



SCOPING OPINION:

Proposed Cory Decarbonisation Project

Case Reference: EN010128

Adopted by the Planning Inspectorate (on behalf of the Secretary of State) pursuant to Regulation 10 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017

26 May 2023



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1. INTRODUCTION

- 1.0.1 On 18 April 2023, the Planning Inspectorate (the Inspectorate) received an application for a Scoping Opinion from Cory Environmental Holdings Limited (the Applicant) under Regulation 10 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) for the proposed Cory Decarbonisation Project (the Proposed Development). The Applicant notified the Secretary of State (SoS) under Regulation 8(1)(b) of those regulations that they propose to provide an Environmental Statement (ES) in respect of the Proposed Development and by virtue of Regulation 6(2)(a), the Proposed Development is 'EIA development'.
- 1.0.2 The Applicant provided the necessary information to inform a request under EIA Regulation 10(3) in the form of a Scoping Report, available from:

<http://infrastructure.planninginspectorate.gov.uk/document/EN010128-000021>
- 1.0.3 This document is the Scoping Opinion (the Opinion) adopted by the Inspectorate on behalf of the SoS. This Opinion is made on the basis of the information provided in the Scoping Report, reflecting the Proposed Development as currently described by the Applicant. This Opinion should be read in conjunction with the Applicant's Scoping Report.
- 1.0.4 The Inspectorate has set out in the following sections of this Opinion where it has/ has not agreed to scope out certain aspects/ matters on the basis of the information provided as part of the Scoping Report. The Inspectorate is content that the receipt of this Scoping Opinion should not prevent the Applicant from subsequently agreeing with the relevant consultation bodies to scope such aspects/ matters out of the ES, where further evidence has been provided to justify this approach. However, in order to demonstrate that the aspects/ matters have been appropriately addressed, the ES should explain the reasoning for scoping them out and justify the approach taken.
- 1.0.5 Before adopting this Opinion, the Inspectorate has consulted the 'consultation bodies' listed in Appendix 1 in accordance with EIA Regulation 10(6). A list of those consultation bodies who replied within the statutory timeframe (along with copies of their comments) is provided in Appendix 2. These comments have been taken into account in the preparation of this Opinion.
- 1.0.6 The Inspectorate has published a series of advice notes on the National Infrastructure Planning website, including [Advice Note 7: Environmental Impact Assessment: Preliminary Environmental Information, Screening and Scoping \(AN7\)](#). AN7 and its annexes provide guidance on EIA processes during the pre-application stages and advice to support applicants in the preparation of their ES.
- 1.0.7 Applicants should have particular regard to the standing advice in AN7, alongside other advice notes on the Planning Act 2008 (PA2008) process, available from:

<https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/>

- 1.0.8 This Opinion should not be construed as implying that the Inspectorate agrees with the information or comments provided by the Applicant in their request for an opinion from the Inspectorate. In particular, comments from the Inspectorate in this Opinion are without prejudice to any later decisions taken (e.g. on formal submission of the application) that any development identified by the Applicant is necessarily to be treated as part of a Nationally Significant Infrastructure Project (NSIP) or Associated Development or development that does not require development consent.

2. OVERARCHING COMMENTS

2.1 Description of the Proposed Development

(Scoping Report Chapter 2)

ID	Ref	Description	Inspectorate's comments
2.1.1	n/a	Project description - general	<p>The Scoping Report presents a relatively high level description of the Proposed Development (noting that a zoning plan will be developed at a later stage), which has limited the Inspectorate's ability to provide detailed comments on the project description at this time. The locations of principal development components within the application site are not yet confirmed and that their anticipated heights have not been provided, except for an indicative maximum (worst-case scenario) height of 90m AOD for the absorber column stack.</p> <p>At the point of application, the description of the physical characteristics of the Proposed Development should be sufficiently developed to include further details regarding the design, size and locations of the different elements of the Proposed Development. This should include the footprint and heights of both temporary and permanent structures and land-use requirements for all phases and elements of the Proposed Development. This should be supported (as necessary) by figures, cross sections and drawings which should be clearly and appropriately referenced.</p> <p>The Applicant should make effort to fix the siting of each component and reduce uncertainty where feasible; where this is not possible, the Applicant should provide justification and ensure that the ES assesses a worst-case scenario adopting a parameters based approach.</p>

ID	Ref	Description	Inspectorate's comments
2.1.2	Paras 1.4.2, 2.2.27 and 2.2.55	Offshore geological storage and the transportation of liquid carbon dioxide (LCO ₂) and low carbon hydrogen	<p>The Scoping Report refers to the development of destination geological storage locations offshore and the transportation of LCO₂ and low carbon hydrogen, which do not form part of the Proposed Development which is subject to a proposed application for Development Consent under the Planning Act 2008.</p> <p>The ES should clearly describe the relationship between the Proposed Development and connected projects. This should include the extent to which the Proposed Development is dependent on their delivery and the development timelines and anticipated consenting routes of the other projects, with an explanation of how these will be coordinated.</p> <p>The Scoping Report states that the "<i>downstream</i>" effects of the transporting the LCO₂ (via the River Thames) and hydrogen (via pipeline connection, hydrogen tube trailers or hydrogen tankers (ships) may be assessed as part of the ES for the Proposed Development, "<i>where appropriate</i>".</p> <p>The ES should explain the likely methods proposed to transport LCO₂ and hydrogen from the site and should demonstrate that the methods considered are deliverable. Accordingly, the assessment should address the potential for any of these methods to result in a likely significant effect. The Inspectorate advises that the ES sets out clearly and in detail, how the assessment addresses impacts resulting from consequential development and activity where significant effects are likely to result (e.g shipping of LCO₂ and transport of hydrogen). The ES should clearly explain and justify the boundaries and limitations of the assessment and, noting uncertainty may persist, any reasonable assumptions that have been applied (e.g. number and routing of vessel movements etc). The assessment should address the worst case (which may differ for different aspects), and if the nature and likely impacts of transport methods are very different,</p>

ID	Ref	Description	Inspectorate's comments
			then the Applicant should consider the need to assess each option individually.
2.1.3	n/a	New stacks	The ES should confirm the maximum number and the maximum (and where relevant, minimum) height and diameter of the proposed stack/s. Should flexibility be required, any limits of deviation should be taken into account in relevant ES assessments, particularly with regards to air quality modelling and the Townscape and Visual Impact Assessment. The ES should identify and assess the worst case scenario for the stacks for relevant aspect chapters (noting that this may differ between aspects).
2.1.4	n/a	Options	<p>The Scoping Report identifies available options for the principal components of the Proposed Development. The options include a number of potential sources for the water supply for the Electrolysis Plant and different approaches relevant to the export of hydrogen offsite, including whether a pipeline would be brought forward by a distribution network operator. There is also uncertainty regarding whether construction materials would be delivered via road/ water, the number of buildings required to house electrolyser arrays and associated plant, and the backup power supplies for the CCS Project and Hydrogen Project (described as "...for example a battery energy storage system and/or emergency standby generators").</p> <p>The Inspectorate notes that early determination of options and engagement with relevant consultation bodies will support a more robust assessment of likely significant effects and provide certainty to those likely to be affected. Where it is determined that options cannot be excluded and flexibility needs to be retained, this should be fully justified. Where options are retained, the assessment should address the worst case (which may differ for different aspects), and where the nature and likely impacts of options are very different, then the</p>

ID	Ref	Description	Inspectorate's comments
			Applicant should consider the need to assess each option individually, specifying mitigation where required.
2.1.5	Para 2.1.2	Works to drainage ditches	If the Proposed Development includes works that may affect the existing drainage regime including ditches these should be assessed in the ES. In particular the assessment should focus on upgrades to or construction of crossing points, including any crossings required temporarily for construction.
2.1.6	Paras 2.1.17 and 6.6.2	Crossness Local Nature Reserve (LNR)	<p>Paragraph 2.1.17 states that "A portion of the Crossness LNR is proposed to be included in the Site Boundary" and paragraph 6.6.2 states that "The Proposed Scheme will likely result in the loss of part of Crossness LNR". The ES should quantify the amount of land within the Crossness LNR which is located within the application site and describe in detail the works which would take place within the LNR.</p> <p>The scoping consultation response from Thames Water (Appendix 2 of this Opinion) states that Crossness LNR was required to be provided and maintained for at least 99 years by a section 106 legal agreement associated with a previous planning permission. Where there is potential for the Proposed Development to impact on the Crossness LNR, the ES should include an assessment of relevant effects, including any effects on the ability to deliver outcomes required through the mitigation provided under the previous scheme.</p>
2.1.7	Paras 2.2.12 to 2.2.18; 2.2.36 and 2.2.37	Land use requirements; nature and quantity of materials used; type and quantity of waste produced	The description in the ES of the nature and quantity of materials and natural resources to be used during the operational phase (and where relevant, stored on site) should include the solvent for chemical absorption in the Carbon Capture Plant and the water supply for the Electrolysis Plant.

ID	Ref	Description	Inspectorate's comments
			<p>The volume of amine-loaded waste to be produced by the Solvent Regeneration System, stored on site and transported off site for incineration should also be estimated.</p> <p>The description of the land use requirements of the operational phase should include the locations of storage areas (including for materials, liquids, water and wastes) within the application site.</p>
2.1.8	Paras 2.2.56 and 2.2.57	Works in marine environment	<p>The Scoping Report presents little information in relation to proposed works in the marine environment. The ES should describe in detail all proposed works in the marine environment. The ES should identify areas that would be dredged during construction and operation and the likely quantities of material that would be dredged, along with the methods and frequencies of these activities and likely location for any disposal. Any likely significant effects should be assessed in the relevant ES aspect chapters.</p>
2.1.9	Para 2.2.59	Backup power supplies	<p>The ES should describe the technical capacity of the backup power supplies for the CCS Project and Hydrogen Project (described in the Scoping Report as "...for example a battery energy storage system and/or emergency standby generators").</p>
2.1.10	Sections 2.3 and 2.4	Employment	<p>The ES should detail the number of full and part time jobs anticipated to be generated by all phases of the Proposed Development.</p> <p>It should be explained how the construction workforce would vary depending on whether the CCS Project is constructed in either a single phase or two phases.</p>
2.1.11	Para 2.3.3	Construction compound(s)	<p>The ES should confirm the locations and sizes of the construction compound(s) and where possible, show detailed layouts. Any mitigation measures proposed to avoid or minimise impacts relating to the use of compounds should be described in the ES.</p>

