Examination in Public – Participant Responses
Matter 7

Responses from:

British Waterways
Thames Water
Transport for London (TfL)
Westminster Property Association
14 July 2010

Mr. R. Young  
Programme Officer  
Westminster City Council Core Strategy Examination  
11th Floor, Westminster City Hall  
64 Victoria Street  
London  
SW1E 6QP

Dear Mr. Young,

WESTMINSTER CORE STRATEGY - MATTER 7 HEARING

Thank you for the invitation to comment on the Main Issues for this Hearing session.

We have a further comment to make with regard to Item 20: *Is Policy CS36 likely to be effective, or is it too restrictive of new development and too protective of biodiversity interests?*

We feel that the justification that the proposed policy is consistent with the London Plan policy 4C.3 (to be superseded by policy 7.28 of the replacement London Plan) does not override our concerns. As part of our responsibility as owner and Navigation Authority of the Grand Union Canal, British Waterways is also charged with protecting biodiversity and are proud to have improved habitats and water quality across our network, which comprises Ramsar, Metropolitan Site of Importance for Nature Conservation and Sites of Special Scientific Interest. We therefore agree with the London Plan policy that development should not result in a *net loss* of biodiversity. However, we feel that the policy is rather restrictive in not supporting appropriate waterside development that is able to enhance biodiversity (through appropriate habitat enhancement measures such as green/brown roofs, timber fendering of the waterway wall and the installation of bird and bat boxes) at the same time as achieving other important social and economic aims and objectives that allow the waterways to contribute to a sustainable community.

We would be happy to take part in the Hearing session if the Inspector feels that this would be necessary to support our case.

Our Ref Westminster CS  
Your Ref 1075: British Waterways
Yours sincerely,

[Signature]

Claire McAlister  
Planner – London  
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Robert Young
Programme Officer
Westminster City Council Core Strategy Examination
11th Floor, Westminster City Hall
64 Victoria Street
London
SW1E 6QP

9 July 2010

Dear Robert

Re: Westminster Core Strategy EIP

Please find attached Thames Waters Examination Statement for the Core Strategy EIP.

Respondent Number – 1271

We trust the above is satisfactory, but please do not hesitate to contact me if you have any further queries.

Yours Faithfully

Carmelle Bell
Planning Administrator
Thames Water Property Services.
Further Statement expanding upon previous representation in respect of Policy CS44

Westminster Core Strategy
1. Introduction

1.1 Thames Water has been requested by the UK Government to “proceed urgently with the development and implementation”\(^1\) of a scheme that includes the Thames Tunnel. This is a major infrastructure project that will convey sewage that currently flows into the Thames from combined sewer overflows around 50 times a year, eastward for treatment at Beckton Sewage Treatment Works. The volume of these spills is currently estimated at 39 million cubic metres in a typical year. The route of the tunnel will mainly follow that of the Thames. Therefore it is likely that the Thames Tunnel will pass under land within the City of Westminster. Full details of the project can be found in the Government’s March 2007 Regulatory Impact Assessment (RIA)\(^2\).

1.2 At all stages in the process of preparing the Westminster Core Strategy, Thames Water has sought to persuade the Council to include, within the strategy, policy support for the project. The Project is of national importance\(^3\) supported by policies in the existing London Plan (CS/REG/08) and draft replacement London Plan. This can be seen in our representations on the proposed submission document. In our view, the document as consulted upon was unsound, but one of the proposed changes introduced into the proposed submission version overcomes the concerns in respect of soundness and we support that change. Nevertheless, we feel that the document would be more coherent if further changes were made.

1.3 In the interests of clarity it should be recognised that the Thames Tideway Tunnels consists of two tunnels; the Lee Tunnel and the Thames Tunnel. The Lee Tunnel will be constructed entirely within the London Borough of Newham. The Lee Tunnel already has planning permission and works are underway. This representation therefore deals with the Thames Tunnel only. The Thames Tunnel would be constructed between a location in the west of

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\(^1\) See paragraph 11.7 page 53 Defra RIA March 2007
\(^2\) We supplied digital and paper copies of this document and have requested a core document number but have not received one yet.
\(^3\) See Hansard 1 March 2010 Column 93WS – Appendix B
London and the London Borough of Newham, connecting to Combined Sewer Overflows along its route.

2. Drivers for the Thames Tunnel

2.1 The Urban Waste Water Treatment Directive (UWWTD) (91/271/EEC) seeks to protect the environment from the adverse effects of waste water discharges. The directive indicates that pollution from storm water overflows should be limited. The European Commission believes that the UK is in breach of its obligations and has indicated that it is to commence infraction proceedings against the UK Government in respect of the London network in the European Court of Justice. A press release is attached at appendix A. Infraction proceedings could lead to fines against the UK Government consisting of a lump sum and daily payments. These are set at a level at which it is uneconomic not to comply with the directive. It is therefore in the national interest that the issue is resolved, and as set out in the RIA all relevant UK regulators agree that the Thames Tunnel and Lee Tunnel will lead to compliance with the directive.

2.2 The Thames Tunnel and Lee Tunnel also have benefits in terms of the Water Framework Directive in leading to improvements in water quality and the achievement of good status in water bodies by 2027. The Thames River Basin Management Plan (2009) identifies on page 79:

“Improvements to the sewage treatment works along the tidal River Thames and the construction of the London Tideway Tunnels are planned to be delivered by Thames Water over the next two river basin cycles. These major projects represent the primary measures to address point source pollution from the sewerage system and are fundamental to the achievement of good status in this catchment.”

Regulation 17 of the Water Environment (Water Framework Directive) (England and Wales) Regulations 2003 states that each public body must have regard to River Basin Management Plans and supplementary plans, so it is odd that this document is missing from the evidence base.

2.3 It is important to good infrastructure planning that the Thames Tunnel, as a primary measure which is fundamental to achieving good status within the Estuaries and Coastal Waters Catchment, is accorded full support within the Core Strategy.
3. **Policy Support.**

3.1 The national policy on water, *Future Water* was published by Defra in 2008 and it states on page 50 paragraph 17:

> “The Thames Tideway scheme, consisting of large scale infrastructure improvements to London’s combined sewer system and treatment works, will address pollution from sewage, which affects the tidal river Thames and the river Lee. It is expected to be completed by 2020, and will make significant improvements to water quality and the natural environment in London, where there are currently between 50 and 60 overflows per year. The National Policy Statement on water and wastewater treatment infrastructure will include major infrastructure projects such as the Thames Tideway scheme.”

We are surprised that the national policy on water is not within the Council's evidence base.

3.2 Furthermore on 1 March 2010 the then Minister at Defra made a statement to Parliament on the Thames Tunnel. A copy is attached at Appendix B. The this statement stresses that the tunnel is of national significance repeats that the Thames Tunnel will feature in the Waste Water NPS.

3.3 We believe that a draft NPS will be published this year, possibly before the Inspector reports on this Core Strategy, that it will include reference to the Thames Tunnel, and thus the Core Strategy will need to have regard to it.

3.4 However, we do not need to wait until the draft NPS is published to look for strategic policy support for the project. The Thames Tunnel has clear policy support in both the approved London Plan and the draft replacement London Plan (currently the subject of an EiP).

3.5 The approved London Plan (CS/REG/08) states at Policy 4A.17, in part,

> “In particular the mayor will, and the boroughs should, support the implementation of the Thames Tideway Sewer Tunnel project and associated infrastructure…”

3.6 Paragraph 4.52 of the approved London Plan correctly sets out the context for the Thames Tunnel. It concludes:

> “The mayor supports the timely implementation of the project, which is expected to take up to 2020. Boroughs will need to resolve local matters, for
example, design, construction, traffic management, remediation and mitigation. The project directly affects some 12 London boroughs. The principle of the project is strategically important to delivering a more sustainable London”.

