GREATER**LONDON**AUTHORITY

GLA/4509/WR

Deadline 8A Submission 30 September 2019

Riverside Energy Park, Belvedere

In the London Borough of Bexley

Planning Inspectorate reference: EN010093

National Infrastructure Project Development Consent Order application – Deadline 8A Representations

Development Consent Order, Section 90 of Planning Act 2008

Proposed development

Cory Environmental Holdings (the Applicant) propose to develop 'an integrated multi-technology Riverside energy generation park including an Energy Recovery Facility (ERF incinerator), Anaerobic Digestion Facility, Solar Panels, Battery Storage and electrical connection route'.

As the Riverside Energy Park (REP) would have an electricity generating capacity over 50MWe, it is classified as a Nationally Significant Infrastructure Project under section 14(1)(a) and section 15(2) of the Planning Act 2008.

Purpose of this document

The Greater London Authority (GLA) and Transport for London (TFL) comments on documents submitted by the Applicant to the Examining Authority at Deadline 8:

- Document 8.02.85 Maximum Throughput Carbon Assessment Note
- Document 6.3 L to B.1 Outline Construction Traffic Management Plan (Rev 5)
- Document 8.02.86 Supplementary Note to the Temporary Jetty Outage Review
- Document 7.5 Outline Code of Construction Practice Plan (Rev 4)

1. The GLA maintains its objection to the principle of the development and remains of the view that the adverse effects of the proposed development have been underreported and its potential benefits overstated by the Applicant. The adverse effects of the development, in particular the Energy Recovery Facility (ERF), would outweigh the purported benefits of the proposed REP.

2. Notwithstanding the above, the GLA acknowledges the concessions made by the Applicant on the draft Development Consent Order (DCO) which have been included

since the 2nd Issue Specific Hearing (ISH) in an attempt to address the concerns raised by the GLA and London Borough of Bexley (LBB). This Written Representation has been prepared by the GLA to assist the Examining Authority in understanding the GLA's outstanding concerns. However, it is not an exhaustive list and should be read in tandem with the GLA's Deadline 7, 7a and 8 submissions. The GLA reserves the right to make further submissions once it is able to review the Applicant's final DCO to be submitted at Deadline 8B.

Applicant's Maximum Throughput Carbon Assessment Note

3. **Summary:** The GLA considers that the methodology used to demonstrate the carbon performance of the ERF treating the nominal waste throughput of 655,000 tonnes per annum compared with the upper limit of 802,905 tonnes per annum are flawed, and therefore the conclusions are erroneous. The rationale for this position is explained in paragraphs 3 to 6 below. The GLA maintains that it is necessary and effective for the tonnage cap in the DCO on the ERF be set at 655,000 tonnes per annum to ensure that the ERF does not exceed the basis of the assessments presented in the Carbon Assessment (Ref 8.02.08).

4. **Para 1.3.2:** The GLA considers that it is unrealistic to assume that the ERF operates 8760 hours per year, i.e. continuously, which is the underlying assumption. ERFs are shutdown each year for maintenance and inspections. Availabilities are expressed in terms of operating hours. Table 17 on page 9 of Tolvik's UK Energy from Waste Statistics 2018 report states a capacity weighted average figure of 89.8% availability per year. This equates to (if rounded to 90%) 0.9 x 8,760 =.7,884 hours per year. The carbon savings for the Applicant's 805,902 tonnes per annum case are therefore overstated. The Tolvik Report can be found at Appendix A.

5. **Tables 1 and 2:** The net carbon emission benefits from the ERF as set out in Table 2 arising from operating longer hours are derived solely from the comparison with landfill. The GLA disagrees that landfill is the correct comparator. The correct comparator should be alternative energy generation that is displaced, which the Applicant assumes to be electricity generated from Combined Cycled Gas Turbine (CCGT) plant. If the avoidance of landfill emissions is excluded, there is no benefit (in climate change terms) from the plant, as the benefits from electricity generation (-182,498 tCO2e) are insufficient to outweigh the emissions from the ERF in all scenarios modelled. This is the case even though the Applicant is calculating the energy generation benefits using CCGT carbon intensity for the calculation of the credit from electricity generation. This is undisputable even in the best case from the perspective of the highest applied biogenic content fractions of the waste set out in Table 1. As such, the higher the throughput, the higher the emissions.

6. The Applicant continues to assume that the electricity generated at the plant will offset electricity generated at a CCGT plant. The GLA has disputed this assumption in its previous submissions to the ExA. Current grid generation is already of a lower carbon intensity than CCGT, and the carbon intensity of electricity on the grid will decline further a result of stated Government policy on grid decarbonisation. As a result the ERF will continue to perform increasingly worse in carbon terms over its lifetime as the carbon intensity of grid electricity declines.