ID	Ref	Description	Inspectorate's comments
2.1.12	Para 2.3.6	24 hour working	The Scoping Report notes that some 24-hour working is likely to be required. The locations and types of such activities should be identified and any likely significant effects from these works assessed within the ES.
2.1.13	Paras 2.3.7 and 2.4.7	Vehicle and vessel movements	<p>The ES should detail the number of anticipated vehicle and vessel movements during all phases of the Proposed Development, including those required for dredging and disposal, and explain the assumptions upon which these have been established.</p> <p>In relation to vessels, the ES should provide details of berthing and navigational arrangements, direction and distances of travel, and a recommended speed limit for vessels including how this would be enforced.</p> <p>The ES should also consider, within relevant sections, the requirement for contingency plans during construction and operation in the event that river navigation is not possible, for example extreme meteorological events or jetty outage.</p>
2.1.14	Paras 2.4.1 to 2.4.6	Operation and maintenance	The ES should provide a full description of the nature and scope of operation and maintenance activities, including types of activity and frequency. This should include consideration of potential overlapping of activities with those required for the continuing operation of Riverside 1 and future operation of Riverside 2.
2.1.15	n/a	Existing infrastructure	The assessment in the ES should take into account the locations of existing infrastructure and identify any interactions between it and the Proposed Development. Any impacts to existing infrastructure which are likely to result in significant effects should be assessed. In particular, the Applicant's attention is drawn to the scoping consultation responses from Thames Water, the Environment Agency, National Grid Electricity Transmission Plc and Northern Gas (see

ID	Ref	Description	Inspectorate's comments
			Appendix 2 of this Opinion), which highlight flood defences and electricity transmission, gas and water infrastructure that could be affected by the Proposed Development.
2.1.16	n/a	Utilities connections	The scoping consultation response from Thames Water (Appendix 2 of this Opinion) indicates that if the water supply is to be via mains water connection, works to existing water infrastructure may be required. The ES should take into account impacts resulting from any works required to utilities infrastructure to serve the Proposed Development.
2.1.17	n/a	Access routes	<p>The ES should describe the proposed site entrance/s and the routes to be used for all vehicular and vessel access during construction and operation of the Proposed Development and this information should be clearly presented on supporting plans within the ES.</p> <p>The ES should describe and assess the potential impacts (both positive and negative) associated with any improvements/ changes to the access routes which are either required to facilitate construction/ operation of the Proposed Development or are required for restoration purposes on completion of the works.</p> <p>The ES should explain how the proposed access route(s) relate to sensitive receptors.</p>
2.1.18	n/a	Unexploded Ordnance (UXO)	<p>Chapter 19 of the Scoping Report states that as much of the application site is brownfield land which has already been developed, the discovery of previously unidentified UXO is unlikely. No reference is made to the likely risk of encountering UXO in the marine area of the application site.</p> <p>In view of the location, nature and characteristics of the Proposed Development, the Inspectorate advises that the ES should include a high-level assessment of impacts from UXO in relevant aspect</p>

ID	Ref	Description	Inspectorate's comments
			chapters based on a likely worst case scenario. Any assumptions used in the definition of the worst case scenario should be explained in the ES.
2.1.19	n/a	Piling	The ES should describe the location and methods applied for piling activities (including any piling in the marine area) and explain any assumptions made in this regard. Any likely significant effects should be assessed and any proposed mitigation measures described.
2.1.20	n/a	Demolition	The Proposed Development may involve the demolition of a single industrial facility (Munster Joinery Warehouse) which is located within the application site. The ES should provide a description of any demolition works required and assessment of any resulting likely significant effects.

2.2 EIA Methodology and Scope of Assessment

(Scoping Report Chapter 3)

ID	Ref	Applicant's proposed matter to scope out	Inspectorate's comments
2.2.1	Para 3.8.2	Impacts from decommissioning	<p>Paragraph 3.8.2 of the Scoping Report states that there are no plans to decommission and remove the Proposed Development and were it to be removed, it would be likely to require a similar degree of plant, equipment and disturbance to that predicted during construction. At the end of the anticipated 25 year operational lifespan, a decision would be taken as to whether to extend the operational life of the Proposed Development.</p> <p>The Inspectorate does not consider that sufficient information has been provided regarding the location and nature of the works in order to scope out impacts from decommissioning. The ES should provide a proportionate description of the activities and works which are likely to be required to decommission the Proposed Development or extend its operational life, and the anticipated duration. Where significant effects are likely to occur as a result of works to decommission the Proposed Development or extend its operational life, these should be described and assessed in the ES.</p>
2.2.2	Para 3.10.1	Impacts from heat emissions	<p>The ES should assess impacts from any thermally elevated discharges into the River Thames which are likely to result in significant effects on ecological receptors.</p>
2.2.3	Para 3.10.1	Impacts from radiation	<p>Having regard to the nature and characteristics of the Proposed Development, the Inspectorate is content that any impacts from radiation are not likely to result in significant effects. This matter can be scoped out of the ES.</p>

ID	Ref	Applicant's proposed matter to scope out	Inspectorate's comments
2.2.4	Para 3.10.1	Impacts from lighting emissions	Paragraph 3.10.1 of the Scoping Report proposes to scope out lighting, however other sections of the Scoping Report (e.g. Chapter 6: Terrestrial Biodiversity) identify impacts from lighting as scoped into the assessment, meaning the proposed approach is unclear. The Inspectorate is therefore not in a position to agree that this matter can be scoped out. The ES should assess impacts from lighting which are likely to result in significant effects.

ID	Ref	Description	Inspectorate's comments
2.2.5	Paras 3.4.7 to 3.4.8	Limitations and assumptions	<p>The ES should describe any limitations to the baseline data collection for the Proposed Development resulting from Riverside 2 currently being under construction on the application site (e.g. possible restrictions on land access), and explain how any such limitations have been addressed.</p> <p>Paragraph 3.4.8 of the Scoping Report states that where it is not possible to access third party private land, data will be collected from publicly accessible land only. The ES should be based on sufficient baseline data to support a robust assessment of likely significant effects, as required by the EIA Regulations 2017. The Applicant should make effort to agree the sufficiency of surveys required to inform the assessment with relevant consultation bodies.</p>
2.2.6	Para 3.4.4 and 3.4.5	Baseline data	<p>The Scoping Report refers to use of information gathered and presented within the ESs for previous projects (primarily Riverside 2).</p> <p>The ES should utilise available datasets (for example, air quality monitoring data for Riverside 1) and identify where this is required to</p>

ID	Ref	Description	Inspectorate's comments
			<p>be supplemented by new surveys to ensure that the assessment is based upon up-to date information and is representative of the baseline at the time of production. Data collected in relation to other projects and used within the ES for this Proposed Development should be clearly referenced and the ES should include an explanation of why that data is considered applicable and to remain representative of the current and future baseline.</p>
2.2.7	Section 3.5	Future baseline	<p>The Inspectorate notes the ES would be based on an assumption that Riverside 2 is completed and operational by 2026. Construction of the Proposed Development is scheduled to start in Q1 2026.</p> <p>If there is any change to this position and there is potential for overlapping construction of the two projects, the ES should describe and assess a worst case.</p>
2.2.8	Paras 3.6.1 to 3.6.4	Alternatives	<p>The description of reasonable alternatives in the ES should include any alternatives to the use of land within Crossness LNR and the main reasons for selecting that option, including a comparison of the environmental effects.</p>
2.2.9	Section 3.7	Mitigation	<p>The Scoping Report (paragraph 10.6.2 and Table 19-4) confirms that an Emergency Preparedness and Response Plan will be developed. A draft/ outline version of this plan should be provided with the ES and the ES should confirm how adherence with the plan would be secured through the dDCO or other legal mechanism.</p> <p>If impacts from measures in this plan (for example backup generators in the event of a loss of electrical power) are likely to result in significant effects, these should be assessed in relevant ES chapters.</p>
2.2.10	Section 3.9	Transboundary	<p>The Inspectorate on behalf of the SoS has considered the Proposed Development and concludes that the Proposed Development is unlikely to have a significant effect either alone or cumulatively on</p>

ID	Ref	Description	Inspectorate's comments
			<p>the environment in a European Economic Area State. In reaching this conclusion the Inspectorate has identified and considered the Proposed Development's likely impacts including consideration of potential pathways and the extent, magnitude, probability, duration, frequency and reversibility of the impacts.</p> <p>The Inspectorate considers that the likelihood of transboundary effects resulting from the Proposed Development is so low that it does not warrant the issue of a detailed transboundary screening. However, this position will remain under review and will have regard to any new or materially different information coming to light which may alter that decision.</p> <p>Note: The Proposed Development subject to this transboundary screening is the Cory Decarbonisation Project (to be located within the site boundary shown on Figure 1-1 of the Scoping Report), which is subject to a proposed application for Development Consent under the Planning Act 2008. Disposal of CO₂ offshore does not form part of the Proposed Development and development of offshore elements of the project, including off-site geological storage locations for the captured CO₂, is subject to separate consenting requirements.</p> <p>The SoS' duty under Regulation 32 of the 2017 EIA Regulations continues throughout the application process.</p> <p>The Inspectorate's screening of transboundary issues is based on the relevant considerations specified in the Annex to its Advice Note Twelve, available on our website at http://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/</p>
2.2.11	n/a	Reference to draft National Policy Statements (NPS)	The Scoping Report refers to the draft NPS' published in 2021. The ES should make reference to the most recently available version of the

ID	Ref	Description	Inspectorate's comments
			draft NPS, currently from March 2023, or the adopted NPS if published by the time of authoring of the ES.