3.7 The draft replacement London Plan is structured in a different way and includes specific advice on the content of LDF’s. Policy 5.14 of the draft replacement London Plan indicates in the “planning decisions” section:

“The development of the Thames Tideway Sewer Tunnels to address London’s combined sewer overflows should be supported in principle.”

And under the heading “LDF Preparation” it states

“Within LDFs boroughs should identify sewerage infrastructure requirements and relevant (sic) boroughs should support in principle the Thames Tideway Sewer Tunnels.”

As the draft replacement London Plan does not appear to be on the Core Document list an extract is attached at Appendix C.

3.8 It is noted that in their representations on the Core Strategy the Government Office for London (GOL) commented under the heading “Consistent with National Policy”:

“Flooding: Regarding policy CS44 on Flood-Related Infrastructure, Westminster should have regard to DEFRA’s Water Strategy for England (February 2008), which sets out Government support for the construction of the Thames Tideway Tunnel to limit pollution from sewer overflows. This was preceded by a Ministerial Statement by Ian Pearson, Minister for Climate Change and the Environment on 22 March 2007 on the decision to take the project forward. The Core Strategy should therefore include policy to support the principle of the project, making specific reference to the Thames Tideway Tunnel.”

This text can be found in the Core Strategy submission draft consultation statement (CS/CS/07) on pages 167-168 (.pdf version).

3.9 Similarly in their representations the GLA stated:

*The failure to refer to the Thames Tideway Sewer is a major strategic omission in the Core Strategy. The Government announced the go ahead of this project in March 2007 and its implementation is referred to in London Plan policy 4A.18*

This text can be found in the Core Strategy submission draft consultation statement (CS/CS/07) on pages 153 (.pdf version).

4.1 The City of Westminster is a lead Member of Central London Forward (CLF) which lobbies for central London Councils, and as a group they commissioned a report from URS to examine their joint infrastructure requirements. This is known as the Central London Infrastructure Study (July 2009) and has been used by many of the contributing Councils to inform their Core Strategies. As set out in our representations it contains support for the Thames Tunnel. In the case of Westminster, a further study was commissioned and that is the Westminster Infrastructure Plan: Technical Assessment 2006-2026 (CS/EB/67).

4.2 This technical assessment refers to the Thames Water’s plans for sewers and sewerage on pages 66-74, with a number of references to the Thames Tunnel, particularly on page 68. Although the document is generally factually correct on page 68 there are statements that “the project will also help to alleviate some of the flood risk due to sewers and surface water”, and “The Tideway Tunnel project is also intended to address surface water flooding.” These statements are not correct. The primary objective of the Thames Tunnel is to collect the storm sewage that is currently discharged direct to the river. There will be limited, local circumstances where there may be immediate benefit, but for the vast majority, additional infrastructure/sewerage will be needed if sewer flooding is to be alleviated. The advantage of the tunnel is that any additional infrastructure will have an acceptable discharge route.

4.3 The technical assessment refers to the Thames Tunnel in a number of places in its recommendations. On page 195 under the heading “infrastructure priorities” it states:

“Sewage and flood repair works are also key priorities. Works are required to bring existing infrastructure up to standard as well as to prepare for increased pressure associated with population and commercial growth. Identified requirements include new and refurbished sewage pumping stations; the investigation and repair of the flood defence wall at Millbank; and the Thames Tideway scheme”.
On page 209 in a table on recommendations for hard infrastructure the given action is:

“help ensure delivery of Thames Tideway Scheme”.

This is then reflected in the overall summary of the report at paragraph 20 on page 10 which states under the heading “critical priority infrastructure items”:

“Flood mitigation, including flood defence investigation and repair of the flood defence wall at Millbank, and the Thames Tideway scheme.”

4.4 It can thus be seen that although the vast majority of the information in the URS document is correct, and directs the Council to support the construction of the Thames Tunnel, the presentation of the evidence begins to conflate the Thames Tunnel (which it usually refers to as the Thames Tideway scheme) with flooding and flood defence issues. As we set out below, this error is then carried through into the text of the proposed submission document.

4.5 The City of Westminster consulted on a draft Flood Risk Assessment in late 2009 (CS/EB/60). There is detailed information in this document on the Thames Tunnel on pages 33-34. We note in particular that the document refers at paragraph 4.46 to the Thames Tunnel as vital to minimising pollution from combined sewer overflows. We attach our comments on the document at Appendix D.

4.6 The Core Strategy Publication Draft (CS/CS/02) on which our representation is based refers to the Thames Tunnel on pages 131-132 at paragraphs 5.83-5.85 in a section on “Flood Related Infrastructure” which supports Policy CS44. The photograph adjacent to this text is of one of our river based rigs which are taking core samples so that we have detailed knowledge of the likely ground conditions we will face when building the tunnel.

4.7 As set out in our representation we felt that this text leads to an unsound plan because it did not make it clear that the City of Westminster supported the project. As such the document was unsound as it was inconsistent with national policy and also was not in accordance with its own evidence base – eg London Plan, Infrastructure Plan and draft Flood Risk Assessment.
4.8 However the Council have responded positively to our representation by making a change to the Submission Version (CS/CS/1). These changes are identified in appendix 12 of the document “Submission Draft Consultation Document Regulation 30(1) (d) & (e) (CC/CS/6). These changes are not numbered but there are 3 relevant changes that span pages 11 and 12 of the appendix.

4.9 The first change proposes additional text at the end of paragraph 5.83 to make it clear that the skimmers employed on the Thames do not overcome the problem of compliance with the UWWTD as requested in our representation. The second change at the top of page 12 indicates that Westminster Council supports the Thames Tunnel (subject to their detail and assessment of impacts). The third change adds “related infrastructure” to the wording of policy CS44 such that it refers to “flood related infrastructure”.

4.10 We support the first two changes, the second in particular overcomes our previously expressed concerns. We suggest that the third is not carried forward.

5. Consideration of the Inspectors Question

5.1 Question 15 in matter 7 goes directly to the issues that we had with the Publication draft of the Core Strategy. The Inspector asks:

“Westminster Infrastructure Plan [CS/EB/67] refers to the problems for sewerage infrastructure (Page 66 onwards), and the Thames Tideway project. The Thames Tideway Tunnel is to be taken forward (London Plan Policy 4A.17). Has the CS taken sufficient account of the forecasts for and provision of sewerage infrastructure? Is Policy CS29 too focussed on fluvial flooding, and does Policy CS44/ para 5.85 need updating on the Tunnel?”

5.2 As identified above, the London Plan indicates that Boroughs should support the Thames Tunnel project. We look for this support to be clearly and explicitly made. Ideally we would expect this to be reflected within the wording of a policy. Other Core Strategies that have recently gone through the planning process do this. The Wandsworth Core Strategy has been found to be sound and is expected to be adopted in the autumn. Policy IS6 states (in part) “The Council will work with Thames Water to support the timely
implementation of the Thames Tideway Sewer Tunnel project, including the connection of the combined sewer overflows in the borough.” The Inspector’s report recommends no changes to this text. Tower Hamlets Core Strategy has been the subject of an examination in April 2010 and the Inspectors report is now awaited. Policy SP04 states (in part) that the Council will achieve its vision by “Supporting the development of the Thames Tunnel and associated storm relief connections by working closely with Thames Water to facilitate its implementation.” Extracts from both plans can be found at Appendix E.

