

**Planning and Borough Development**

Kensington Town Hall, Hornton Street, LONDON, W8 7NX

**Executive Director Planning and Borough Development**

Mr Jonathan Bore

Clare Gibbons  
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My reference: **Response to Thames Tunnel  
Consultation - Phase One.**

Please ask for: Patricia Cuervo

21 December 2010

Please ask for: Jonathan Bore

Dear Ms Gibbons,  
Please see enclosed the response of the Royal Borough of Kensington and Chelsea.

**The Royal Borough of Kensington and Chelsea's response to the Thames Tunnel  
Consultation - Phase One.**

1.1 The Council recognises that whilst it may be desirable to reduce the occasional overflows of sewage into the Thames, we remain deeply uneasy about this scheme and the impact it will have. It is hugely expensive - £3.6 billion on current estimates - a cost borne directly by Londoners through their water bills adding £60 a year to each Thames Water bill and pushing many thousands into 'water poverty' as defined by the Consumer Council for Water. The opportunity cost of this project manifests itself in the delay or abandonment of other badly needed projects – this is simply unacceptable. Notwithstanding these concerns the Council supports and will facilitate the ongoing public consultation on this project and wish to actively engage with Thames Water on this consultation and the more site specific consultations that will come and to actively work with Thames Water to mitigate the construction works and external structures associated with the Thames Tunnel which will have a major impact on our residents.

1.2 In view of the fact that some of the Thames Water documents have already been subject to consultation (Community Consultation Strategy, and Statement of Community Consultation and Site Selection Methodology) the Royal Borough's response is focused on the Needs Report, the Infrastructure Planning Commission (IPC) process and the Shortlisted Sites: Chelsea Embankment Foreshore and Cremorne Wharf Foreshore.

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## **2. NEEDS REPORT**

- 2.1 As already stated, the Council is yet to be persuaded that the environmental harm caused by periodic outflows into the Thames justifies the enormous cost of the proposed Tunnel. Thames Water's recent announcement that it is abandoning badly needed mains renewal works in Kensington and Chelsea raises fundamental concerns that this project is simply siphoning money away from other projects, especially as Ofwat will be closely scrutinising the costs borne by the customer. It will inevitably make Thames Water question the value that other projects will bring - at best they will be delayed, at worst they will be abandoned. The Council reasserts that the replacement of the water mains under our streets should be considered a higher priority than the Tunnel, and offers Thames Water its support in lobbying Ofwat to approve the full resumption of the mains replacement programme.
- 2.2 The Royal Borough has suffered several instances of surface and sewer water flooding due to the lack of capacity in the Counters Creek sewer. The Council reasserts that the improvement works to the Counters Creek Sewer Alleviation Scheme should also be considered a higher priority than the Tunnel, and the Council will hold Thames Water to their commitment to continue those improvement works as planned and within the scheduled timetable. The Council welcomes the commitment by Thames Water to examine the synergy of this scheme with the Thames Tunnel to tackle the sewer flooding problem in the Borough. However, we look forward to seeing tangible results from this work, not just statements of good intent and we trust that such synergies that can be achieved will involve minimal disruption to our residents.

## **3. INFRASTRUCTURE PLANNING COMMISSION (IPC) PROCESS**

- 3.1 The Council opposes in principle the use of the IPC to determine the planning application relating to the Tunnel. This is because the Council simply does not accept this scheme meets the criteria to trigger IPC involvement. We note that Parliament did not include it in the IPC's remit, although the scheme was well advanced in design when the Act which created the IPC was passed. The Council believe that as it is Londoners who will have to foot the bill for this scheme through higher water bills, London's democratically elected planning committees should not be bypassed.
- 3.2 Notwithstanding this view it is a fact that the Government has decided that the IPC is the appropriate planning route, and therefore the Council will seek the closest possible engagement with Thames Water over the details of the design and planned implementation of the scheme before the submission of their planning application. The Council will follow the procedures of the IPC, ensuring that the Local Impact Report covers thoroughly the impacts of the project in the areas where the sites are located. We wish to be proactive with regard to this scheme and would expect any significant details, including any compulsory purchase arrangements, to be agreed up front, principally by statements of common ground, so that the project is essentially frontloaded. It would not be acceptable to leave sensitive details to be agreed as part of the Draft Development Order. We also wish to confirm that the Royal Borough will be the relevant authority to discharge Development Order conditions, engage in legal agreements and generally monitor the work. We understand this to be the case, but in view of the fact that the minister will be the determining authority, and the IPC will be the body that conducts the examination, it is of paramount importance that every detail of this project is agreed at the outset in so far as it affects the Royal Borough. The Council would welcome an active role in

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influencing the decisions that will be taken so that the effects of the Tunnel are mitigated as far as possible bearing in mind the external costs – costs of disruption, congestion and loss of amenity over a number of years.