3. ENVIRONMENTAL ASPECT COMMENTS

3.1 Air Quality

(Scoping Report Chapter 4)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.1.1	Table 4-2	Operational phase impacts from: <ul style="list-style-type: none"> Dust, Particulate Matter of less than 10 micrometres in diameter (PM₁₀) and Particulate Matter less than 2.5 micrometres in diameter (PM_{2.5}); and emissions of Nitrogen Dioxide (NO₂), PM₁₀ and PM_{2.5} from non-road mobile machinery (NRMM) 	The Inspectorate agrees that operational phase impacts from dust and emissions of NO ₂ , PM ₁₀ and PM _{2.5} from any NRMM are not likely to result in significant effects. These matters can be scoped out of the ES.
3.1.2	Table 4-2	Road traffic emissions of NO ₂ and PM ₁₀ and PM _{2.5} from the CCS Project – operational phase	The Scoping Report proposes to scope out this matter on the basis that only occasional maintenance vehicle movements are anticipated for the CCS Project. The Inspectorate agrees that operational phase impacts from road traffic emissions of NO ₂ , PM ₁₀ and PM _{2.5} from the CCS Project can be scoped out of the ES. The Inspectorate notes that road traffic emissions of NO ₂ , PM ₁₀ and PM _{2.5} are scoped in for the operational phase of the Hydrogen Project (if this transport option is chosen).
3.1.3	Table 4-2	Construction phase impacts from:	The Inspectorate is content that these impacts are primarily related to operation of the Proposed Development and are not likely to result

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		<ul style="list-style-type: none"> • changes to emissions of Air Quality Strategy (AQS) pollutants and other pollutants, generated in Riverside 1 and Riverside 2 following the application of the Carbon Capture process; • emissions of new pollutants from CCS Project; • emissions of Ozone (O₃) from the Hydrogen Project; and • emissions of NO₂, PM₁₀ and PM_{2.5} from new backup power generators (ancillary infrastructure and equipment). 	<p>in significant effects during the construction phase. An assessment of these matters for the construction phase can be scoped out.</p>
3.14	Table 4-2	Emissions of toxic/ flammable gases from fires – construction phase	<p>The Scoping Report explains that gasses that are released from battery energy storage systems are highly flammable and toxic and that following combustion, emissions could include particulate matter and other products of incomplete combustion. The Inspectorate agrees that fire risk from a battery energy storage system relates primarily to the operational phase. Therefore, the Inspectorate agrees that emissions of toxic/ flammable gases from fires during the construction phase can be scoped out of the ES.</p>
3.15	Table 4-2	Air Quality Neutral Assessment (AQNA) and Air Quality Positive	<p>The Scoping Report explains that Policy S1 1 of the London Plan ('Improving Air Quality') states that "<i>development proposals must be at least air quality neutral</i>" and that the Greater London Authority</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		Statement (AQPS) – construction phase	<p>sets out requirements for developments to demonstrate measures taken to achieve the best possible outcomes for air quality, known as Air Quality Positive. An AQNA and AQPS are proposed for the operational phase, but not for construction.</p> <p>The Scoping Report does not provide evidence that these requirements relate to operation only or provide justification for why such a consideration is not required and therefore, the Inspectorate is not in a position to scope out the need for an AQNA and AQPS relating to the construction phase.</p> <p>The Applicant should make effort to discuss and agree the scope of the AQNA and AQPS with relevant consultation bodies. The findings of the AQNA and measures included in the AQPS should be described in the ES, where relevant to the assessment of likely significant effects.</p>
3.1.6	Paras 4.8.4 and 4.8.5	Road traffic emissions - construction and operational phases (if relevant Institute of Air Quality Management (IAQM) indicative criteria are not exceeded)	<p>If the predicted numbers of construction or operational traffic movements generated by the Proposed Development alone or cumulatively would demonstrably not exceed the relevant indicative criteria for air quality assessment set out in the IAQM guidance¹, as relevant to each of the affected roads used for construction or operational traffic (once the route has been confirmed), the Inspectorate agrees that this matter can be scoped out of the ES.</p> <p>Where predicted construction or operational traffic flows meet the criteria, the Scoping Report confirms that this matter will be scoped into the ES.</p>

¹ Environmental Protection UK and Institute of Air Quality Management (IAQM) (2017) Land-Use Planning & Development Control: Planning for Air Quality

ID	Ref	Description	Inspectorate's comments
3.1.7	Para 2.2.15	Stack parameters	<p>A description of the methods used for determining stack height and diameter should be included within the ES, including any decisions regarding Best Available Techniques (BAT) and any sensitivity testing which has been undertaken. The ES should clearly explain the assumptions that have been made in the air quality assessment regarding the number, placement, height and diameter of the stack(s) and the Applicant should ensure these parameters are reflected in the dDCO.</p>
3.1.8	Paras 4.3.3, 4.3.5 and 4.8.2	Baseline conditions	<p>The ES should identify the locations of the local authority monitoring stations (continuous analysers) and proposed NO₂ diffusion tubes on a plan.</p> <p>In relation to the proposed NO₂ diffusion tubes and any other monitoring to be undertaken by the Applicant, the ES should include a justification for the monitoring locations and provide details of the monitoring method, sampling period, data capture and any adjustments applied to the data, such as diffusion tube bias adjustment factors.</p> <p>The ES should also consider any assumptions or limitations associated with any air quality and related data (for example traffic and transport) in relation to COVID-19 restrictions.</p>
3.1.9	Section 4.4	Study areas	<p>The Applicant should make effort to agree the study areas used in the assessment with relevant consultation bodies and these should be justified within the ES, with reference to relevant guidance and the extent of the likely impacts.</p> <p>The chosen study areas should be sufficient to encompass all routes and sensitive receptors on the local road transport network and along the River Thames (including AQFAs and/ or AQMAs and their Action Plans) which could be significantly affected by changes in air quality</p>

ID	Ref	Description	Inspectorate's comments
			<p>from increased construction, operational and decommissioning road and vessel traffic emissions.</p> <p>The Applicant's attention is drawn to comments from Dartford Borough Council in this regard (Appendix 2 of this Opinion).</p>
3.1.10	Section 4.5	Sensitive receptors	The ES should identify the locations of sensitive receptors on appropriate plans.
3.1.11	n/a	Monitoring	The Applicant should set out in the ES any proposals for long term air quality monitoring of emissions from the Proposed Development, including any provision for potential remedial action. If monitoring would be undertaken as a condition of an environmental permit, this should be explained.
3.1.12	n/a	Modelling	The Inspectorate notes that no specific details are given as to some of the parameters that are to be modelled in relation to air quality, as they are described as " <i>AQS pollutants and other pollutants</i> ". The Applicant should make effort to agree the scope and methodology of air quality modelling for all relevant pollution sources with relevant consultation bodies.

3.2 Noise and Vibration

(Scoping Report Chapter 5)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.2.1	Para 5.5.3	Assessment of noise and vibration impacts on ecological receptors and heritage receptors from the Noise and Vibration ES Chapter	<p>The Scoping Report proposes that the assessment of noise and vibration impacts on ecological receptors will be presented in ES Chapter 6: Terrestrial Biodiversity and ES Chapter 7: Marine Biodiversity; while impacts to heritage receptors would be considered in ES Chapter 8: Heritage.</p> <p>The Inspectorate is content with this approach. The Noise and Vibration ES Chapter should provide clear cross-referencing to where the relevant impacts are considered.</p>
3.2.2	Table 5-2	Vibration from sources other than vehicle movements on the surrounding road network - construction	<p>The Inspectorate notes the presence of workplaces and infrastructure in proximity to the application site and does not consider that sufficient evidence has been provided to demonstrate the absence of a pathway for significant effects. The Inspectorate is therefore not in agreement that this matter can be scoped out. The ES should assess impacts to relevant receptors from construction vibration (from sources other than vehicle movements on the surrounding road network) where significant effects are likely.</p>
3.2.3	Table 5-2	Vibration from vehicle movements on the surrounding road network - construction	<p>Based on the temporary duration of construction traffic movements and the nature of the surrounding land use, the Inspectorate is in agreement that an assessment of construction vibration from vehicle movements on the surrounding road network can be scoped out of the ES.</p>
3.2.4	Table 5-2	Vibration from sources other than traffic - operation	<p>Given the nature of the Proposed Development, the Inspectorate is content that impacts from operational vibration (from sources other</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			than traffic) are not likely to result in significant effects. This matter can be scoped out.
3.2.5	Table 5-2	Vibration from additional traffic - operation	<p>In the absence of certainty around how hydrogen would be transported during operation (potentially via hydrogen tube trailers of unknown frequency), the Inspectorate is not in a position to scope out this matter.</p> <p>If operational traffic movements would occur within 16 metres of the flood defence, the ES should provide an assessment of any likely significant effects on the flood defence resulting from vibration.</p>
3.2.6	Table 5-2	Underwater noise - operation	The Inspectorate is content that an assessment of underwater noise during operation can be scoped out of the Noise and Vibration ES Chapter. The Scoping Report (Table 7-7) confirms that impacts on fish and marine mammals from underwater noise during operation and maintenance are to be assessed in the ES Marine Biodiversity Chapter.

ID	Ref	Description	Inspectorate's comments
3.2.7	Section 5.4	Study area	<p>The Scoping Report states that the study area is 300m for construction noise, 600m for construction traffic and 600m for operational noise. Whilst paragraph 5.4.2 of the Scoping Report details the potential to extend the operational study area, the Scoping Report does not state whether the construction phase study area is subject to extension based on the results of assessment.</p> <p>The Inspectorate considers that an extension should be considered to include a wider area of receptors and to take into consideration any</p>

ID	Ref	Description	Inspectorate's comments
			as yet unconfirmed variables such as construction and piling methods which may give rise to increased noise.
3.2.8	Para 5.5.2	Sensitive receptors	The Scoping Report states that places of work, including the existing Riverside campus facility, are not considered to be noise sensitive. The Scoping Report does not provide any evidence to support this. The ES should provide a detailed description of receptor sensitivity as part of a justification for omitting nearby receptors from assessment.
3.2.9	Para 5.8.12	Underwater noise assessment	The Scoping Report does not provide a commitment to undertaking an underwater noise (acoustic) assessment, explaining this would be determined at a later date when more detailed information on the Proposed Development is available. The Applicant should make effort to discuss and agree the need for an underwater acoustic assessment and any baseline data required to inform such an assessment, with relevant consultation bodies.

3.3 Terrestrial Biodiversity

(Scoping Report Chapter 6)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.3.1	Table 6-4	Maintenance activities during operation	<p>The Scoping Report states that species present in the site and immediate surroundings are acclimatised to existing levels of human activity and human activity may increase slightly during operation. The Scoping Report does not provide details regarding the type, duration and location of maintenance activities. It is also considered that as the Proposed Development proposes to use part of the Crossness LNR, there may be species present which are currently able to avoid areas which currently experience human activity. The Proposed Development would encroach onto the LNR and may create disturbance to some species. Therefore, the Inspectorate does not consider this matter can be scoped out of the ES.</p>
3.3.2	Para 6.3.17	Impacts on badgers	<p>The Scoping Report states that the site does not provide suitable habitat for badger due to the high water table (preventing sett building) and its fragmented, industrialised nature. The Inspectorate agrees with this justification and is content that this matter may be scoped out.</p>
3.3.3	Para 6.3.14	Habitat formed of development land, hard standing and buildings	<p>Paragraph 6.3.13 of the Scoping Opinion outlines the habitat types which have been included within the assessment. In addition to the habitat types listed, the Inspectorate considers that marshland habitat and open water habitat should also be included in the assessment.</p> <p>The Inspectorate is otherwise content that the remaining land can be scoped out on the basis that it is comprised of development land, hard standing and buildings which have no ecological value.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.3.4	Para 6.3.25	Impacts on great crested newt	<p>The Scoping Report states that the Manager of the Crossness LNR (from Thames Water) has confirmed there are no records of great crested newt within the LNR. The Scoping Report also notes that the London Borough of Bexley does not require surveys for great crested newts for planning applications in this location, further suggesting they are absent from both the site and immediate surroundings. Therefore the Inspectorate agrees to scope this matter out, however evidence of the dialogue with the Thames Water Crossness LNR manager should be included within the ES or supporting appendices.</p>
3.3.5	Para 6.3.26	Impacts on hazel dormouse	<p>The Scoping Report states that no records of hazel dormouse were identified in the desk study. It is considered that the majority of the site does not provide suitable habitat. A small area of woodland/ scrub in the south of the site has not been surveyed due to lack of access. It is stated that other recent and nearby developments did not find evidence of hazel dormouse, however it is not clear whether these applications undertook surveys of the woodland and scrub area.</p> <p>The Applicant should make effort to discuss and agree with relevant consultation bodies whether hazel dormouse surveys of the woodland and scrub area are required. The ES should provide a robust justification of the approach taken and an explanation of how any uncertainties have been addressed.</p>
3.3.6	Para 6.3.30	Impacts on otter	<p>The Scoping Report states that no records of otter were identified from the desk study. It also considers that the majority of the application site does not provide suitable habitat for otter holts. There is an area of scrub/ woodland in the south of the site which may be suitable to support otter, but given recent developments nearby, and lack of evidence of otter being present, the Inspectorate agrees with the justification provided and agrees to scope this matter out.</p>