5.3 Crucially, in our view, both these boroughs are able to express support for the principle of the Thames Tunnel within policy, in accordance with Policy 4A.17 of the adopted London Plan. In our view both these approaches are in general conformity with the wording and spirit of the existing London Plan by translating the strategic support into local support. Furthermore it would be a failure of strategic planning if consistency were not achieved across the potentially affected London Councils. However, we accept that the adopted London Plan does not refer explicitly to policy support and hence, until the emerging London Plan is adopted we will be satisfied with general expressions of support. Accordingly, the second change proposed to the Council and introduced into the Submission Core Strategy that commits the Council to supporting the Thames Tunnel overcomes our original objection that the Core Strategy is unsound because it is consistent with its evidence base and in accordance with national policy.

5.4 Whilst the existing London Plan is not explicit in explaining how the project should be supported, the draft replacement is, stating that the principle should be supported within LDF’s. We would expect the proposed policy to be retained in the final version and it would be odd if a new Core Strategy were not in general conformity with the new London Plan. The Inspector therefore has the option to recommend that the Westminster Core Strategy be brought into line with the emerging London Plan.

5.5 We continue to have some concerns about the way in which the Thames Tunnel is referenced, and we believe that this flows from the URS document, which whilst originally correctly dealing with the project then moves on to increasingly link it with flooding, which is not accurate. In response to the
Inspector’s question we propose in section 6 below some re-ordering of this part of the document that could overcome such confusion.

6. Proposed Changes

6.1 Although we feel that the changes made in the submission version of the plan mean that the Plan is now sound the way in which the Thames Tunnel is linked in with flood related infrastructure is confusing and we would propose the following changes:

1) Rename the heading before paragraph 5.82 “Flood Related Infrastructure”
2) Move up CS44 and the reasoned justification to follow paragraph 5.82.
3) Introduce a new heading “Thames Tunnel” below CS44 and then use paragraphs 5.83-5.85 and the photograph to set the context for a new policy. A minor drafting point could be to remove “after the Olympics” from paragraph 5.85.
4) Policy CS45 to read “We will work with Thames Water to support the timely implementation of the Thames Tunnel project, including the connection of the combined sewer overflows in the City”
5) The original definition of flood related infrastructure could then be reinstated.

6.2 These changes should be self-explanatory from the previous sections and with the exception of the new policy only move text around. The only new concept is the possible deletion of the reference to the Olympics. The Lee Tunnel is close to the Olympic Park and within the Olympic Delivery Authority area, and that will be under construction throughout 2012. It seems odd for the construction of the Thames Tunnel to be held up whilst the Lee tunnel is under construction.

7 Summary and Conclusions

- National policy and Mayor’s Plan support the Thames Tunnel and in the latter case requires relevant local authorities to express their support.
- The Proposed Submission Core Strategy did not express clear support for the Thames Tunnel, but the Submission version does and this makes the plan sound, especially when judged against the existing London Plan.
The Submission version of the core strategy includes appropriate wording, but is still confusing and potentially misleading and could be considered to be contrary to the emerging London Plan. We therefore propose possible improvements.
APPENDIX A

Press Release from European Commission
8 October 2009
Environment: Commission takes UK to Court over waste water collection systems

The European Commission has decided to take the United Kingdom to the European Court of Justice on the grounds that urban waste water collecting systems and treatment facilities in London and Whitburn in north east England do not comply with EU legislation.

European Environment Commissioner Stavros Dimas said: "More attention needs to be paid to upgrading collecting systems to ensure full compliance with EU legislation on waste water treatment. Such investment will bring enormous benefits in terms of improving the quality of the environment."

The Commission is taking action because it considers that the waste water collecting systems in London and Whitburn are being allowed to spill untreated waste waters from storm water overflows (known as 'combined sewer overflows' in the UK) too frequently and in excessive quantities. The Commission is also concerned that treatment capacity for the waste waters collected in London is in need of improvement. These shortcomings represent an infringement of the 1991 EU directive on urban waste water treatment.

The directive required Member States to put in place adequate waste water collecting systems and treatment facilities for large towns and cities by the end of 2000. The waste waters collected are required to undergo appropriate treatment before they are released. The directive provides that collecting systems and treatment plants may be allowed to spill waste water in certain situations such as emergency shutdowns or unusually heavy rainfall, but the spills being authorised in these two cases are excessive and go beyond what the legislation provides for. Untreated waste water can be a serious threat to human health, since untreated waste water can carry harmful bacteria and viruses into waters used for bathing or other related forms of recreation. Untreated waste water also contains nutrients such as nitrogen and phosphorous which can damage the marine environment by promoting excessive growth of algae that chokes off other life.

Legal Process

Article 226 of the Treaty gives the Commission powers to take legal action against a Member State that is not respecting its obligations.

If the Commission considers that there may be an infringement of EU law that warrants the opening of an infringement procedure, it addresses a "Letter of Formal Notice" (first written warning) to the Member State concerned, requesting it to submit its observations within a specified period, usually within two months.

In the light of the reply or absence of a reply from the Member State concerned, the Commission may decide to address a "Reasoned Opinion" (final written warning) to the Member State. This clearly and
definitively sets out the reasons why it considers there to have been an infringement of EU law and calls upon the Member State to comply within a specified period, normally two months.

If the Member State fails to comply with the Reasoned Opinion, the Commission may decide to bring the case before the European Court of Justice. Where the Court of Justice finds that the Treaty has been infringed, the offending Member State is required to take the measures necessary to conform.

Article 228 of the Treaty gives the Commission power to act against a Member State that does not comply with a previous judgement of the European Court of Justice. The article also allows the Commission to ask the Court to impose a financial penalty on the Member State concerned.

For current statistics on infringements in general see:
http://ec.europa.eu/environment/legal/implementation_en.htm

1:

Directive 91/271/EEC
APPENDIX B

Ministerial Statement
1 March 2010
The Secretary of State for Environment, Food and Rural Affairs (Hilary Benn): The building of the Thames tunnel is vital for the future health of Londoners and for the environment and reputation of our capital city. I would like to inform the House that I am minded to direct applications for the tunnel to the Infrastructure Planning Commission (IPC), under Section 35 of the Planning Act 2008, because I believe that this is likely to be the most appropriate and effective way of reaching a decision on this unique and complex project.

Around 32 million cubic metres of untreated sewage and rainwater pollute the river Thames tideway every year from combined sewer overflows (CSOs) when storm water capacity is exceeded. A CSO is a feature of a combined system, introduced for the purpose of relieving the system of flows in excess of a selected rate, the excess flow being discharged to a local receiving water. A combined system is a system that takes in both rainwater and sewage. The discharges occur, on average, once a week and have a significant environmental impact on the river. These discharges can increase the likelihood of fish kills, create a higher health hazard for users of the river, and damage the aesthetic appeal of the Thames. Following the Thames tideway strategic study the Government identified the tunnel, which will intercept around 30 million cubic metres of the average annual discharge, as the best solution to protect the River Thames and to ensure that the capital has a sewerage system able to cope with the impact of population growth, more intense rainfall patterns and the reduction of green space available to soak up rainfall.

I believe the project to be of national significance and I am minded to direct it to the IPC for the following reasons:

- it is essential to meet the ecological water quality objectives of a major river;
- it is essential to reduce the risk to human health and prevent negative aesthetic impacts;
- the unsatisfactory intermittent discharges cause reputational risk to the UK, detracting from the appeal of the river in the nation’s capital, which is otherwise a great asset to residents and visitors alike;
- the unique scale and complexity of development will lead to an equally large and complex planning process and the Government have a clear interest in ensuring that the planning process goes as smoothly as possible, to ensure that there are not significant delays in addressing the problems caused by these sewage overflows, while ensuring the process is transparent and that all interested points of view are given a proper opportunity to be heard; and
- these improvement works are needed to enable us to continue to meet our obligations under the urban waste water treatment directive. The urgency of the works is increased by the infraction proceedings being pursued against the UK by the European Commission for an alleged breach of the directive.

