we do not expect any effect on occupiers or users of adjacent or nearby properties, businesses or facilities, or on any sensitive structures or equipment. Our <i>Environmental statement</i> , which will be submitted with our DCO application, will provide a full assessment of likely significant noise and vibration effects.	TW response inadequate.  The response does not address the issue raised.  There was an absence of detailed information in the public consultation documentation relating to the assessment of air quality and odour (and noise in this case) to enable an informed opinion on the assessment results.  No further information is forthcoming in the TW response.



---

**8) If you have any comments about our proposals for Jews Row or Other works, please provide them below.**

No comment.

**9) Need for the project.**

See the Council's response to the Thames Tunnel Phase 1 Consultation.

**10) Tunnel solution.**

See the Council's response to the Thames Tunnel Phase 1 Consultation.

**11) Preferred route.**

See Council's response to the Thames Tunnel Phase 1 Consultation.

**12) Proposed alignment.**

Please see our response to questions 2 and 3 within this consultation response document.

**13. Have you previously taken part in consultation activities for this project?**

Yes

**14. If yes, did you fill in a feedback form, attend an exhibition or meeting where we were present to answer questions, or provide comments in another way?**

A Council officer attended an exhibition and spoke to a member of the Thames Water team.

A Council officer filled in feedback form.

A Council attended drop in sessions or other meeting between phase one and phase two consultations where a member of the Thames Water team was present.

**15. Have you attended an exhibition during this phase two consultation period?**

Yes, Wednesday 23 November, Glamis Hall.



---

## 16. Do you think you have been provided with enough information about the project and consultation material to enable you to comment?

No.

In order for the Council to provide Thames Water with a considered and intelligent response to its Phase Two consultation, it was imperative that Thames Water provided the information held by them on the Heckford option to the Council. The Council consistently requested this information in order to understand how the foreshore option was selected as the preferred option, as opposed to the Council and public's preferred Heckford option. This information was formally requested by letter to Thames Water on 23 November. The Council did not receive a response from Thames Water until 15<sup>th</sup> December 2011.

The adequacy of the information provided within this response is commented on within the earlier sections of this consultation response.

Further information was provided by Thames Water in a letter dated 24<sup>th</sup> January 2012, and received by the Council on 26<sup>th</sup> January 2012. Given the need to seek approval for the consultation response from the Council's Cabinet there has been insufficient time for the Council to consider the additional information provided. The fact that further information was provided so soon before the expiry of the consultation period is a further demonstration that the guidance set out in the DCLG Planning Act 2008: Guidance on pre-application consultation (September 2009) (see in particular paragraph 81) has not been followed by Thames Water in this case.

The Council considers that it has been unable to give an intelligent response to consultation, consistent with case law such as R v North East Devon Health Authority ex parte Coughlan and Aarhus Convention principles.

## 17. Do you have any other comments on the Thames Tunnel consultation process?

Yes.

The DCLG guidance document, '**Planning Act 2008: Guidance on pre-application consultation (2009)**', sets out the procedures for pre-application consultation on nationally significant infrastructure projects, as required by the Planning Act 2008. It states that 'Local authorities have considerable expertise in consulting local people...Local authorities will be able to draw on this expertise to provide advice to promoters as to the makeup of the community and how consultation should be undertaken...Promoters are required to have regard to the local authority's response to the promoter's consultation under section 47(2) of the Act'.

The document, '**Thames Tideway Tunnel Phase 2 Consultation Documentation Response**' (see Appendix C) sent to Thames Water on 14<sup>th</sup> July 2011, sets out the Council's response to Thames Water's call for comments on their Community Consultation Statement, Statement of Community Consultation and Site Selection Methodology. This response took into account the DCLG guidance on pre-application consultation.



---

The Council's response highlighted a number of specific requirements which needed to be actioned for the consultation to be successfully and inclusively carried out in this Borough. A number of these requirements were not adopted and as a consequence the Council considers that a fair, inclusive and robust consultation was not undertaken with the people of Tower Hamlets.