ID	Ref	Description	Inspectorate's comments
3.3.7	Table 6-2, para 6.3.31 and para 6.3.38	Crossness LNR	The Thames Water scoping consultation response (Appendix 2 of this Opinion) states that there are inaccuracies in the reporting of bird, invertebrate and macroinvertebrate species at the Crossness LNR as presented in the Scoping Report (for example, it states that 210 bird species have been identified at the LNR, whereas the Scoping Report states 130). The ES should ensure that each assessment is carried out using and presenting an accurate representation of the most recent data available.
3.3.8	Para 6.3.36	Freshwater fish	<p>The Scoping Report states that the Environment Agency's Ecology and Fish Data Explorer returned no records of fresh fish from within the site boundary. However, the Environment Agency's scoping consultation response (Appendix 2 of this Opinion) states that monitoring has not taken place for many years.</p> <p>The ES should assess potential impacts on freshwater fish, supported by robust baseline survey data, unless otherwise agreed with relevant consultation bodies.</p>
3.3.9	Table 6-1 Ref 6.3	Guidance	<p>The Applicant is advised that CIEEM's guidelines for Ecological Impact Assessment (EcIA) was updated in 2019. The Applicant should have regard to the most recent version of the guidelines when undertaking the assessment of ecological impacts.</p> <p>The London Environment Strategy has not been referenced in relation to biodiversity, this document should be referenced within the ES.</p>
3.3.10	Para 6.6.2	Mitigation and compensation	<p>The ES should demonstrate how the mitigation measures proposed have followed the mitigation hierarchy.</p> <p>The ES should clearly explain the measures which are considered to be mitigation and which are compensation measures in respect of any habitat loss from Crossness LNR. The mitigation and compensation</p>

ID	Ref	Description	Inspectorate's comments
			package should be progressed with key stakeholders such as Natural England and Thames Water.
3.3.11	Section 6.7	Description of impacts	The ES should assess impacts on the Crossness LNR and the Erith Marshes SINC from shading as a result of the Proposed Development.
3.3.12	Section 6.7	Description of impacts	It is unclear from the project description how much new hard standing and impermeable surfaces would be introduced as a result of the Proposed Development. The ES should assess the potential for effects from surface water run off on species which are dependent on certain salinity levels. Cross reference should be made to the Water Environment and Flood Risk chapter of the ES.
3.3.13	Para 6.8.3	Assessment methodology	The Inspectorate considers that Thames Water, as owners of the Crossness LNR, should be kept informed regarding the methodology for ecological surveys together with the results of all survey work undertaken within the Crossness LNR.
3.3.14	Para 6.8.2 and Table 6-3	Ecological surveys	<p>There appears to be a discrepancy between the zone of influence (ZoI) for effects from the Proposed Development which are set out in Table 6-3 and the extent of the ecological surveys. The detail in Table 6-3 states for many of the species, the Proposed Development may create effects within the site boundary and 25 metres beyond. However the majority of the surveys listed in paragraph 6.8.2 of the Scoping Report only include land within the site boundary.</p> <p>The ES should clearly explain the reasoning for the spatial extents of the surveys undertaken, recognising the mobility of species which may use both land within and outside of the site boundary. The description of baseline conditions and assessment in the ES should be sufficient to address impacts on all species likely to be affected by the Proposed Development.</p>

ID	Ref	Description	Inspectorate's comments
3.3.15	Para 6.8.2	Reptile surveys	<p>The Scoping Report states that reptile surveys will be undertaken during September and October 2023. Reptile surveys are typically undertaken on several visits between March and October. The ES should explain how many surveys were undertaken and why it is considered that surveying in this short time period would provide a robust level of results to inform the assessment.</p>
3.3.16	Para 6.3.36	European eel surveys and water supply	<p>Paragraph 6.3.36 of the Scoping Report states that "<i>it can be assumed that European eel may be present within the site</i>". The Scoping Report identifies a number of ditches on and around the site and explains that surveys will be undertaken in these ditches for water voles and aquatic macroinvertebrates and macrophytes. The ES should confirm that surveys of the ditches have been undertaken for European eels which may use this habitat or justify why these are not required, in agreement with relevant consultees. The Applicant should consider the use of an Eel Recovery Plan.</p> <p>The ES should confirm where the water supply required for the Proposed Development will be derived from. If water from the Thames River will be used, then additional components may be required such as fine mesh and low velocity intake screening in order to prevent adverse effects to fish including European eels.</p>
3.3.17	n/a	Confidential Annexes	<p>Public bodies have a responsibility to avoid releasing environmental information that could bring about harm to sensitive or vulnerable ecological features. Specific survey and assessment data relating to the presence and locations of species such as badgers, rare birds and plants that could be subject to disturbance, damage, persecution, or commercial exploitation resulting from publication of the information, should be provided in the ES as a confidential annex. All other assessment information should be included in an ES chapter, as normal, with a placeholder explaining that a confidential annex has</p>

ID	Ref	Description	Inspectorate's comments
			been submitted to the Inspectorate and may be made available subject to request.

3.4 Marine Biodiversity

(Scoping Report Chapter 7)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.4.1	Para 7.7.3	Internationally designated sites – construction and operation	<p>Paragraph 7.3.8 of the Scoping Report identifies the following designed sites with hydrological links to the application site:</p> <ul style="list-style-type: none"> • Thames Estuary and Marshes Ramsar; • Medway Estuary and Marshes Ramsar; • Benfleet and Southend Marshes Ramsar; • Foulness (Mid-Essex Coast) Ramsar; and • The Swale Ramsar. <p>The Scoping Report explains that these sites are not designated for mobile aquatic features such as migratory fish or marine mammals and combined with the distance from the site, proposes that they are scoped out. The Inspectorate is content that significant effects are not likely and agrees to scope this matter out.</p>
3.4.2	Para 7.7.3	Nationally designated sites (with the exception of Medway Estuary Marine Conservation Zone (MCZ)) - construction and operation	<p>Table 7.2 of the Scoping Report lists the following nationally designated sites located within 10km of the Proposed Development:</p> <ul style="list-style-type: none"> • Inner Thames Marshes Site of Special Scientific Interest (SSSI); • West Thurrock Lagoon and Marshes SSSI; and • Swanscombe SSSI. <p>The Scoping Report explains that these sites are not designated for mobile aquatic features such as migratory fish or marine mammals</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			and combined with the distance from the site, have been scoped out. The Inspectorate agrees to scope this matter out.
3.4.3	Para 7.7.3	Impacts from any changes arising from the Proposed Development to deposition of airborne contaminants - construction and operation	This matter is proposed to be scoped out due to the likely dilution of any airborne contaminants caused by tidal mixing and the high flow levels in the Thames Middle Water Body. The Inspectorate agrees to scope this matter out.
3.4.4	Para 7.7.3	Effects on phytoplankton - construction and operation	The Scoping Report states that effects on phytoplankton have been scoped out of the assessment due to the short-term impacts from the Proposed Development activities (i.e. dredging), current dredging activities and the highly turbid nature of the Thames. At this stage, no details have been provided regarding the duration and frequency of dredging activities and therefore the Inspectorate does not agree to scope this matter out.
3.4.5	Para 7.7.3	Vagrant marine mammal species - construction and operation	The Scoping Report states that vagrant marine mammals such as humpback whale and beluga whale have been scoped out as they are not resident species within the Thames Estuary. The Inspectorate agrees this matter may be scoped out.
3.4.6	Table 7-7	Loss or disturbance of habitat (fish and marine mammals) - construction and operation.	The Scoping Report states that impacts from loss, degradation and disturbance on marine habitats are expected to be localised and that fish and marine mammals are highly mobile, which facilitates relocation/ avoidance. However, the area of habitat loss and its importance to species has not been detailed within the Scoping Report and the Inspectorate does not consider that sufficient information regarding the extent, duration and frequency of proposed activities has been provided in order to confirm the absence of a significant effect. As such the Inspectorate does not agree to scope this matter out of the ES. The assessment of effects during the