I believe that a Section 35 direction is likely to offer the most efficient route for a decision on development of the Thames tunnel. The announcement that I am minded to direct the project to the IPC will allow DEFRA to work with the directly affected London boroughs, Thames Water and other London stakeholders to discuss what a Section 35 direction is likely to involve. It will also allow us to include consideration of the Thames tunnel in the national policy statement for waste water.

The ongoing input of local planning authorities and local stakeholders will be vital. Under the Planning Act, scheme promoters have a duty to consult, and local authorities can make representations if they think promoters have not adequately consulted with local authorities on how they carry out their consultation with local communities. This can result in an application not being accepted as valid by the IPC. Local authorities will also be invited to submit local impact reports as part of the IPC’s consideration of applications.

A final decision on whether to direct the project to the IPC will not be made until after planning applications are submitted under the Town and Country Planning Act. I do not expect Thames Water to submit these applications before the autumn of 2011.

Further information on the Thames tunnel and DEFRA’s involvement is available on DEFRA’s website at:

The London Plan
Spatial Development Strategy for Greater London

Consultation draft replacement plan
LDF preparation

B Within LDFs boroughs should identify areas where there are particular surface water management issues exist and develop actions and policy approaches aimed at reducing these risks.

5.58 There will also be increased risk of surface water flood risk, with the likelihood of more intense storms. The RFRA identified this as an area where information is lacking and responsibilities unclear, although the Floods and Water Bill proposes to give the lead responsibility to local authorities. The Mayor has established the Drain London Forum. This has brought together the key agencies involved in managing London’s drainage system and has carried out a scoping study to determine the nature and extent of information available. It is clear that further work is required to understand, map and plan for London’s drainage network. In the meantime, the now well established sustainable drainage hierarchy contained within Policy 5.13 will lead to a steady reduction in the overall amount of rainfall being discharged to the drainage system. In addition, green roofs (see Policy 5.11) can also make a contribution to sustainable urban drainage by absorbing a proportion of surface water and therefore reducing rates of water flow.

Policy 5.14 | Water quality and sewerage infrastructure

Strategic

A The Mayor will work in partnership with appropriate agencies within London and adjoining Local Planning Authorities to protect and improve water quality and ensure that London has adequate and appropriate sewerage infrastructure.

Planning decisions

B Development proposals must ensure that adequate sewerage infrastructure capacity is available. Proposals that would result in a reduction in water quality in the Blue Ribbon Network (see Chapter 7) should be refused.

C Development proposals to upgrade London’s sewage (including sludge) treatment capacity should be supported provided they utilise best available technology and energy capture.

D The development of the Thames Tideway Sewer Tunnels to address London’s combined sewer overflows should be supported in principle.

LDF preparation

E Within LDFs boroughs should identify sewerage infrastructure requirements and relevant boroughs should support in principle the Thames Tideway Sewer Tunnels.

5.59 Most of London’s waterbodies fail to achieve ‘good’ status under the water Framework Directive. An effective sewerage system is fundamental to sustainable urban life and the improvement of water quality is a key element of the EU Water Framework Directive. Overall London has a good sewerage system. It does however require investment and expansion. Currently Thames Water is implementing plans for additional sewage treatment capacity at several major works, including additional capacity for the treatment of, and energy recovery from, sewage sludge. While the impacts of these works need to be minimised and mitigated, it is nevertheless essential that a positive planning approach is in place to support this investment.

5.60 In 2007, the Government approved construction of the Thames Tideway Sewer Tunnels in two phases (Lee Valley to Beckton
and west London to Beckton). This will address the long term problem of combined sewer overflows, which has resulted in the discharge of millions of tonnes of untreated sewage into the Thames each year. This is a strategic project for London that should be completed by 2020. Opportunities to reduce the construction and operational impacts, the overall energy demand and the costs of the project should be taken. In addition, there are continuing programmes to deal with problems of sewer flooding in some areas of London; these need to be completed.

Policy 5.15 | Water use and supplies

Strategic

A. The Mayor will work in partnership with appropriate agencies within London and adjoining regional and local planning authorities to protect and conserve water supplies and resources in order to secure London’s needs in a sustainable manner by:
   a. minimising use of treated water
   b. reaching cost-effective minimum leakage levels
   d. in conjunction with demand side measures, promoting the provision of additional sustainable water resources in a timely and efficient manner, reducing the water supply deficit and achieving security of supply in London
   e. minimising the amount of energy consumed in water supply
   f. promoting the use of rainwater harvesting and using dual potable and grey water recycling systems
   g. maintaining and upgrading water supply infrastructure
   h. ensuring the water supplied will not give rise to likely significant adverse effects to the environment particularly designated sites of European importance for nature conservation.

Planning decisions

B. Development should minimise the use of treated water by:
   a. incorporating water saving measures and equipment
   b. meeting water consumption targets of 1051/p/d in residential development.

C. New development for sustainable water supply infrastructure will be supported.

5.61 Water supplies are essential to any sustainable city and to the health and welfare of its people. London’s consumption of water already outstrips available supplies in dry years and ensuing a sustainable and secure water supply has to be an urgent priority. Some steps have already been taken. Investment in recent years to reduce leakage from Victorian mains supply pipes has had an effect (although Thames Water still has a significantly higher leakage rate than the rest of the country). An additional source of supply, the desalination plant at Beckton, will be operational from 2010. These two measures have eased the pressure on water resources in London.

5.62 But the fundamental problem remains. To remain sustainable, London needs to reduce the level of water consumption per person. Currently the average Londoner consumes 161 litres/day (l/d), seven per cent above the national average of 150 l/d. Projections for population growth in London and in the wider south-east will mean that over the period of this Plan, new strategic water resources will be required. The need for this is exacerbated by the climate change predictions of more sporadic and intense rainfall and a higher likelihood of droughts. Retrofitting water efficiency measures in existing buildings provides scope for considerable water savings (see Policy 5.4). Further detail relating to London’s water and sewerage systems is contained
APPENDIX D

Thames Water Representation on Draft Flood Risk Assessment
22 January 2010
22 January 2010

Westminster LDF. Draft Strategic Flood Risk Assessment

Dear Sir or Madam:

Thank you for consulting Thames Water regarding the above. We trust that our comments and representations, as detailed below, are given due consideration.

Introduction

Thames Water are the statutory water and sewerage undertaker for the whole of the Borough.

Under the Water Industry Act Thames Water has a duty to ensure that:-

1) its area is effectively drained and to effectively deal with the contents of its sewers.

2) to develop and maintain an efficient and economical system of water supply within its area.

That duty is mindful of available resources and requires the assistance of local planning authorities in ensuring that those resources are not overwhelmed in complying with those duties.

As part of our five-year regulatory business planning review, Thames Water advise OFWAT (the water industry regulator) on the activities and associated funding required to meet future water supply demand and to accommodate growth at all our sewage treatment works (STW’s) and sewerage systems in the area.

As a result we base our investment programmes on development plan allocations which form the clearest picture of the shape of the community.
Draft Strategic Flood Risk Assessment

Our detailed comments on the SFRA are set out below:

- Page 32 Para 4.39 – for accuracy we consider the words 'during rainy periods' should be replaced with 'during periods of heavy rain.'

- Page 33 Para 4.44 - it should be noted that we do record flooding caused by blockages if they are reported to us. The wording in this paragraph should be amended to reflect this.