#### **4. SHORTLISTED SITES**

4.1 There are two shortlisted sites within the Royal Borough for connection to the Thames Tunnel, Cremorne Wharf Foreshore and Chelsea Embankment Foreshore. These are examined in turn:

##### **Cremorne Wharf Foreshore**

4.2 Thames Water has proposed that construction traffic would enter and leave the site from Lots Road, using a temporary access road which would be constructed along the western edge of Cremorne Gardens. The Council will not agree to the use of Cremorne Gardens as a temporary access route to the proposed works on the Cremorne foreshore. The Gardens are an invaluable local asset and the Council will resist any attempt to use them in connection with the Thames Tunnel. On this basis another access route must be found. Although the Council has concerns regarding the proposed creation of a cofferdam on the foreshore in front of the Gardens, and the impact this may have, any suggestions to site the works and associated structures inland would be strongly resisted by the Council as this would have an unacceptable impact on existing infrastructure and the setting of listed buildings.

4.3 The area is extremely sensitive to additional lorry traffic. There are a number of uses in the area that generate significant lorry movements such as the waste transfer site, the Council's highway depot and the car pound. The auction houses and bus route on Lots Road (north) also lead to localised congestion given the relatively narrow carriageway widths. In addition, Cremorne Road and King's Road both carry significant volumes of traffic and this makes access on to them from Lots Road difficult during peak hours. There is a secondary school on Lots Road and the roads that come off Lots Road are of a predominantly residential nature. For these reasons the Council will resist significant additional lorry traffic to and from the scheme site and will expect the majority of freight to be moved via barge. The site access for essential traffic will need to be carefully located to ensure it does not impact negatively on road safety, traffic congestion and residential amenity. Thames Water will be expected to service their facilities using the River as far as possible and provide robust justification where this is not possible, including a Traffic Impact Analysis and hours of operation. The terms of the planning permission approved in 1992 should be noted as there may be resistance to further intensification from the parameters set at this time.

4.4 Cremorne Wharf is a safeguarded wharf and is also the Royal Borough's only licensed waste management site. These uses cannot be lost permanently without 'like for like' replacement. However, if Thames Water can persuade the Mayor of London that the temporary loss of Cremorne Wharf is acceptable without triggering the obligation to reprovide a wharf and waste management site, the Council will discuss with Thames Water the temporary use of the Wharf as a construction site with a view to minimising the disruption and nuisance likely to be experienced by residents in and near Lots Road. The Council will also seek from Thames Water appropriate compensatory provision during any such use for the temporary loss of its facilities at the Wharf.

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- 4.5 The Council urges Thames Water to consider offering residents in and near Lots Road some form of service provision or amenity to compensate them for the disruption they will suffer during the works and would welcome early discussions on how this could be realised.
- 4.6 The redevelopment of the Lots Road Power Station will see the Thames Path extended from the London Borough of Hammersmith and Fulham to the Royal Borough, terminating at Cremorne Wharf. There is then a gap until Cremorne Road although passive provision has been made at Chelsea Wharf. The permanent area of hard standing provides a unique opportunity to bridge Cremorne Wharf and connect to the path at Chelsea Wharf and on to Cremorne Gardens and Cremorne Road. This opportunity must be realised and the Council will oppose proposals that do not extend and connect the path.
- 4.7 Amenity considerations will have to be explored in some depth using the Code of Construction Practice. This will be especially important for noise and vibration from the project where there will be an expectation for it to be kept to a minimum and confined to normal working hours with a public contact number available when works are taking place in case of any concerns. In view of the fact that the site is in an Air Quality Management Area the Council will require works associated with the construction of the Thames Tunnel to be carried out in such a way that minimises the impact on air quality and mitigates exceedences of air pollutants.
- 4.8 In terms of built heritage and townscape, Lots Road Pumping Station is a Grade II Listed Building and these works may adversely affect its setting and impact on views to the river which forms its own conservation area. These issues should be considered carefully. Specifically, the amounts of encroachment into the river, the form of the extended area, and the design of the space and structures on it are all matters of concern. The design and future maintenance arrangements for the permanently reclaimed parts of the river must be of the highest standard and will need to be agreed with the Council. However, the Council would strongly oppose any recommendation from the Environment Agency to resite the works inland as this would have an even greater impact on the listed buildings, the waste transfer site, the Council's highway depot and the car pound.