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			operational phase should explain how the frequency of maintenance activities has been determined. If this remains to be determined at the point of assessment, then the assessment should be based on a worst case scenario.
3.4.7	Table 7-7	Water quality and release of contaminants (marine mammals) - construction and operation	<p>The Scoping Report states that any impacts from the release of contaminants are expected to be localised and temporary and unlikely to produce lethal or sub-lethal effects to marine mammals, as these species are highly mobile and infrequently present within the site boundary. The Scoping Report does not quantify the volume or type of contaminants that would be carried on board vessels or provide any detail regarding an accident management plan.</p> <p>In the absence of sufficient information to confirm the absence of a pathway for significant effects on marine mammals, or evidence demonstrating clear agreement with relevant statutory bodies, the Inspectorate is not in a position to agree to scope this matter out from the assessment. Accordingly, the ES should include an assessment of impacts from changes to water quality and release of contaminants on marine mammals, or information to demonstrate agreement with the relevant consultation bodies and the absence of a LSE.</p>
3.4.8	Table 7-7	Noise and vibration (Medway Estuary MCZ, the River Thames and its Tidal Tributaries (SINC), marine habitats, intertidal and subtidal benthic communities and marine plants and macroalgae) - construction and operation	<p>The Scoping Report states that no adverse effects are anticipated on these receptors as they are insensitive to noise and vibration. The Inspectorate agrees that flora associated with these designated sites and habitats can be scoped out of further assessment.</p> <p>An assessment of noise and vibration impacts on fish and marine mammals during construction and operation is proposed. This should include impacts on spawning and migrating fish (including those</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			associated with the River Thames and its Tidal Tributaries SINC) where significant effects are likely.
3.4.9	Table 7-7	Lighting – effects on the Medway Estuary MCZ, The River Thames and its Tidal Tributaries (SINC), marine habitats, subtidal and intertidal benthic communities, marine plants and macroalgae marine mammals and Invasive Non-Native Species (INNS) - construction and operation	<p>The Scoping Report states that receptors are either insensitive to artificial light, or the impact is too localised and temporary to have a significant adverse effect. The Scoping Report does not provide sufficient information regarding the location, duration and type of lighting that will be deployed, and therefore, the Inspectorate does not consider that this matter may be scoped out of the assessment.</p> <p>The ES should either provide information to demonstrate the absence of a pathway for significant effects, or present an assessment of likely significant effects on these receptors resulting from lighting.</p>
3.4.10	Table 7-7	Vessel strikes (Medway Estuary MCZ, The River Thames and its Tidal Tributaries (SINC), marine habitats, subtidal and intertidal benthic communities, marine plants and macroalgae, fish and INNS) - construction and operation	The Scoping Report states that these receptors are not susceptible to vessel strikes. The Inspectorate agrees that this matter can be scoped out.
3.4.11	Table 7-7	Changes in suspended sediment concentrations and subsequent sediment deposition on the benthic environment (Medway Estuary MCZ, The River Thames and its Tidal Tributaries (SINC), subtidal and intertidal benthic communities, marine plants and macroalgae; fish, marine mammals and INNS) - operation	The Scoping Report states that operational maintenance such as dredging, increased boat traffic and berthing could resuspend sediment which would then settle on the benthic environment. An assumption has been made that the effects from this will be relatively low and localised. The Scoping Report does not provide details to justify this approach, such as the volumes and frequency of disturbed sediment, vessel types and nature of movements. Therefore the Inspectorate does not agree to scope this matter out.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.4.12	Table 7-7	Increased wave wash (marine plants and macroalgae, fish, marine mammals and INNS) - construction and operation	<p>The Scoping Report does not contain information regarding the existing number of vessel movements using this section of the River Thames. The Scoping Report states that up to five vessels will arrive at the site per week, which equates to ten vessel movements per week and 520 additional vessel movements per year. In other sections of the Scoping Report, the implementation of reduced vessels speeds is suggested, but no information is provided as to what speed is recommended or the mechanism by which it would be secured. The Inspectorate is therefore not in a position to scope this matter out.</p> <p>The ES should assess impacts from increased wave wash on marine plants and macroalgae, fish, marine mammals and INNS (including on the intertidal foreshore (a BAP priority habitat), during construction and operation, where significant effects are likely.</p>

ID	Ref	Description	Inspectorate's comments
3.4.13	Para 7.3.64	INNS	The Scoping Report states that INNS are likely to be present within the site boundary. The ES should explain any mitigation measures or biosecurity precautions required to prevent the spread of INNS. Any measures relied upon in the ES should be discussed with relevant consultation bodies, including Natural England and the Environment Agency, in effort to agree the approach. Measures relied upon in the ES should be adequately secured.
3.4.14	Para 7.6.2	Fish spawning	The Scoping Report states that consideration will be given to the timings of construction activities to avoid fish migration and spawning. The Inspectorate advises that effects from maintenance/dredging activities on fish migration and spawning should also be

ID	Ref	Description	Inspectorate's comments
			considered and that the ES should refer to the mechanism by which timing of activities will be controlled.
3.4.15	Para 18.3.5	Belvedere Power Station Jetty	The Scoping Report states that the Belvedere Power Station Jetty will need to be decommissioned and dismantled. The ES should include an assessment of likely significant effects resulting from removal of the jetty, such as additional vessel movements and potential habitat loss/ change including loss of roosting structures.
3.4.16	n/a	Shellfish	The ES should identify any potential impacts on shellfish and provide an assessment of any likely significant effects on these species.

3.5 Heritage

(Scoping Report Chapter 8)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.5.1	Table 8-2	Potential physical effects on unknown buried heritage assets within the Site Boundary (archaeological remains), including potential submerged remains within the Thames foreshore (marine) – operational phase	<p>If scour from vessel movements during operation or impacts from maintenance activities (for example any maintenance dredging) are likely to result in significant effects on heritage assets, these should be assessed in the ES.</p> <p>The Inspectorate is otherwise content that physical effects on unknown buried heritage assets, including submerged remains, are not likely to result in significant effects during the operational phase and that this matter can be scoped out.</p>
3.5.2	Table 8-2	Potential indirect effects on unknown buried heritage assets within the Site Boundary (archaeological remains), including potential submerged remains within the Thames foreshore (marine) – construction phase	<p>Impacts on archaeological remains from dewatering and from the movement of contaminants or pollutants during construction (or operation), should be assessed where significant effects are likely.</p> <p>The Inspectorate is otherwise content that indirect effects on unknown buried heritage assets, including submerged remains, are not likely to result in significant effects during the construction phase and that this matter can be scoped out.</p>
3.5.3	Table 8-2	Potential temporary effects on designated above-ground heritage assets, which are located beyond the Site Boundary and within the Study Area – construction phase	<p>The Scoping Report (Table 8-2) proposes that this matter is scoped out on the basis that construction impacts would be short-term (60 months), temporary and not considered significant. The Inspectorate is content that significant effects are not likely and that this matter can be scoped out.</p>
3.5.4	Para 8.4.2	Impacts to the setting of non-designated above ground heritage	<p>The Scoping Report explains that a single non-designated above ground heritage asset has been identified within a 500m study area, a locally listed building (an early 20th century concrete police box. The</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		assets – construction and operational phases	<p>Scoping Report does not identify the specific location of this asset on a plan or explain its heritage significance, but proposes that it is scoped out of the settings assessment "<i>Due to its nature and location...</i>". The Scoping Report therefore proposes that no non-designated above-ground heritage assets will be assessed, with no other such assets having been identified within the study area.</p> <p>Justification for use of a 500m study area has not been provided and whilst paragraph 8.8.2 of the Scoping Report lists the data sources that will be used to inform the description of baseline historic environment conditions in the Preliminary Environmental Information Report (PEIR) and ES, it is unclear what sources have been consulted at this stage to identify relevant non-designated above ground heritage assets which may be impacted.</p> <p>Based on the limited information and justification provided, the Inspectorate is not in a position to scope out this matter. Impacts to the setting of non-designated above ground heritage assets should therefore be scoped into the ES where significant effects are likely to occur.</p> <p>The assessment of impacts to the setting of any non-designated above ground heritage assets should be supported by baseline data which is sufficient to identify all such assets which could be impacted by the Proposed Development. The ES should explain the approach to determining the significance of non-designated heritage assets.</p> <p>The ES should justify the choice of study area with reference to the refined Zone of Theoretical Visibility (ZTV) developed for the Townscape and Visual Impact Assessment (TVIA), which should be used to confirm whether any non-designated above ground heritage assets may experience visual impacts from the Proposed Development.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			The Applicant should make effort to discuss and agree any relevant non-designated above ground heritage assets for assessment with the relevant local planning authority/ies.
3.5.5	Table 8-2	Setting of non-designated above-ground heritage assets not afforded protection in the Local Plan, which are located beyond the Site Boundary – construction and operational phases	<p>Table 8-2 (rows 5 and 6) of the Scoping Report states that the heritage significance of non-designated above-ground heritage assets outside of the Site Boundary that are not afforded protection within the Local Plan, is not considered high enough to warrant a settings assessment. However, the Scoping Report goes on to propose that <i>"The assessment will therefore focus on the most sensitive receptors, designated by Historic England as being of significance"</i>. This introduces confusion around the proposed approach given that locally listed buildings and structures within a Local Plan are not designated by Historic England.</p> <p>The Inspectorate agrees that impacts to the setting of non-designated above-ground heritage assets not afforded protection in the Local Plan, which are located beyond the Site Boundary, are not likely to result in significant effects and can be scoped out.</p> <p>However, impacts on non-designated above ground heritage assets which are locally listed, should be assessed where significant affects are likely (as per the row above).</p>

ID	Ref	Description	Inspectorate's comments
3.5.6	Para 8.4.2	Impacts to setting	The Scoping Report explains that the 2km TVIA study area (as presented in the Scoping Report) will be refined through ZTV modelling and site work. The refined ZTV should be used to confirm which heritage assets may experience visual impacts from the Proposed Development.

ID	Ref	Description	Inspectorate's comments
			<p>The ES should fully justify the choice of heritage assets included in the setting assessment and their locations should be depicted on a supporting plan.</p> <p>The assessment should be supported by appropriate visualisations such as photomontages to help illustrate the likely impacts of the Proposed Development. Effort should be made to agree appropriate viewpoint locations for such visualisations with relevant consultation bodies including local authorities and Historic England. Cross-reference can be made to the TVIA ES assessment to avoid duplication.</p>
3.5.7	Section 8.8	Archaeological baseline	<p>Paragraph 8.3.5 of the Scoping Report explains that the application site lies within the Thamesmead and Erith Marshes Archaeological Priority Area. The Inspectorate notes that Historic England (Appendix 2 of this Opinion) consider a detailed deposit modelling exercise will be necessary. It is unclear whether any intrusive field work is proposed to inform the baseline (in addition to any previously undertaken for Riverside 1 and Riverside 2).</p> <p>The Applicant should make effort to discuss and agree the need for any intrusive investigations and trial trenching with relevant consultation bodies, along with details of the timing, scope and methodology of any such works. Where necessary, any intrusive investigations and trial trenching should be completed prior to submission of the DCO application.</p>