- Page 34 Para 4.46 - we welcome the recognition that the implementation of the Thames Tunnel is vital to minimising CSO overflows into the River Thames. We note that the City Council consider that the project is beyond the City Council’s control. However, the City Council is the Local Planning Authority for the area and is currently preparing a Core Strategy as part of a Local Development Framework. In our view that the City Council can help to facilitate the implementation of the Thames Tunnel by including a policy in its Core Strategy that expressly supports the project. This would also mean that the Core Strategy were in accordance with the emerging replacement London Plan and the Central London Infrastructure Study which recommended that the project be facilitated.

- Page 34 Para 4.46 - it is misleading to state that the Thames Tunnel will increase the capacity of the sewerage system by 1.5 million cubic metres. The sentence should be reworded to state that the Thames Tunnel will convey flows to Beckton Sewage Treatment Works for treatment instead of the flows being discharged into the River Thames.

- Page 37 Page 4.65 - it should be noted that 700 homes in Maida Vale were affected by the water main burst. It would be misleading to state they were 'cut off'.

Appendix B technical report

Page 26 Recommendations Para 7.1 – There is no reference to Part H of the Building Regulations. This recommends that basement properties should be fitted with non-return valves or pumped devices to prevent back flow in to basement properties on the assumption that sewage networks surcharge to just under cover level. The word 'should' should be changed to 'must' as part of the recommendation making it a 'requirement' of new development.

We trust the above is satisfactory, but please do not hesitate to contact me if you have any queries.
Yours faithfully

Mark Mathews
Senior Town Planner
Thames Water Property Services
APPENDIX E

Extract from Core Strategies of Wandsworth and Tower hamlets
Wandsworth Local Development Framework

Core Strategy: submission version

March 2009
Core Policies for Issues: Policy IS 6

Community services and the provision of infrastructure

a. The Council will support the provision and/or improvement of facilities for community services including education and childcare, health and social welfare, police and other emergency services and the prison service. It will work with partner organisations to support the provision of adequate, high quality social and community facilities by:

i. Resisting the loss of social and community facilities unless there is no current or future demonstrable need.
ii. Seeking to secure the provision of new, or improvements to existing, social and community facilities.
iii. Supporting the dual use of social, educational and community facilities, particularly the use of schools after hours, for a mix of sporting, social, cultural and recreational uses.
iv. Supporting the provision of improved health services, including mental health care, GP and local hospital services, having regard to scale of development and public transport availability.

b. The provision of infrastructure including transport, particularly improvements to public transport and facilities for walking and cycling, utilities, telecommunications, waste and recycling facilities, water and sewerage capacity will be supported. The provision of the infrastructure necessary to support development set out in the Strategy, particularly in the areas identified for major change, will be sought as identified in the Infrastructure Schedule in Appendix 1. The availability of infrastructure both existing and potential will be taken into account in considering development proposals.

c. The Council will support an enabling approach to the provision of public services, which allows them to be incorporated within developments as proposals are brought forward by partner organisations, with funding secured through planning obligations.

d. The Council will work with Thames Water to support the timely implementation of the Thames Tideway Sewer Tunnel project, including the connection of the combined sewer overflows in the borough.
Hospital site, which caters for local needs as well as specialist needs of the UK. The Council supports the delivery of a programme of modernisation of the mental health facilities on this site, recognising its important contribution to mental health services in South-West London.

4.155 The PCT’s Healthy Living Initiative for Wandsworth prioritises improvements to sexual health, a reduction of drug and alcohol abuse and the need for smoking cessation. Key elements of the Core Strategy will help contribute towards general public health initiatives, including the promotion of measures that support walking and cycling.

4.156 The Metropolitan Police Authority undertook a review of the infrastructure requirements necessary to support the effective policing of the borough in its Asset Management Plan (November 2007). The Council will support the provision of new police facilities identified in the plan in appropriate locations including: a custody centre in an accessible location; a patrol base appropriate to an employment location; and the provision of a number of “front counters” throughout the borough where the public can contact the police.

4.157 Wandsworth Prison is one of the largest in the country, as well as a major employer. Development at the prison, exclusive of the area currently identified as MOL, which would lead to the improvement of facilities will be supported provided that the nature and scale of any proposal would not harm the amenity or character of the area or compromise the prison’s listed buildings.

4.158 Delivering the spatial strategy depends on the provision of adequate and appropriate infrastructure. The Council will seek to ensure that there is adequate transport (see policy PL3 and IS1), electricity, gas, water supply, surface water, foul drainage and sewerage, telecommunications and waste and recycling facilities to serve all new developments. A schedule of the infrastructure projects which are necessary in order to effect the delivery of the development set out in the Core Strategy is contained in Appendix 1. Details of a number of projects which will be required in the medium to long term have yet to be confirmed. This schedule will be reviewed and updated as part of the Annual Monitoring Report. Developers will be required to demonstrate that there is adequate capacity both on and off the site to serve the development and that it would not lead to problems for existing users. In some circumstances this may make it necessary for developers to carry out appropriate studies to ascertain whether the proposed development will lead to overloading of existing infrastructure. Where there is a capacity problem and no improvements are programmed the Council will require the developer to fund appropriate improvements which must be completed prior to occupation of the development.

4.159 In order to meet the requirements of the EU Urban Waste Water Treatment Directive, Thames Water has been asked by the Government to implement a scheme which reduces and limits pollution for the Beckton and Crossness sewerage system. The Council supports the implementation of the Thames Tideway Sewer Tunnel scheme which has been endorsed by the Government and supported in Policy 4A.18 of the London Plan.
Creating a green and blue grid

Where we want to be

What it will look like

Area of search for new publicly accessible green open space

Existing publicly accessible greenspace

Lee River Park, Fatwalk and Lee Valley Regional Park

Olympic Park

Green grid

Delivering a green grid for Tower Hamlets, that links and draws upon the grid and principles set out in the East London Green Grid SPG. Ensuring that the borough’s natural assets are in reach of everyone; are valued, well-designed and accessible to all.

Crown Copyright. All Rights reserved. London Borough of Tower Hamlets 100019288 2009
How we are going to get there

1. Deliver a network of open spaces, by:
   a. Protecting and safeguarding all existing open space such that there is no net loss.
   b. Maximising opportunities for new publicly accessible open space, of a range of sizes, particularly in the following locations:
      - Poplar Riverside
      - Bethnal Green
      - Fish Island
      - Bromley-by-Bow
      - Shoreditch
   c. Assisting in the delivery of new strategic publicly accessible open spaces, including the Lea River Park, FAT Walk and the Olympic Park, to significantly address deficiencies in open space in the eastern part of the borough.
   d. Improving the quality, usability and accessibility of existing publicly accessible open spaces across the borough and to neighbouring boroughs.
   e. Promoting publicly accessible open spaces as multi-functional spaces that cater for a range of activities, lifestyles, ages and needs.
   f. Improving access to the strategically important publicly accessible open spaces, including Victoria Park and Mile End Park, the Lee Valley Regional Park and also the Olympic Park, Lea River Park and FAT Walk.
   g. Creating new green corridors and enhancing existing ones to connect publicly accessible open spaces to main destination points, such as town centres, schools, health facilities, other publicly accessible open spaces, and also to, and along, water-spaces.
2. Promote and support new development that provides green roofs, green terraces and other measures to green the built environment.

3. Protect and enhance biodiversity value through:
   a. The design of open space and buildings.
   b. Ensuring development protects and enhances areas of biodiversity value in order to achieve a net gain in biodiversity.