### **Chelsea Embankment Foreshore**

- 4.9 Thames Water proposes to make connections to the northern low level sewer at three Combined Sewer Overflow (CSO) sites – Chelsea Embankment Foreshore, Victoria Embankment Foreshore and Blackfriars Bridge Foreshore. We understand that by making an additional connection to the low level sewer at these three locations Thames Water will not have to construct major works such as shafts, interception chambers or connecting tunnels for ten CSOs. The Council stresses the importance of ensuring that the reduction of the amount of work in other CSOs does not have a negative impact on the dimensions of the construction site and/or on the construction time itself. On this basis the Council will be looking for Thames Water to provide robust justification as to why the form and extent of works proposed for the Chelsea Embankment Foreshore is absolutely necessary and that there is no viable alternative to such proposed works.
- 4.10 The Council has serious reservations about the likely negative impact of the proposed lane closure on the Embankment upon the Borough's road network. The primary transport impact here will be the disruption caused by the partial closures of

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Chelsea Embankment for a period of up to nine months. This is likely to result in considerable congestion in the area as there are no alternative routes with capacity to accommodate diverted traffic. The routing of diverted traffic must be discussed at an early stage with the Council. Given the long length of the closures mitigation measures are likely to be necessary, such as amendments to signal timings and waiting and loading restrictions. The mitigation measures and proposed diversions should be informed by appropriate traffic modelling. The methodology and scope of the traffic modelling will need to be agreed by the Council. Amendments to Traffic Management Orders for changes to waiting and loading restrictions include statutory consultation and any objections must be assessed before decisions are made to make changes on-street. Sufficient time should be programmed in to cover these processes. The Council urges Thames Water to share its traffic modelling with the Council as soon as it is available so that the Council can seek to minimise the problems that will be caused.

- 4.11 The extent of the temporary road closures needs to be set out in the light of Thames Water's plant as statutory undertaker. The exact location and arrangement of this plant beneath the proposed site, and the need for diversions, may dramatically increase the area affected by closures. The impact on pedestrians and cyclists must be assessed and safe alternative routes set out. The Thames Path runs through the area affected by the proposed works and is a shared pedestrian / cyclists path at this location. The Council looks to Thames Water to include the construction of further components of the Thames Walkway as part of any developments along the foreshore.
- 4.12 The permanent location of any scheme-related equipment on the highway needs to be justified and ways of minimising the impact of such equipment, for example by sinking kiosks into the footway or locating it off the highway, must be fully investigated by Thames Water.
- 4.13 The majority of freight and spoil must be carried by barge to and from this site. Given the significant disruption to traffic caused by the works themselves, significant additional lorry movements will be unacceptable. All lorry traffic must be justified and an explanation given for why river transport is not feasible if this really is the case.
- 4.14 Moreover, it is paramount that the cumulative impacts of the construction of the shortlisted sites located nearby the Royal Borough's boundaries (i.e. Bridges Court Car Park and Tideway Walk, both in Wandsworth close to the Borough's west and east boundaries respectively) are minimised, reducing the impact on residents as far as possible. The Council must be consulted on the final Code of Construction Practice for nearby sites.
- 4.15 The Council has also serious reservations about the likely impact of the works to the Embankment foreshore upon the ecological and amenity value of Ranelagh Gardens and the Chelsea Embankment; the Council urges early and close consultation between its Ecology and Parks Services and Thames Water with a view to identifying the development options that are least harmful to the ecological and amenity value of the area before any planning application is submitted. The Council may seek compensatory works with regard to landscaping and would welcome early discussion of how a holistic scheme covering the full length of the Chelsea Embankment could be achieved. The design and future maintenance arrangements

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for the permanently reclaimed parts of the river will also need to be agreed with the Council and Transport for London (TfL).