3.6 Townscape and Visual Impact

(Scoping Report Chapter 9)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.6.1	Table 9-3	Potential impacts on topography - construction and operation	<p>The Scoping Report states that the Proposed Development is not likely to result in significant changes to the underlying topography. On the basis that significant topographical changes to facilitate the Proposed Development (via an increase in land levels) are not required, the Inspectorate agrees that potential impacts on topography during construction and operation are not likely to result in significant effects and this matter can be scoped out.</p> <p>If as part of the evolution of the design of the Proposed Development it is determined that a significant increase in land levels is required (for example, to protect against flooding), then the ES should assess any impacts on topography which are likely to result in significant effects.</p>
3.6.2	Table 9-3	Potential impacts on National Character Areas (NCAs) – construction and operation	<p>The Scoping Report explains that "<i>major developments including ports, waste disposal, marine dredging, and prominent power stations plus numerous other industry-related activities</i>" are a key characteristic of the NCA within which the Proposed Development is located. Due to the industrial and marine nature of the Proposed Development, the Scoping Report states that changes arising from the Proposed Development are not expected to give rise to potential impacts on any of the NCAs within the TVIA Study Area.</p> <p>Considering the nature and location of the Proposed Development and the characteristics of the surrounding area, the Inspectorate agrees that impacts on NCAs during construction and operation can be scoped out.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			The Scoping Report confirms that impacts on local townscape character during construction and operation are scoped in.
3.6.3	Table 9-3	Potential effects on the London View Management Framework (LVMF) views - construction and operation	On the basis that the Proposed Development does not fall within the viewing corridor of the LVMF views, the Inspectorate is content that this matter can be scoped out.
3.6.4	Table 9-3	Impacts to existing arboricultural features (from the Arboricultural Impact Assessment (AIA) to be appended to the ES TVIA Chapter) - operation	The Scoping Report states that operation of the Proposed Development will not result in loss of or damage to arboricultural features. Considering the nature and characteristics of the Proposed Development, the Inspectorate agrees that impacts to existing arboricultural features during operation can be scoped out.
3.6.5	Para 9.8.6	Effects on receptors located beyond the refined TVIA study area – construction and operation	<p>The Scoping Report explains that the 2km TVIA study area (as presented in the Scoping Report) will be refined through ZTV modelling and site work. The Scoping Report states that beyond the refined TVIA study area, significant effects on townscape and visual receptors are not anticipated.</p> <p>The Inspectorate considers that the study area and ZTV should represent the extent of the likely impacts from all elements and phases of the Proposed Development. The Applicant should make effort to agree the methodology for the ZTV with relevant consultation bodies including local authorities. On this basis, Inspectorate agrees that any impacts on receptors located outside of the TVIA study area, once refined through ZTV modelling and site work, are unlikely to result in significant effects. This matter can be scoped out of the ES.</p>

ID	Ref	Description	Inspectorate's comments
3.6.6	Para 9.8.8 and Table 9-4	Viewpoints	<p>The Scoping Report proposes ten viewpoint locations and states that the exact number and location of viewpoints will be refined during the assessment process.</p> <p>The number and location of viewpoints and visualisations should be justified in the ES and effort should be made to agree these details with relevant consultation bodies, including local planning authorities and Historic England.</p>
3.6.7	Para 9.9.1	Limitations and assumptions	<p>The ES should clearly present any assumptions made with regards to the height that the proposed mitigation planting would have reached by the assessment years, for the purposes of generating photomontages and reaching the assessment conclusions.</p>
3.6.8	n/a	Impacts from lighting	<p>Impacts on townscape and visual amenity resulting from the introduction of lighting which are likely to result in significant effects should be assessed in the ES. Any proposed mitigation measures should be described and appropriately secured. The assessment should cross refer to other relevant aspect assessments and sensitive receptors (such as ecology and heritage).</p>

3.7 Water Environment and Flood Risk

(Scoping Report Chapter 10)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.7.1	Para 10.3.16 and Appendix A	Water Framework Directive (WFD) groundwater bodies	<p>The Scoping Report indicates that there is one WFD surface water body within the study area, which falls within a management (but not operational) catchment. The Scoping Report does not make reference to any WFD groundwater bodies within the study area, despite Table 10-5 noting that groundwater quality is to be scoped in. The ES and/or accompanying WFD assessment should include any relevant groundwater bodies.</p>
3.7.2	Para 10.7.1	Requirement to assess geomorphology and other physical marine processes	<p>The Inspectorate notes that the Scoping Report does not specifically refer to geomorphology or marine physical processes with the exception of the sediment transport regime, instead referring to "<i>coastal processes</i>". The Inspectorate considers it is appropriate to provide an assessment of these effects within the ES, due to the construction and operation of a permanent jetty and the dredging works which form part of the Proposed Development description.</p> <p>The Inspectorate considers that the following matters are required to be scoped into the ES where significant effects are likely to occur during construction and/ or operation:</p> <ul style="list-style-type: none"> • Direct morphological change from the presence of the marine infrastructure and any associated dredging works, including any identified riverbed restoration works; • Changes to the hydrodynamic regime; • Changes to sediment transport processes (including erosion, deposition/ accretion and scour from vessel movements);

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			<ul style="list-style-type: none"> • Changes to water and sediment quality (including suspended sediment concentrations and contaminants); and • Changes to wave climate (including both wind waves and vessel generated waves). <p>The ES should identify where geomorphological changes could impact on other relevant aspect topics.</p>
3.7.3	Table 10-5	Groundwater quality - operation	<p>The Scoping Report seeks to scope out groundwater quality during operation due to the anticipated implementation of standard mitigation measures and controls. However, the Scoping Report acknowledges that there is a risk to surface water during operation due to an increased pollution risk from the new potential sources introduced (use and storage of chemicals and hazardous wastes etc). The Inspectorate considers that this risk may also be applicable to groundwater, and therefore is not in agreement that this can be scoped out of the assessment.</p>
3.7.4	Table 10-5	WFD screening assessment for water bodies which are not WFD designated – construction and operation	<p>The Inspectorate is in agreement that a WFD screening assessment is not required for non WFD (undesignated) water bodies. However, the ES should consider whether any of the biological, physio-chemical and hydromorphological parameters are to be assessed under general surface water/ groundwater quality as per the first two lines of Table 10-5.</p>
3.7.5	Table 10-5	Flood associated groundwater and groundwater flooding risk - construction and operation	<p>The Scoping Report proposes to scope out flood associated groundwater and groundwater flooding risk during construction and operation, based on the Proposed Development being unlikely to increase the risk of groundwater flooding and the absence of any planned large excavations.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			<p>The Inspectorate notes comments from the London Borough of Bexley (Appendix 2 of this Opinion), which state that the marshland nature of the site can result in unexpected flooding from groundwater, and from the interaction of groundwater with other sources. In view of this, together with the absence of defined locations of principal development components within the application site, the Inspectorate is not in a position to scope out this matter.</p> <p>The ES should assess impacts from flood associated groundwater and groundwater flooding risk, during construction and operation, where significant effects are likely to occur.</p>
3.7.6	Table 10-5	Impact to groundwater associated users - construction and operation	<p>Based on the distance from the site to the mapped/ licenced abstractions, and intervening land uses, the Inspectorate is in agreement that an assessment of licenced water abstractions can be scoped out of the assessment.</p> <p>However, the Scoping Report proposes that the ES will obtain information on private and unlicenced abstractions. The ES should describe any potential impacts on private and unlicenced abstractions and provide an assessment of any likely significant effects.</p>
3.7.7	Table 10-5	Springs - construction and operation	<p>Based on the absence of any known springs within the study area, the Inspectorate is in agreement that an assessment of springs can be scoped out of the assessment.</p>
3.7.8	Table 10-5	Groundwater Dependent Terrestrial Ecosystems (GWDTE's) - construction and operation	<p>Based on the absence of any GWDTEs, the Inspectorate is in agreement that an assessment of GWTDE can be scoped out of the assessment.</p>

ID	Ref	Description	Inspectorate's comments
3.7.9	Paras 2.1.28 and 10.3.22	Baseline environment	It is noted that there are discrepancies in baseline information presented within this chapter, specifically in relation to flood risk zones. The ES should present the baseline information in a consistent manner with reference to all available sources.
3.7.10	Para 10.3.23	Previous removal of a mapped watercourse	The Scoping Report indicates that the construction of Riverside 1 required the removal of a watercourse that is currently shown on flood risk mapping. The ES should clarify, where known, the diversion route of this waterbody, and confirm how this is to be assessed within the ES if it is not shown on existing mapping.
3.7.11	Para 10.3.23	Published mapping	The Scoping Report considers that the available mapping from 2013 is not representative of current flood risk. The ES should detail how this is to be considered within the ES and accompanying Flood Risk Assessment.
3.7.12	Para 10.4.23	Groundwater study area	The ES should include a justification for why the groundwater study area is 2km within this chapter and 1km within the ground conditions and soils chapter.
3.7.13	Paras 10.4.5 and 10.8.11	Coastal processes study area	<p>The Scoping Report states that the study area for coastal processes is the site boundary; however this will be reviewed as a result of coastal modelling.</p> <p>The Inspectorate considers that a wider study area should be considered given the potential for the construction and operational works to mobilise sediments and affect other receptors off site as detailed in paragraph 10.8.11 of the Scoping Report, which refers to the coastal modelling over a larger area.</p> <p>The ES should detail the selected methodology for coastal modelling, including a justification for the use of either qualitative or quantitative modelling methods. The Applicant's attention is drawn to the</p>

ID	Ref	Description	Inspectorate's comments
			Environment Agency's scoping consultation response in this regard (Appendix 2 of this Opinion). The Applicant should make effort to agree the approach to coastal modelling with relevant consultation bodies including the Environment Agency.
3.7.14	Table 10-4	Sensitive receptors	Thames Water have identified that the Proposed Development is located within the Riverside Water Flow Monitoring Zone (FMZ), where there is concern over having sufficient water supply to meet future growth. The Inspectorate considers that the FMZ should be included within the list of sensitive receptors to be assessed. Any assessment of this or other impacts related to water supply should have reference to the relevant local plans or other local planning documents (such as the London Plan identification of opportunity areas and the Riverside growth study).
3.7.15	Para 10.6.2	Mitigation - wastewater treatment	<p>The Scoping Report states that "wastewater" will be treated at a wastewater plant. However, wastewater is not defined, and could refer to sewage, surface water, trade effluent / process water etc. The ES should clarify this terminology and ensure to clearly describe the disposal/ run off methodology for any type of water to be discharged from the Proposed Development.</p> <p>In relation to this, the Scoping Report states that water that is to be discharged to the existing water environment will meet the relevant Environmental Quality Standards (EQS). The ES should also consider how the discharged wastewater would be able to comply with any required environmental permits or other discharge consents in the event that the permitted limits within these are lower than the EQS.</p>
3.7.16	Paras 10.8.5 and 10.8.6	Site specific surface and groundwater monitoring data	The Scoping Report states that for the authoring of the ES, no quantitative assessment or site-specific ground investigation will be undertaken. The ES should confirm if these are to be undertaken at any point of the design, construction or operation of the Proposed

ID	Ref	Description	Inspectorate's comments
			Development, and how the baseline can be sufficiently defined without this information.
3.7.17	Para 10.9.1	Potable water supply and other water sources	As noted above, the current water supply for the Proposed Development is not yet known. The Scoping Report provides an assumption that a potable water supply beyond welfare is not needed. The ES should assess the potential for effects on groundwater or surface water quality and quantity resulting from the water supply options which form part of the Proposed Development.
3.7.18	n/a	Clarity of assessment scope	The Inspectorate notes that similar receptors and potential effects are to be assessed in both this chapter and the geology and soils chapter. The ES should define the scope of assessment in each of these chapters and provide clear cross reference to where the relevant assessments are presented.