4. Work with British Waterways to deliver a network of high-quality, usable and accessible waterspaces, through:
   a. Identifying opportunities for new water spaces, particularly in Poplar Riverside.
   b. Protecting and safeguarding all existing water spaces from inappropriate development.
   c. Improving the quality, usability, accessibility of the environment of water spaces including the immediate area and water quality.
   d. Working with relevant agencies and others to protect and enhance the aesthetic, ecological and biodiversity values of the borough’s waterspaces.
   e. Improving accessibility to and along waterspaces to maximise usability and promote these places for cultural, recreational and leisure activities.
   f. Ensuring that new development responds positively and sensitively to the setting of waterspaces while respecting and animating waterspaces to improve usability and safety.
   g. Using waterspaces for movement, including passenger and freight transport.
   h. Ensuring residential and commercial moorings are in locations that do not negatively impact on waterspaces or navigation.

5. Reduce the risk and impact of flooding through:
   a. Using the Sequential Test to assess and determine the suitability of land for development based on flood risk.
   b. All new development that has to be located in a high risk flood zone must demonstrate that it is safe and passes the Exceptions Test (in accordance with PPS25).
   c. Ensuring that all new development across the borough does not increase the risk and impact of flooding.
   d. Ensuring the application of flood-resilient design of all new developments in areas of Flood Risk 2 and 3a.
   e. Protecting and where possible increasing the capacity of existing and new waterspaces to retain water.
   f. All new developments must aim to increase the amount of permeable surfaces, including SUDS, to improve drainage and reduce surface water run-off.
   g. Seeking to maintain existing flood defences to the appropriate standards and, in the case of riverside development, improve the standard, lifetime and access to such defences.
   h. Ensuring effective emergency-planning practices are in place.
   i. Working closely with the Environment Agency to keep up-to-date information about flood risk in the borough.

6. Supporting the development of the Thames Tunnel and associated storm relief connections by working closely with Thames Water to facilitate its implementation.

This strategy will be implemented through a number of key projects including:

- Masterplans and Area Action Plans (All)
- Flood barriers
  - Lea River Park and FAT Walk and Olympic Park
  - LBTH Open Space Strategy
  - Development Management DPD
  - Site and Placemaking DPD
  - Proposals Map DPD
- Local Biodiversity Action Plan
- LBTH Green Grid Projects (All)

Please refer to the Programme of Delivery (Appendix two) for full implementation and delivery details and the Monitoring Framework (Appendix three) for full plan, monitor and manage details.
Why we have taken this approach

4.15 The provision of publicly accessible open space varies across the borough. Areas in deficiency of access to publicly accessible open space have been identified, as well as some open spaces having deteriorated in quality. The deficiency was further indicated in the Annual Monitoring Report 2007/08, which stated that 1.14 hectares per 1,000 population of public open space was achieved that year. This is less than the development standard of 1.2ha set out in the Open Space Strategy.

4.16 In continuing to deliver the 1.2ha standard, the council would need to provide 95ha of publicly accessible open space by 2025 (approximately the same area of Victoria Park and Mile End Park combined). Due to this physical constraint, the council’s approach will be to “Protect, Create, Enhance and Connect” open space and use the 1.2ha standard as a monitoring standard to justify local need (see Programme of Delivery, Appendix 2).

4.17 This approach will address deficiencies in, and access to, open space that are indicated to have a significant negative impact on people’s health. These impacts are likely to be exacerbated by the predicted increase in population. As such, maximising the provision of accessible, high quality open space is a key priority for the council.

4.18 Open space deficiency also has implications for biodiversity. Biodiversity is an indicator for sustainable development and is not only important in its own right, but is also able to help us to adapt to climate change, mitigating against urban heat island effect and increased risk of flooding.

4.19 The London Plan has designated two Areas of Deficiency for Access to Nature in the west and south-east of the borough, which indicate that people living and working in these areas have little access to observe and interact with wildlife. The borough’s Local Biodiversity Action Plan provides a series of aims to improve biodiversity.

In assessing the above issues, the LBTH Green Grid provides a spatial approach to identifying locations for new publicly accessible open spaces, improving existing open spaces, and strengthening connections between spaces and destination points.

4.20 The Blue Grid addresses the issues relating to the borough’s water spaces and flood risk. This is an important concern, given that the southern and eastern areas of the borough are of Flood Risk 2 and 3a. The places within these areas, and all new uses, are subject to the Sequential Test that identifies land that is suitable for development and assesses any alternative locations.

4.21 The risk of all types of flooding needs careful management and maintenance, with a flood defence system that can provide an increasing level of protection against climate change and, where possible, can be integrated with new development. Achieving the wider aspiration of creating a Water City is already underway, with the borough making better use of its waterways as places for cultural, recreational and leisure activities.

Key supporting evidence base
- European Union Water Framework Directive
- Basin River Management Plan
- PPS1: Delivering Sustainable Development, 2005
- PPS9: Biodiversity and Geological Conservation, 2005
- PPS25: Development and Flood Risk, 2005
- GLA London Plan, 2008
- LBTH Opportunities for Sustainable Energy and Biodiversity Enhancement, 2008
- LBTH Open Space Strategy, 2006
- LBTH Green Grid Baseline Report, 2009
- LBTH Local Biodiversity Action Plan, 2004
- LBTH Strategic Flood Risk Assessment, 2008
- LBTH Climate Change Mitigation and Adaptation Report, 2009
- Thames Estuary 2100 Action Plan, 2009
- HUDU Watch Out for Health, 2009
Organisation Name: Transport for London (TfL)

Reference Number: 1042

Matter 7
Transport for London's Position Statement on Matter 7: Transport and other Infrastructure

1. This representation sets out Transport for London's (TfL’s) current position in response to ten of the questions raised by the Inspector under Matter 7: Transport and other Infrastructure:

- Is the CS in general conformity with the London Plan in respect of planning obligations for transport improvements, in particular to support the development of Crossrail?
- Should Policy CS40 set out the requirements for transport assessments and travel plans for large scale developments, and define the threshold for ‘large scale’?
- Should Policy CS40 refer to the protection of existing facilities for river transport, in accordance with the London Plan Policy 4C.7, and Policy CS41 to its use for servicing and deliveries (Policy 4C.8)?
- Should Policy CS41 promote the uptake of Construction Logistics Plans and Delivery & Servicing Plans, in line with the London Freight Plan, Nov 2007?
- Should Policy CS42 refer more specifically to support for upgrade to main line rail station at Victoria; to improvements in underground line capacity, for Cycle Superhighways, the Mayor’s Cycle Hire Scheme, Legible London and to improvements in local bus and taxi infrastructure, and to coach infrastructure?
- Should the reference to ‘Cross River Transit’ be removed if it is no longer in the TfL Business Plan to 2017/8?
- Should a general policy be added on safeguarding land for transport functions, in line with London Plan SPG ‘Land for Transport’ 2007?
- Should a car parking strategy be set out, with parking standards added as an Appendix; and is there a case for reducing workspace car parking?
- Does the CS need to acknowledge that a Crossrail station in the Kensal area would affect the nature of the local economy?
- Should the River figure more prominently in the CS? Should the Key Diagram show the River Piers? Should Policies CS27, 38 & 39 refer to use of the River as a means of transport for construction waste materials, for transporting materials to fuel energy systems? And should the Glossary include river transport under “Sustainable Transport Modes”?
Q1 Is the CS in general conformity with the London Plan in respect of planning obligations for transport improvements, in particular to support the development of Crossrail? Should the CS be changed in any or all of the following ways, as suggested by Transport for London (TfL):

By the addition of a general policy on transport-related planning obligations, to include contributions for public transport, cycling and walking

