

Gate three query process

Strategic solution(s)	LWR
Query number	LWR014
Date sent to company	28/01/2025
Response due by	30/01/2025

Query

Development on Open Space/Metropolitan Open Land

- Identify the types and amount of Special Category Land within the proposed Development Consent Order (DCO) limits as at 1 January 2025.
- Outline the worst-case scenario works for the Special Category Land and what is proposed to be permanent or temporary works.
- For each type of Special Category Land (SCL), outline how it is intended to satisfy the various legal requirements for the inclusion of such land in the DCO, including where relevant, the identification and provision of suitable land as exchange land or justification for not providing exchange land.
- Detail the results of the engagement with respect to that land carried out to that date including with affected local authorities, the Greater London Authority and the community; and how conflicts with existing land uses on the SCL are being progressed towards resolution. Current progress on proposals for replacing the land used with equivalent or better provision in terms of quantity and quality in a suitable location should be set out.
- Outline the very special circumstances case which, in your opinion, will justify development on the Metropolitan Open Land.
- Outline the alternatives considered during scheme evolution to the use of the designated sites, and why the proposed Site of Importance for Nature Conservation (SINC) and Metropolitan Open Land (MOL) were considered to be the most suitable sites when assessed against reasonable alternatives.

Solution owner response

This response has been written in line with the requirements of the RAPID Gate 3 Guidance and to comply with the regulatory process pursuant to Thames Water's statutory duties. The information presented relates to material or data which is still in the course of completion. Should the solution presented be taken forward, Thames Water will be subject to the statutory duties pursuant to the necessary consenting process, including environmental assessment and consultation as required. This response should be read with those duties in mind.

Q1: Identify the types and amount of Special Category Land within the proposed Development Consent Order (DCO) limits as at 1 January 2025.

R1: The sites classed as SCL (open space) either by direct policy designation or otherwise by type include the following:

1. Land in the west and south-west of Mogden STW
2. Land in the south-east of Mogden STW
3. Land at Ham Playing Fields
4. Land at Burnell Avenue Open Space
5. Land to the south of Northweald Lane (an option for the Thames Lee Tunnel (TLT) Connection Site)
6. Land at Tudor Drive (an option for the TLT Connection Site)

With regard to permanent development proposed at these sites, current amounts are identified as follows:

- Sites 1, 3, 5 (if used) and 6 (if used) – approximately 4m² per site
- Sites 2 and 4 – amount to be determined through statutory consultation and final designs.

Q2: Outline the worst-case scenario works for the Special Category Land and what is proposed to be permanent or temporary works.

R2: See summary below based on information available at January 2025:

1. Land in the west and south west of Mogden STW:
 - Temporary: use of land for construction compounds and activities
 - Permanent: 4m² access hatch
2. Land in the south-east of Mogden STW
 - Temporary: use of land for construction compounds and activities
 - Permanent: amount to be determined through statutory consultation and final designs

3. Land at Ham Playing Fields
 - Temporary: use of land for construction compounds and activities
 - Permanent: 4m² access hatch
4. Land at Burnell Avenue Open Space
 - Temporary: use of land for construction compound and activities
 - Permanent: amount to be determined through statutory consultation and final designs
5. Land to the south of Northweald Lane (TLT connection option)
 - Temporary: use of land for construction compound and activities
 - Permanent: 4m² access hatch
6. Land at Tudor Drive (TLT connection option)
 - Temporary: use of land for construction compound
 - Permanent: 4m² access hatch

Q3: For each type of Special Category Land (SCL), outline how it is intended to satisfy the various legal requirements for the inclusion of such land in the DCO, including where relevant, the identification and provision of suitable land as exchange land or justification for not providing exchange land.

R3: This process is part of planning, land referencing, legal and environmental assessment work to be undertaken as part of the TDRA's pre-application assessment and design processes, including through its statutory consultation period. Work is still in its formative stage.

The approaches to be confirmed with regard to the inclusion of SCL in the DCO will be tested and will mature over the pre-application timeframe and will be confirmed as part of the application documentation to be assured for submission in Q3 2026.

Q4: Detail the results of the engagement with respect to that land carried out to that date including with affected local authorities, the Greater London Authority and the community; and how conflicts with existing land uses on the SCL are being progressed towards resolution. Current progress on proposals for replacing the land used with equivalent or better provision in terms of quantity and quality in a suitable location should be set out.

R4: This process is part of planning, land referencing, legal and environmental assessment work to be undertaken as part of the TDRA's pre-application assessment and design processes, including through its statutory consultation period. The approaches to be confirmed with regard to the inclusion of SCL in the DCO will be tested and will mature over this timeframe and will be confirmed as part of the application documentation to be assured for submission in Q3 2026.

Specific engagement activities and assessments that are planned in this period include:

- TDRA Statutory Consultation
- Stakeholder engagement including with:
 - The three host LAs
 - The GLA
 - The EA
 - Local interest groups
 - The local community
- Discussions on open space assessment to address relevant provisions of National Policy Statement

With regard to the approach to be taken to replacement land, this will be developed during the course of Gate 4.

Q5: Outline the very special circumstances case which, in your opinion, will justify development on the Metropolitan Open Land.

R5: The balance of the impacts of the project upon any permanent loss of land that is designated as MOL will be assessed as part of the scheme development work programmed within Gate 4. This will include further development of the project's understanding of the use of the individual sites and how this will be justified in accordance with emerging and current MOL policy provisions with regard to protection from inappropriate development, alongside any associated uses with regard to open space and recreation. The balance of the project alongside MOL policy will form part of the project's planning balance presented within its planning statement to be submitted at application stage in Q3 2026.

Q6: Outline the alternatives considered during scheme evolution to the use of the designated sites, and why the proposed Site of Importance for Nature Conservation (SINC) and Metropolitan Open Land (MOL) were considered to be the most suitable sites when assessed against reasonable alternatives.

R6: The approach taken to identify and appraise potential areas that could form part of the necessary land assembly to support the Project is set out in the TDRA site appraisal report published to support its non statutory consultation process held between October – December 2023. Those appraisals balanced a number of criteria across engineering, environmental, planning, land assembly and transport disciplines, including consideration of SINC and MOL criteria among many others, to establish justified recommendations presented in that report as to the preferred sites and / or options to be promoted.

If you require any further information, please contact the strategic solution contact below

Date of response to RAPID	30/01/2025
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