3.8 Climate Resilience

(Scoping Report Chapter 11)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.8.1	Tables 11-9 and 11-11	Vulnerability assessment and use of this to define scope	<p>The Scoping Report states that the vulnerability assessments presented in Tables 11-9 and 11-11 are used to define the scope of the ES, whereby a vulnerability is scoped out if it is assessed as low. Whilst the Inspectorate does not disagree with this method, no evidence or criteria is provided within these tables to justify the conclusions of low, medium or high sensitivity, exposure and consequently the requirement to scope these in or out.</p> <p>Specifically, the ancillary infrastructure lists 9 sources of medium to high vulnerability, whereas the main carbon capture and hydrogen production lists only 6, and no information is given as to why ancillary structures are considered to be more vulnerable.</p> <p>The ES should provide further detail on the assessment methodology used and justification for the scoping out of selected vulnerabilities.</p>
3.8.2	Table 11-12	Climate impacts during construction	<p>Based on the short duration of construction works, the Inspectorate is in agreement that climate impacts during construction can be scoped out of the assessment for all identified receptors, with the exception of sea level rise and associated impacts.</p> <p>As noted in the Environment Agency's scoping consultation response (Appendix 2 of this Opinion), sea level rise and associated impacts are required to be scoped in for the construction phase to account for the TE2100 plan and associated works.</p>
3.8.3	Table 11-12	Other climate impacts during operation	<p>The Scoping Report confirms in the second row of Table 11-12 that impacts from flooding, extreme temperature events, gales/ winds, storms and sea level rise/ storm surges during operation are scoped</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			into the assessment. On this basis and taking into account the vulnerability assessment, the Inspectorate is in agreement that all other climate impacts during operation can be scoped out of the assessment.
3.8.4	Table 11-12	Relative humidity – all receptors	Based on the vulnerability assessment, the Inspectorate is in agreement that relative humidity can be scoped out of the assessment for all identified receptors.

ID	Ref	Description	Inspectorate's comments
3.8.5	Para 11.3.1	Current baseline data sources	Paragraph 11.3.1 of the Scoping Report states that data is available from 1981 – 2010. The ES should confirm whether more recent data is available, in particular in relation to the noted increase in extreme climate events since this dataset.
3.8.6	Paras 11.3.5 and 11.9.1	Assessment methodology	The Scoping Report provides an outline description of the "RCP8.5" (high emissions scenario), however no information is given in relation to the background, use or relevance of this methodology or any alternatives. The ES should provide a detailed methodology for the assessment and ensure that any acronyms are defined in full within the ES.
3.8.7	Table 11-11	Terminology	Table 11-1 of the Scoping Report interchangeably uses the terminologies medium and moderate. The ES should use consistent language and terminology within each individual chapter.
3.8.8	Tables 11-13 and 11-14	Consequences and likelihood definition	It is not clear within the Scoping Report as to whether there is a link within the methodology between the vulnerability assessment presented in Tables 11-9 and 11-11 and the assessment of

ID	Ref	Description	Inspectorate's comments
			consequences presented in Tables 11-13 and 11-14. The ES should clearly detail the methodology used.
3.8.9	Para 11.8.4 and Table 11-15	Definition of significance	The Scoping Report indicates that the climate assessment will only categorise effects as significant or not significant. No explanation is given as to why this chapter deviates from the overarching methodology to define significance of effect as, for example, negligible or moderate. The ES should present a justification of this methodology with reference to guidance where relevant.

3.9 Greenhouse Gases

(Scoping Report Chapter 12)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.9.1	Table 12-3	<p>Emissions sources during construction arising from:</p> <ul style="list-style-type: none"> • A5 disposal of waste; and • A5 land use, land use change and forestry. 	<p>Table 12-3 omits a description of disposal of waste land use, land use change and forestry from category A5 listed in Table 12-5.</p> <p>Whilst it is noted that these are proposed to be scoped out, where legislation or guidance is referred to, all relevant sections should be described.</p> <p>The Inspectorate also considers that insufficient evidence has been provided to justify the conclusions reached within the Scoping Report, as the composition of waste from the construction works (including waste high in carbon content such as stripped topsoil or green waste and excess excavation arisings or other material), or area of vegetation and carbon sequestration from the Crossness LNR to be removed, is not specified at present. Therefore, the Inspectorate is not in agreement that these matters can be scoped out.</p>
3.9.2	Table 12-5	<ul style="list-style-type: none"> • B6 operational energy use • B8 operational land use, land use change and forestry 	<p>Table 12-4 of the Scoping Report is noted to omit a description of use category B6, and land use, land use change and forestry from category B8 which is listed in Table 12-5.</p> <p>Whilst it is noted that these are proposed to be scoped out, where legislation or guidance is referred to, all relevant sections should be described.</p> <p>The Inspectorate also considers that insufficient evidence has been provided to justify the conclusions reached within the Scoping Report, as the operational energy use and area of vegetation and carbon sequestration from the Crossness LNR to be removed, is not specified</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			at present. Therefore, the Inspectorate is not in agreement that these can be scoped out.
3.9.3	Table 12-5	Category B9 – End user emissions	The assessment of operational category B9 proposes to scope in the transport of liquified carbon dioxide off site (which is not assessed in any other chapters) but scope out the storage and development of storage locations. The ES should clearly define the project scope and any assumptions made (e.g. vessel movements and routes) and ensure that any aspects of the Proposed Development which require assessment are included in each relevant chapter.
3.9.4	Table 12-5	Categories C1, C2, C3 and C4 (Decommissioning)	As noted above there is limited and contradictory information provided in relation to decommissioning, and as such the Inspectorate is not in agreement that this can be scoped out of assessment.

ID	Ref	Description	Inspectorate's comments
3.9.5	Para 12.4.1	Study area	<p>Paragraph 12.4.1 states "<i>Construction emissions from the Proposed Scheme footprint but also relating to the transport of materials to and from the Site and their manufacture. This may be distant from the Proposed Scheme location, for example, GHG emissions associated with the manufacture of concrete in terms of embodied carbon and energy in the production process</i>". This is also repeated in product stage A1-A3 in Table 12-3.</p> <p>These statements contradict Table 15-10 of the Scoping Report which states that "<i>The impacts of extraction and manufacture of materials cannot be assured with any accuracy and are subject to separate environmental consent and permitting processes, and hence are scoped out of the assessment. Furthermore, neither the construction</i></p>

ID	Ref	Description	Inspectorate's comments
			<p><i>nor the operation of the Proposed Scheme requires direct extraction, processing and manufacture of raw resources".</i></p> <p>The ES should be consistent in its approach to the assessment of "upstream" emissions and embodied carbon between chapters, and clearly define what parameters are scoped into and out of the assessment.</p> <p>The ES should also provide details on the scope of the embodied carbon assessment, and where appropriate, indicate benchmarks in the lifecycle of materials used within the Proposed Development.</p> <p>In relation to categories A1-A3, whilst noting this is required to be scoped in for the construction phase, the ES should provide clarity on the statement "<i>Furthermore, neither the construction nor the operation of the Proposed Scheme requires direct extraction, processing and manufacture of raw resources"</i> as it is not clear how the Proposed Development could be constructed without the use of raw materials.</p>
3.9.6	Section 12.8	Methodology	<p>It is not clear within the methodology whether the assessment of greenhouse gas emissions will consider the Proposed Development alone (construction and operation of carbon capture and hydrogen production) or consider the cumulative effects of the potential reduction in greenhouse gases from the operational Riverside 1 and future operational Riverside 2 as a result of the Proposed Development.</p> <p>The ES should clearly specify the methodology used for the greenhouse gas assessment including the scope of emissions and how these relate to the statement in paragraph 1.1.5, which states that at least some of the overall Riverside facilities will be carbon negative as a result of the Proposed Development. The ES should demonstrate</p>

ID	Ref	Description	Inspectorate's comments
			that the project meets its overall purpose taking into account emissions across the lifecycle.

3.10 Population, Health and Land Use

(Scoping Report Chapter 13)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.10.1	Table 13-2	Impacts on terrestrial businesses - operation	The Scoping Report explains that access may be temporarily disrupted during construction but does not identify any operational impacts. Considering the nature and characteristics of the operational Proposed Development, the Inspectorate agrees that impacts on terrestrial businesses during operation are not likely to result in significant effects and that this matter can be scoped out.
3.10.2	Table 13-2	Impacts on community land and assets – construction and operation	Having regard to the nature and characteristics of the Proposed Development and the distance from community land and assets (as set out in paragraph 13.3.11 of the Scoping Report), the Inspectorate agrees that impacts on community land and assets during construction and operation are not likely to result in significant effects. This matter can be scoped out.
3.10.3	Table 13-2	Impacts on private property and housing – construction and operation	Due to the nature of the Proposed Development, its location within an existing industrial area and the temporary duration of construction works, the Inspectorate does not consider that significant effects are likely. Impacts on private property and housing during construction and operation can be scoped out of the ES.
3.10.4	Table 13-2	Standalone Human Health ES Chapter	<p>The Scoping Report proposes that impacts on human health will be considered within the ES Chapters on Air Quality, Noise and Vibration, Townscape and Visual, Socio-Economics and Landside Transport. It is proposed that the ES would include an appendix to cross-reference to where impacts on human health are considered.</p> <p>The Inspectorate is content that a standalone Human Health ES Chapter is not required. To ensure that relevant assessments can be</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			<p>easily located, the Inspectorate recommends that the EIA Methodology ES chapter (rather than an ES appendix) provides clear cross-referencing to where the relevant impacts on human health are considered.</p> <p>The assessment should be informed by relevant guidance such as the Institute of Environmental Management and Assessment (IEMA) 2022 guidance '<i>Determining Significance for Human Health In Environmental Impact Assessment</i>'.</p> <p>The Applicant's attention is drawn to comments from the UK Health Security Agency (UKHSA) (Appendix 2 of this Opinion) regarding potential impacts on mental health through risk perception/ understanding of risk posed by the manufacture, storage and transportation of hydrogen and other hazardous substances. The Applicant should make effort to discuss and agree the requirement for and approach to any assessment of this matter with the UKHSA.</p>

ID	Ref	Description	Inspectorate's comments
3.10.5	Paras 13.3.22 to 13.3.24	Scope of assessment - tourism	The Scoping Report identifies recreational facilities that may be impacted by the Proposed Development (some of which appear to be tourism facilities) but does not specifically explain if/ how impacts on tourism are to be considered as part of the socio-economic assessment. Impacts on tourist businesses should be assessed in the ES where significant effects are likely.
3.10.6	Para 13.8.2	Impacts on users of PRoW, long distance walking routes and National Cycle Network (NCN)	The Scoping Report notes that the Proposed Development is likely to impact on users of PRoW, long distance walking routes and/ or NCN routes, including from a likely permanent diversion of a PRoW.