2 TfL’s position on the above matter remains unchanged. As set out in the Issues and Options, Preferred Option and Publication Draft stages of the Westminster Core Strategy, TfL suggests that the Core Strategy should include a general policy on transport-related planning obligations, including the need to collect planning obligations for public transport, walking and cycling. TfL suggests the overall policy on planning obligations should include explicit support for pooled contributions, as advocated in circular 05/05, but having regard to the limitation on such contributions as specified in the Community Infrastructure Regulations (CIL) 2010

3 As stated at the Issues and Options, Preferred Option and Publication Draft stages, TfL suggests that the following wording is incorporated which has been updated to reflect the fact that the CIL regulations have now been published (updated text shown in bold): “Contributions will be sought for transport infrastructure and service improvements to ensure that efficiency and capacity on the transport network is maintained and that the impact of the development on the transport network is mitigated. In circumstances where the combined impact of a number of developments creates the need for the provision of additional transport infrastructure and or services, it will be appropriate to pool the contributions from these developments having regard to the limitations on pooling arrangements imposed by the Community Infrastructure Regulations 2010. The level of contribution, whether pooled from a number of developments or not, may be based on a formula or standard charge which reflects the actual impact of the development.”

4 It is appropriate to seek contributions which contribute to borough wide transport improvements as well as site specific improvements. The list of identified transport improvements should be worked up in consultation with TfL.

5 A clear distinction should be made between a Community Infrastructure Levy (CIL), should the City propose to raise one, and legally binding planning obligations to avoid limiting the scope for funds; this is particularly important for Bus Network contributions which at present are not considered as infrastructure under the CIL.
By making clear that contributions will be needed for Borough-wide measures and for site-specific works

6 TfL’s position on the above matter remains the same, as set in the Planning Report dated 22 December 2009 (Reference: PDU/LDF33/LDD08/02) and set out above under paragraph 4 above.

By making a clear distinction as to what could be funded from CIL and more traditional planning obligations

7 TfL’s position on the above matter remains the same, as set in the Planning Report dated 22 December 2009 (Reference: PDU/LDF33/LDD08/02) and set out above under paragraph 5 above.

By making explicit the requirement for contributions to Crossrail, in line with the draft replacement London Plan and forthcoming SPD? The Mayor’s letter to WCC dated 31 3 10 proposed additional text in the reasoned justification for Policy CS42 with a reference to SPG-Use of planning obligations in the funding of Crossrail. In addition, please note that Crossrail is mentioned specifically in the DCLG’s Community Infrastructure Levy – An overview, March 2010.

8 TfL’s position on the above matter remains the same, as set in the letter dated 31 March 2010 (Reference: PDU/LDF33/LDD08KH07).

9 The Mayor suggested in the above referenced letter that the following minor edit to policy CS42, be inserted after the second sentence to read: ‘The Mayor’s approach to seeking financial contributions from new development towards the delivery of Crossrail is set out in Supplementary Planning Guidance – Use of planning obligations in the funding of Crossrail’.
Q2 Should Policy CS40 set out the requirements for transport assessments and travel plans for large scale developments, and define the threshold for ‘large scale’?

10 TfL welcomes Policy CS40 Pedestrian Movement and Sustainable Transport. However, a policy reference should be provided relating to the potential impacts of large scale developments (large scale being defined as those of strategic importance referable to the Mayor of London under the Mayor of London Order 2008) stating that planning applications for such sites should include a Transport Assessment document to be submitted in accordance with TfL’s Transport Assessment Best Practice Guidance (April 2010).

11 The new policy reference should be included within the Core Strategy (under Policy CS40 or as an additional policy) or within another document with Development Plan status such as the City Management Plan. The policy should also set out the requirements for planning applications to be accompanied by Travel Plans, Construction Logistics Plans and Delivery and Servicing Plans where appropriate.

Q3 Should Policy CS40 refer to the protection of existing facilities for river transport, in accordance with the London Plan Policy 4C.7, and Policy CS41 to its use for servicing and deliveries (Policy 4C.8)?

12 TfL did not formally comment on this matter at submission stage. However, as the strategic transport authority TfL considers that the protection of existing facilities for river transport in addition to the development of new facilities is intrinsic to increasing river transport services and use of London’s waterways as advocated in London Plan policy 4C.7 Passenger and tourism uses on the Blue Ribbon Network and section 9 of the Land for Transport Supplementary Planning Guidance (GLA, 2007).

13 With regard to the use of river transport for servicing and deliveries, TfL actively encourages this where possible as set out in London Plan policy 4C.8 Freight uses on the Blue Ribbon Network, as this serves to minimise impact on the road network and air quality. This is reinforced through London Plan policy 3C.25 Freight strategy. Protection of existing wharves in London is highlighted within TfL London Freight Plan (paragraph C.47) and the Land for Transport Supplementary Planning Guidance (GLA, 2007).
Q4 Should Policy CS41 promote the uptake of Construction Logistics Plans and Delivery & Servicing Plans, in line with the London Freight Plan, Nov 2007?

14 TfL’s response on this matter at the submission stage was to ensure that Construction Logistics Plans and Delivery & Servicing Plans were taken into consideration in one of the council’s LDF documents as discussed with the council on 22 February 2010. Subsequent to the meeting, TfL is satisfied with the council’s commitment to include reference to above plans within their City Management Plan (DPD).

Q5 Should Policy CS42 refer more specifically to support for upgrade to main line rail station at Victoria; to improvements in underground line capacity, for Cycle Superhighways, the Mayor’s Cycle Hire Scheme, Legible London and to improvements in local bus and taxi infrastructure, and to coach infrastructure?

15 TfL did not formally comment on the matter of the upgrade to main line rail station at Victoria at submission stage.

16 TfL set out that it would welcome a reference to the Cycle Superhighways within Policy CS42. The City of Westminster will benefit from Cycle Superhighway Routes 1, 6, 8, 9, 10 and 11 which will serve a number of the areas identified in the Core Strategy and within the City.

17 TfL would welcome a reference to the Mayor’s Cycle Hire Scheme which is considered a strategic project. Within its boundaries the City of Westminster will be served by 150-160 docking stations.

18 TfL takes a proactive approach to promotion and uptake of sustainable modes of travel and as such encourages Boroughs to consider these within their LDF documents. As part of this TfL welcomes references to projects such as Legible London and improvements in local bus and taxi infrastructure which would provide benefit to the area.

19 TfL’s response on the above matters at the submission stage were to ensure that these projects were referenced in one of the council’s LDF documents as discussed with the council on 22 February 2010.
Q6 Should the reference to ‘Cross River Transit’ be removed if it is no longer in the TfL Business Plan to 2017/8?

20 TfL considers that any references to ‘Cross River Transit’ or ‘Cross River Tram’ should be removed from the Core Strategy.

21 The Cross River Tram and any alternatives to the scheme have now been removed from the TfL Business Plan 2009/10 – 2017/18 (published October 2009), the draft replacement London Plan (February 2008) and the revised Mayor’s Transport Strategy (October 2009).

22 As such, Cross River Transit is not deliverable within the lifetime of the plan due to the lack of funding or policy to support its development, therefore reference to the scheme should not be included in the Westminster Core Strategy.

Q7 Should a general policy be added on safeguarding land for transport functions, in line with London Plan SPG ‘Land for Transport’ 2007?

23 TfL considers that the proposed DPD, the City Management Plan should take into consideration the need to safeguard land for transport functions in line with the London Plan policy 3C.4 (policy 6.2 of the the Mayor’s draft replacement London Plan) and the Mayor’s ‘Land for Transport Functions’ March 2007 Supplementary Planning Guidance to the London Plan.