Outline Construction Traffic Management Plan (CTMP)

7. The updated CTMP appears acceptable in recognising the likely adverse effect on bus routes requiring mitigation measures. The GLA maintains that the Applicant still needs to provide a commitment in Requirement 13 of the DCO to secure such mitigation measures. Further assessment and appraisal must be secured in order to understand the impacts of construction on buses and the proposed mitigation will need to be included in the detailed CTMP for each phase. The GLA understands that the Applicant intends to amend Requirement 13 to this effect. The GLA reserves the right to comment on the final wording of Requirement 13.

8. The GLA has set out in its Deadline 7A and Deadline 8 submissions its position that financial contributions from the Applicant are necessary and appropriate to mitigate the adverse effects of REP's construction. The GLA considers that the Applicant should be required to enter into a planning obligation. Local residents and businesses rely on the local public transport network, including buses, and TFL expects that it will be required to run additional services and divert buses as a result of the proposed electrical connection construction. TFL consider that a financial contribution to cover the cost of these measures via a Section 106 agreement is appropriate and necessary.

9. To secure maximum use of sustainable transport of materials and waste by river, the GLA suggests the following amends to para 10.1.3 (suggested changes in track): The Applicant will maximise opportunities for transport of waste and materials by river. *The Applicant will appraise and reasonably implement opportunities for using the existing jetty facilities for 10.1.3 the construction of REP particularly the technical feasibility and economic viability of using ISO containers for transporting construction materials and waste. This appraisal will need to take into account, for example, the overriding priority that must be afforded to the operations of RRRF, the timing of when construction materials and waste need to arrive/depart at REP vis a vis the timings of waste deliveries / ash exports from RRRF, the suitability of the cranes, configuration of the jetty itself, and health and safety considerations. In addition, consideration will need to be given to convenient pre-existing water interface availability at the starting point of that waste or material's journey. The final CTMP will set out the conclusions of that written appraisal and identify reasonable opportunities for construction materials and waste that can feasibly and economically be transported to REP via River. The operation of marine activities would be managed by Cory's existing marine logistics teams, who are highly*

trained in the operations on the River Thames and would co-ordinate vessel movements with those for the continuing operation of RRRF.

Supplementary Note to the Jetty Outage Assessment

10. The conclusions of the Jetty Outage Technical Note appear acceptable, provided that HGVs are capped during the peak as presented in the Note i.e. 80 movements during the peak periods (40 movements in and 40 movements out). The Note shows no significant impacts on network capacity during the peaks. The number of movements over a 24-hour period is significant but the worst impacts are during the peaks and the GLA considers that this is not significant.

Updated Outline Code of Construction Practice

11. The GLA accepts the approach set out at para 4.3.4 of the CoCP as to how the Applicant will mitigate against adverse effects of Non-Road Mobile Machinery (NRMM). For appropriateness and for the benefit of the Applicant, the GLA suggests the following amendments to paragraph 4.3.4 (in track change): *Non-Road mobile machinery (NRMM) of net power between 37kW and 560 kW used during construction of the Proposed Development will comply with the emissions standards set out in the London Mayor's SPG on 'The Control of Dust and Emissions During Construction and Demolition', July 2014 (or the applicable guidance a the time of construction) unless an exemption has been granted by the GLA, in accordance with the exemption policy published on the NRMM register website.* ~~otherwise agreed with the relevant planning authority (for example, if it can be demonstrated that the machinery is not available or that a comprehensive retrofit for both PM and NOx is not feasible. In this situation every effort should be made to use the least polluting equipment available).~~

12. The rationale for the proposed amendments to paragraph 4.3.4 is that the normal procedure is for exemptions to be granted by the GLA through the register rather than by the LPA. The LPA is not the correct body to do this and may not be able to provide the exemptions in a reasonable amount of time or in a consistent fashion. The LPA also would not be able to check if a specific piece of equipment is already exempt. In some cases an individual machine will be exempted for all sites for a period of a year. The GLA has an exemption policy that supports the implementation of the "Control of dust and emissions during construction and demolition" SPG to ensure that exemptions are granted fairly. This policy covers all the items listed by the applicant, such as non-availability of plant or appropriate retro-fit as well as emergencies and other cases. The exemption policy is published online at https://nrmm.london/content/nrmm-exemption-policy.

13. The GLA understands that the Applicant proposes to add a further requirement to DCO Requirement 13 that commits the Applicant to act on all measures set out in the Outline Code of Construction Practice. The GLA reserves the right to comment on the final wording of Requirement 13.

Other items

14. The GLA stated at the ISH that it would consider the Applicant's proposal to withdraw Requirement 15 Emissions Limits on Work 1A from the DCO. The GLA has considered this proposal and maintains that this condition with the amendments set out in the GLA's Deadline 7A submission is necessary and effective to mitigate against the adverse effects of oxide of nitrogen and other emissions. The GLA's position is set out in more detail in Appendix B to this Deadline 8B submission.

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