The following identifies the particular requirements which the Council outlined in order to properly consult with local people and the subsequent action that Thames Water took:

#### **a) Letter Drop**

**The Council's response to call for comments, 14 July 2011, stated:** A number of people local to King Edward's Memorial Park, and within the consultation boundary, commented that they had not received a letter. The delivery company used must identify where they have not been able to gain access to a building so that this can be addressed

**Thames Water Action:** At this stage, it is not clear how successful this element of the latest Phase 2 consultation has been.

#### **b) Exhibition Information**

**The Council's response to call for comments, 14 July 2011, stated:** Information presented at the drop in sessions should include reasons for why a particular site has not been chosen.

**Thames Water Action:** In the feedback received in response to the way in which Thames Water undertook the first round of consultation a number of respondents commented that 'Further information needed regarding possible alternative solutions to the tunnel, the route options and alternative sites (which include brownfield sites) including their pros and cons, costing methods, a cost-benefit analysis, individual environmental assessments, the site selection process and the criteria used. Presenting one "preferred" choice is not a consultation.'

A short list of key facts comparing the Heckford and Foreshore options was the only such information presented at exhibitions. This was not made available to the Council, online through the Thames Water website or in print. A draft version was provided to officers and Thames Water committed to providing a final version. Following repeated officer requests and a number of consultation drop-in sessions at which it was shown to the public, the Council were informed that this piece of consultation material would be withdrawn.

The Council does not regard this action as fulfilling this requirement nor does it respond to the consultation feedback. Presenting one preferred choice is not consultation. The information provided does not enable consultees to make an informed and intelligent response.

#### **c) Support**

**The Council's response to call for comments, 14 July 2011, stated:** Translation must be offered for the consultation materials



**Thames Water Action:** Very poor provision of translation was offered. A phone line is not adequate means through which to translate complex and very visually dependent consultation materials. In order to provide an intelligent response these materials must be offered in the reader's preferred language. There is no offer of translation on the feedback forms and the translation line is offered on the Site Information Paper, but only in English. Translation options were requested by respondents in response to Phase 1 consultation. This is not an inclusive approach in a Borough with a highly ethnically diverse population, with 110 languages spoken, and severely hinders the ability of someone who does not read English well to engage in the consultation process.

**The Council's response to call for comments, 14 July 2011, stated:** Interpretation should be offered at drop in sessions, and advertised as such. The two main community languages in Tower Hamlets are Bengali and Somali. It would be prudent to provide the letter for distribution in these languages also.

**Thames Water Action:** Neither of these requirements were acted upon. This is not an inclusive approach in a Borough with a highly ethnically diverse population, with 110 languages spoken, and severely hinders the ability of someone who does not speak English well to engage in the consultation process.

In addition to the above Thames Water did not make provision for the Council to review the consultation materials before they were made public. Requests were made on numerous occasions by Council officers at meetings with Thames Water, by phone and email. Providing this information would have allowed officers to understand what the people of Tower Hamlets would be consulted on before the consultation commenced and be able to comment on any amendments needed, with the local population in mind.

The Council was also not informed of additional materials distributed to local people and relied on a local campaign group's website to be kept informed. The communication from Thames Water on such issues was inadequate.

Taking into account the information presented above it is the Council's assertion that the consultation was not conducted appropriately and did not allow the Council and local people to provide a considered and intelligent response.

<b>Issue 26 – Adequacy of Consultation</b>		
<b>Summary of LBTH issue</b>	<b>Thames Water Response</b>	<b>Temple Comments on Adequacy of Thames Waters Response</b>
Inadequacy of information request response times by TW.	No specific response received.	N/A
Lack of information about alternatives presented at public exhibitions.	No specific response received.	N/A
Inadequate approach to provision of translation services	No specific response received.	N/A



# TEMPLE

**London Office:**

Tempus Wharf  
33A Bermondsey Wall West  
London SE16 4TQ  
T: 0207 394 3700  
F: 0207 394 7871

**Sussex Office:**

~~Sussex Office~~  
Perrymount House  
38-42 Perrymount Road  
Haywards Heath  
West Sussex RH16 3DN  
T: 020 7394 3701  
F: 01444 628 048

E: [enquiries@templegroup.co.uk](mailto:enquiries@templegroup.co.uk)  
W: [www.templegroup.co.uk](http://www.templegroup.co.uk)

*...intelligent strategy, responsible delivery*