24 TfL’s response on this matter at the submission stage was to ensure that safeguarding was taken into consideration in one of the council’s LDF documents as discussed with the council on 22 February 2010.
Q8 Should a car parking strategy be set out, with parking standards added as an Appendix; and is there a case for reducing workspace car parking?

25 TfL considers that the *City Management Plan* should set out the City’s car parking strategy and parking standards for new development in line with the Mayor’s *draft replacement London Plan* (February 2008) and Mayor’s *Transport Strategy* (October 2009).

26 TfL’s response on this matter at the submission stage was to ensure that a car parking strategy and parking standards were taken into consideration in one of the council’s LDF documents as discussed with the council on 22 February 2010.

27 TfL did not specifically comment on reducing workspace car parking. However, in relation to this matter, TfL considers that as the best served Borough by public transport in the capital with large areas benefitting from a high PTAL, Westminster should seek to reduce car usage through proactive measures such as restraining workspace car parking in order to minimise traffic impacts on the road network, reducing emissions and promoting more sustainable modes of travel.

Q9 Does the CS need to acknowledge that a Crossrail station in the Kensal area would affect the nature of the local economy?

28 TfL did not comment on this matter at the submission stage but wishes to clarify that there are no current plans for a Crossrail station in the Kensal area.

29 The Crossrail route as defined under the Crossrail Act 2008 does not include provision for a Crossrail station at Kensal. Crossrail sponsors have a responsibility to make sure that the project is delivered on time and on budget, and as such any decisions on the project must be taken on the basis of a proven business case and there being the necessary funding available. Furthermore, recent recommendations made by HS2 Ltd on High Speed Two (the proposed high speed railway from London to the Midlands and the North) make a Crossrail station at Kensal even more unlikely. Having considered several potential sites for an interchange station, HS2 Ltd has recommended a Crossrail interchange station on railway land west of Paddington at Old Oak Common in West London (west of Kensal). This would enable the station to be developed on a site currently used for depots and sidings, substantially limiting its potential impacts on the local environment and communities. The site is also in an area of London identified as a priority for regeneration, to which the development of a new interchange station could make a major contribution.
30 From a construction perspective, HS2 Ltd advises that Old Oak Common is the only site in West London suitable for launching the tunnel boring machines needed to create the tunnels needed for High Speed Two to reach Euston. This substantially reduces the additional cost of providing an interchange station on the site, as some of the major excavations will be needed whether a station is built or not.

31 An interchange station at Old Oak Common would provide good connections for passengers between High Speed Two, Crossrail, the Great Western Main Line and the Heathrow Express. It would have the potential to be served by up to 24 Crossrail services per hour giving passengers a fast, high frequency, high capacity service to key business destinations in the West End, the City and Docklands.

32 TfL understands that the Government accepts HS2 Ltd’s recommendations in respect of a Crossrail interchange station, because of its key role in integrating High Speed Two with London’s transport networks, enhancing connectivity, facilitating passengers’ end-to-end journeys and helping to relieve crowding on London Underground services at Euston. The Government expects that the existing Crossrail scheme will be delivered as defined and will open from 2017.

33 Over the coming months, HS2 Ltd will undertake further detailed work, in collaboration with Crossrail and its sponsors – the Department for Transport and TfL – as well as with Hammersmith and Fulham Council to develop more detailed plans for a Crossrail interchange station, which will form part of the formal public consultation on the route.
Q12 Should the River figure more prominently in the CS? Should the Key Diagram show the River Piers? Should Policies CS27, 38 & 39 refer to use of the River as a means of transport for construction waste materials, for transporting materials to fuel energy systems? And should the Glossary include river transport under “Sustainable Transport Modes”?

Should the Key Diagram show the River Piers?

34 The Blue Ribbon Network is shown on Westminster’s Key Diagram. TfL does not consider it necessary to show individual piers on the Key Diagram, just as individual London Underground stations for example, are not shown. However it would be beneficial to include the River Piers on Figure 47 Blue Ribbon Network including Thames Policy Area thus highlighting access to water-based transport as advocated in Policy CS36 of the Core Strategy.

Should Policies CS27, 38 & 39 refer to use of the River as a means of transport for construction waste materials, for transporting materials to fuel energy systems?

35 Policies CS27, 38 & 39 concern design, decentralised energy networks and renewable energy respectively. In accordance with London Plan policies 4C.8 Freight uses on the Blue Ribbon Network and 3C.25 Freight Strategy TfL strongly supports use of the Blue Ribbon Network for the transport of all freight materials where appropriate. However, reference within Policy CS41 to use of the Blue Ribbon Network for servicing and deliveries would support use of river transport for freight generally rather than the specific materials concerned in CS27, 38 and 39.

And should the Glossary include river transport under “Sustainable Transport Modes”?

36 The term ‘Passenger ferry’ is included under this heading within public transport; however this clearly excludes non-passenger uses. Use of the term ‘river transport’ would encompass all types of river transport including passenger and freight which as discussed above is an area where river transport can play a key role in increasing sustainability.
Response to Inspector’s Draft matters and issues
Matter 7: Transport and Other Infrastructure

Introduction

7.1. WPA’s concerns in this matter relate to Policies CS38 and CS39. In the experience of WPA’s members achieving a 20% reduction in carbon emissions through the use of on-site renewable energy sources is not practical, either because of the prohibitive cost or because of the particular constraints of city centre location. Reductions in carbon emissions have usually been achieved through efficiency savings, for example through the use of CHP systems.

7.2. Policy 4A.1 of the consolidated London Plan is clear that the Mayor’s overall objective, in respect of energy, is to mitigate and adapt to climate change and reduce carbon emissions.

7.3. Policy 4A.1 goes on to set out a hierarchy for the supply of energy. This prioritises reducing carbon emissions by efficient energy use and using efficient supply systems, especially decentralised energy distribution, above the use of renewable energy. The hierarchy seeks to: 28

i. Firstly, use less energy (be lean)

ii. Secondly, supply energy efficiently (be clean)

iii. Thirdly, use renewable energy (be green)

7.4. The use of renewable energy is not, therefore, an objective in itself but rather one method that can be used to achieve the overall objective of reducing carbon emissions.

7.5. The combined effect of Policies CS38 and CS39 should be in general conformity with this approach, prioritising reducing carbon emissions by reducing energy use and the use of decentralised energy above on-site renewables. At present both goals are presented as targets in their own right which is not consistent with the London Plan’s approach and it would therefore be helpful were some degree of weight to be placed on each aspiration, in a similar manner to the Mayor’s policy.

28 CS/REG/08, Mayor of London, The London Plan, Consolidated with Alterations Since 2004, (February 2008), Policy 4A.1
Response to Inspector's Issues

Question 24 - Are Policies CS38 and CS39 consistent with PPS1 Supplement on Climate Change and are they capable of delivery? Is the economic viability of some major development schemes likely to undermine their achievement? What has been the experience of recent "major developments" in the Borough?

7.6. WPA does not consider that Policy CS39 is capable of delivery in its present form, although the overall objective of reducing carbon emissions is supported. It is likely that realising 20% reductions in carbon emissions through on-site renewable energy will reduce the viability of development proposals. Recent experience within the city has been that carbon emissions can be reduced but this is best achieved by using more efficient and modern technology, including combined heat and power (CHP), tri-generation and providing capacity for future fuel cell technology. On-site renewables themselves can only play a limited role in this, especially as – with the exception of biomass (which itself is inappropriate in the congested city centre of Westminster) – they are not generally compatible with CHP systems.

7.7. Policies CS38 and CS39 are not therefore the best policy approach for achieving the City Council's objective.