4.16 Royal Hospital is a Grade I Listed Building, the gardens to the Royal Hospital and Ranelagh Gardens are both listed, the embankment wall is Grade II listed and these works will impact on its setting. The proposed Tunnel works, including those for Cremorne Gardens, are also largely within one of three conservation areas -Cheyne, Thames or Royal Hospital- where there is the obligation to ensure that any works preserve or enhance the character or appearance of the area. Furthermore Policy CL1 of the Core Strategy requires all development to respect the existing context, character, and appearance, taking opportunities available to improve the quality and character of buildings and the area and the way it functions, including being inclusive and accessible for all. Although the platform and associated ventilation works adjacent to Ranelagh Gardens would be some distance from the Royal Hospital they would lie between the Royal Hospital and the River and could therefore fall within the setting of these listed buildings/structures and have the potential to have an adverse effect on the character or appearance of the Royal Hospital Conservation Area and the Thames Conservation Area. Furthermore, a proposed kiosk located in Ranelagh Gardens could also impact on the setting of the listed buildings/structures and South Gardens. All of the above works may adversely affect the setting of the Royal Hospital and the listed Embankment wall, the character and appearance of the conservation areas and the setting of the Royal Hospital historic gardens, in addition to impacting on views to and from the river – the Tunnel structures and associated works therefore need to be considered very carefully.

4.17 Notwithstanding the above comments, the Council would strongly oppose any recommendation from the Environment Agency that the Tunnel works and associated structures should be sited inland as this would have an unacceptable impact on the setting of the Royal Hospital and associated historic gardens.

4.18 It seems inevitable that some of the London Plane trees on Chelsea Embankment will be affected due to construction and the use of heavy machinery. These works should be planned carefully. An Arboricultural Method Statement must be written and implemented and any impact should be mitigated. If any trees are lost as a result of the Tunnel works then these must be kept to a minimum and semi-mature replacements would be expected as a result. The Council's Arboricultural Officers would welcome early discussions with Thames Water on this subject including close liaison with TfL whose land is affected by the works.

## **5 ISSUES COMMON TO BOTH SITES**

5.1 The importance of the restoration of the land used and the foreshore is paramount to both sites. In view of the major disruption that will result there will be an expectation that the restoration will be to a better condition than the previous state, improving the community use of those areas, creating opportunities to provide valuable new public access to the river and the creation of new open space with public access. If designed creatively such works could improve views and appreciation of the river, enhance the riverside, the gardens and its surroundings and would take the opportunity to create biodiversity and make possible connections for the Thames Path. The Council will require further details on whether any part of the maintenance platforms will be secure compounds, the nature of the materials and the public realm maintenance regime.

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5.2 The Council expects Thames Water to achieve the very highest design standards and to give thought to how these can be achieved, possibly through the use of design competitions or rewarding architectural firms that can provide an imaginative approach to exemplary design. The use of high quality materials will be expected, such that any developments at Cremorne and the Embankment will enhance the appearance of the foreshore, and maximise public access to new open spaces. On this basis the Council seeks early and close consultation with Thames Water on the details of its proposed design solutions, including its modelling of the views to and from the Royal Hospital. The Council also expects Thames Water to design any structures on the foreshore in such a way that they minimise the risk of trapping unsightly flotsam on the foreshore when the tide is out. The ecological impact of the works on the River Thames itself should also not be overlooked.

5.3 The final design of the permanent structures on both sites should take into account the listed buildings and structures which exist and minimise any potential impact in their setting. This will be especially important for the setting of the Grade I listed Royal Hospital buildings and the potential impact on the grounds which are Gardens of Special Historic Interest. The design of any ventilation shafts and plant should be of the highest standard and preferably this should be subject of an architectural competition. The Council expects the Phase 2 consultation to include detailed plans which clearly show the design approach and take into account fully the after use of the sites and structures (gardens, planting, mitigation measures).

5.4 In terms of waste and materials transport the Council seeks a commitment from Thames Water that it will not remove any spoil by road from either the Cremorne foreshore or the Embankment foreshore sites. Moreover, the Council urges Thames Water to maximise the use of the river for bringing materials to the Cremorne and Embankment sites.

5.5 The Council takes for granted that all works associated with the project will be conducted in such a manner as to minimise all forms of nuisance and loss of amenity, whether by way of noise, odour, dust, air pollution, deposits on the highway, traffic (especially HGVs). As such the Council seeks detailed proposals from Thames Water that demonstrate its practical commitment to the control of all forms of nuisance and a robust justification as to how this has been minimised taking residential amenity and the potential damage to the environment into account.

5.6 Finally, in view of the fact that the Thames Tunnel is a major project with significant impacts on the Royal Borough, the Council will support and facilitate the ongoing public consultation with regard to the project. The Council will also engage actively with Thames Water on the issues regarding the Thames Tunnel, including the final production of the Code of Construction Practice and the Environmental Impact Assessment (EIA).

5.7 The Council reiterates that we will support and facilitate the ongoing public consultation on this project and wish to actively work with Thames Water to mitigate the negative impacts of the project.

Yours sincerely,

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