ID	Ref	Description	Inspectorate's comments
		<p>routes (severance, delay, amenity and fear/ intimidation)</p>	<p>The ES should assess impacts to users of PRow, long distance walking routes and NCN routes (including severance, delay, amenity and fear/ intimidation) during construction and operation which are likely to result in significant effects. Any such assessment should be supported by pedestrian/ user counts where necessary and possible (if adequate usage data cannot be obtained from the LPA), with effort made to agree the locations for such counts with relevant consultation bodies. Where relevant, the ES should assess potential interactions between aspect assessments (for example traffic and transport, noise, dust, recreation and visual impact).</p> <p>The locations of any diversions or closures should be illustrated on suitable figures in the ES</p>

3.11 Socio-Economics

(Scoping Report Chapter 14)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.11.1	Table 14-3	Increased demand for accommodation and community facilities due to an influx of construction workers	<p>The Scoping Report states that given the level of facilities in the vicinity of the application site, good transport linkages and workforce to be utilised, it is not anticipated that there would be a significant increase in demand for accommodation or social infrastructure such as community and recreational resources from construction workers relocating close to the Proposed Development.</p> <p>Whilst details of the estimated construction workforce have not been provided, in view of the location and nature of the Proposed Development and the anticipated duration of the construction works, the Inspectorate considers that significant effects are unlikely to occur. Increased demand for accommodation and community facilities due to an influx of construction workers can be scoped out of the ES.</p>
3.11.2	Table 14-3	Crime and safety – construction and operation	<p>The Scoping Report explains that site security arrangements during construction will be in line with relevant regulatory requirements and with appropriate levels of security, CCTV and fencing in place during both construction and operation. It is also stated that consultation is likely to be undertaken with the Metropolitan Police Liaison Officer and Port of London Authority as part of the design of the Proposed Development.</p> <p>On this basis, and subject to the ES explaining what mechanism would be in place to ensure that advance notice of construction activities in the River Thames is provided to the Port of London Authority, the Inspectorate is content that significant effects are not likely. Crime and safety during construction and operation can be scoped out of the ES.</p>

3.12 Materials and Waste

(Scoping Report Chapter 15)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.12.1	Table 15-10	Impacts associated with extraction of raw resources – construction and operation	The Inspectorate is in agreement that the nature of the Proposed Development means that it will not require the consumption of large quantities of raw materials during operation, and therefore this matter can be scoped out of the ES.
3.12.2	Table 15-10	Consumption of material resources - operation	<p>Based on the nature of the Proposed Development, the Inspectorate considers that the consumption of material resources has the potential to be significant, in particular the consumption of chemicals in relation to the removal of carbon from emissions (amine based solvents). No information is provided in relation to the anticipated volume of this material to be used, disposed and recycled, and the source of this material, for example UK manufacture, or imported from other countries.</p> <p>In addition, Chapter 12 of the Scoping Report (Greenhouse Gases) scopes in emissions from operational activities including maintenance (category B2-B5).</p> <p>The Inspectorate is therefore not in agreement that the consumption of material resources during operation can be scoped out of the assessment.</p> <p>It is noted that the consumption of water as a raw material is scoped into the Water Environment and Flood Risk ES Chapter and as such, is not required to be assessed within the Materials and Waste ES chapter.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.12.3	Table 15-10	Operational waste arisings beyond the first year of operation	<p>As the specific quantities and off-site reuse or disposal routes for operational wastes including Incinerator Bottom Ash, filter cake and amine wastes, is not known at present, the Inspectorate considers that there is insufficient evidence provided in order to justify scoping out operational waste arisings (especially as Chapter 19 of the Scoping Report notes that new hazardous wastes and materials will be stored on site). It is also not clear why the Scoping Report seeks to differentiate between the first year of operation and future operation beyond this, as no evidence is provided to determine why there would be separate waste streams or volumes.</p> <p>Therefore, an assessment of the effects on the production and reuse/disposal of operational waste is required to be scoped into the assessment for all operational years. The assessment should identify any implications for other relevant aspect chapters.</p>
3.12.4	Table 15-10	Transportation of material resources and waste – construction and operation	<p>Based on the Scoping Report stating that the transportation of material resources and waste is to be assessed within the ES Chapters on Air Quality, Noise and Vibration, Greenhouse Gases and Landside Transport, the Inspectorate is in agreement that an assessment of transportation of material resources and waste can be scoped out of the Materials and Waste ES chapter.</p> <p>The Materials and Waste ES chapter should provide clear cross-referencing to where the relevant assessments are presented.</p>
3.12.5	Table 15-10	Contaminated arisings from construction and operation	<p>Based on the Scoping Report stating that this matter is to be assessed within the Ground Conditions and Soils ES Chapter, the Inspectorate is in agreement that contaminated arisings can be scoped out of the Materials and Waste ES chapter.</p>

ID	Ref	Description	Inspectorate's comments
3.12.6	Table 15-7	Change in capacity	Table 15-7 of the Scoping Report omits a calculation of the volumetric change in capacity for hazardous merchant and restricted wastes, as both are listed as 0 (however a % is given). The presentation of data should be consistent within tables of the ES.
3.12.7	Table 15-9 and Table 15-10	Reuse of dredged material	Table 15-9 of the Scoping Report notes that a mitigation or design measure would include the use of a Materials Management Plan which is typically used for site won material. The Scoping Report refers to the potential reuse of dredged material from the River Thames on-site and if this option is pursued, the ES should identify any permissions or supporting assessments required to allow this (for example, CEFAS testing suites).
3.12.8	Table 15-9	Site Waste Management Plan	<p>The Site Waste Management Plan should detail any opportunities to either reuse waste material on site, or reduce off site disposal by sending for processing (incineration, anaerobic digestion etc) in the existing or under construction Riverside 1 and 2 facilities.</p> <p>The ES should also specify where indicative waste streams and volumes are required to be processed off site (landfill, incineration or reuse etc) if they are not permitted to be processed at the facility, and why the wastes are required to be sent to a specific disposal route (for example, paragraph 15.7.2 indicates that filter cake will be sent to a hazardous landfill, whereas amine loaded wastes and hydrogen desiccant beds are to be incinerated off site).</p>

3.13 Ground Conditions and Soils

(Scoping Report Chapter 16)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.13.1	Para 16.3.3	Effects of sand and gravel extraction and other natural or manmade ground stability impacts	<p>The Scoping Report notes that part of the site of the Proposed Development was used for sand and gravel extraction. With the exception of sinkholes referenced as a natural hazard in Scoping Report Chapter 19, no reference is made to ground stability or other ground related hazards which may be present.</p> <p>The ES should provide a description of how ground stability hazards are to be assessed, and in the event that this is undertaken outside of the ES (for example a geotechnical risk register or as part of detailed design), provide a justification for this.</p>
3.13.2	Table 16-3	Third party receptors	<p>As it is acknowledged that the risk to third party receptors is required to be scoped in, the ES should also consider the risk to third party non-human receptors such as building fabric and utilities.</p>
3.13.3	Table 16-3	Agricultural land and soils	<p>Based on the urban location of the Proposed Development, the Inspectorate is in agreement that agricultural land uses and land classification can be scoped out of the assessment for the construction and operational phases.</p>
3.13.4	Table 16-3	Human health, controlled waters, building fabric and services during the operation phase	<p>Based on the Scoping Report stating that any contamination would be remediated prior to the operational phase, and the mitigation measures proposed, the Inspectorate is in agreement that human health, controlled waters, building fabric and services can be scoped out for the operational phase only in relation to ground conditions and soils. Comments related to the risk to surface water and groundwater from the ongoing operation of the Proposed Development (storage</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			and use of liquids etc) are provided in Table 3-7 of this Scoping Opinion.
3.135	Tables 16-4 to 16-6	Methodology	The Inspectorate notes that the qualitative risk assessment criteria and probability classification in Tables 16-4 to 16-6 are not directly linked to the significance criteria in Tables 16-7 and 16-8. The ES should detail how the qualitative risk assessment is to be used to determine the significance of effects.
3.136	Para 16.8.3	Ecological and other non-human receptors	Paragraph 16.8.3 of the Scoping Report states that ecological receptors are to be considered, however the remainder of this chapter does not mention this receptor. For clarity, the Inspectorate considers that an assessment of ecological receptors is required to be scoped into the ES.

ID	Ref	Description	Inspectorate's comments
3.137	Para 16.3.1	Groundsure report	The Scoping Report includes reference to a Groundsure report purchased in January 2023. The ES should confirm if this is to be updated, as the datasets provided as part of this report are regularly updated.
3.138	Paras 16.3.9 and 16.5.1	Groundwater Dependent Terrestrial Ecosystems (GWDTEs)	The Scoping Report is not consistent in its description of the sensitivity of GWTDE. Paragraph 16.5.1 states that they are considered to be a sensitive receptor, whereas 16.3.9 states that there are no GWTDE close enough to the site to be affected. The ES should be consistent in the description of receptors identified within each chapter.

ID	Ref	Description	Inspectorate's comments
3.13.9	Para 16.6.1	Mitigation plans	The ES should clearly state how the mitigation plans and specifications interact with each other, as it is considered likely that some aspects of remediation or material reuse will be common to several of the plans.

3.14 Landside Transport

(Scoping Report Chapter 17)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.14.1	Table 17-2	Landside hazardous loads - operation	<p>The Inspectorate considers the Scoping Report does not provide sufficient certainty that the Proposed Development will not generate any landside hazardous loads during operation. Scoping Report Chapter 19 (Major Accidents and Disasters) indicates that there is a risk of land and water pollution from the storage and use of hazardous materials on site during operation. There is also no certainty at present that potentially hazardous materials such as liquified gases (CO₂ and hydrogen) and hazardous wastes would be removed from the site by barge only. Chapter 2 of the Scoping Report lists "<i>hydrogen tube trailers</i>" as a potential export option, and no information is provided as to the transport methodology of deliveries to site for the chemicals to be used during operation.</p> <p>The Inspectorate is therefore not in a position to agree that landside hazardous loads during operation can be scoped out.</p>

ID	Ref	Description	Inspectorate's comments
3.14.2	Para 17.8.1	Consultation	The Applicant should make effort to agree the scope and methodology for the assessment with relevant consultation bodies including the relevant local highway authority, relevant local planning authorities and National Highways.

3.15 Marine Navigation

(Scoping Report Chapter 18)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.15.1	NA	NA	No matters have been proposed to be scoped out of the assessment.

ID	Ref	Description	Inspectorate's comments
3.15.2	Para 18.2.1	Legislation	Paragraph 18.2.1 of the Scoping Report states that there is no legislation relevant to the assessment. However, Table 18-1 lists two pieces of legislation. The ES should be consistent in its approach to the relevant legislation and guidance and provide a summary of all legislation and guidance referred to.
3.15.3	Paras 18.3.8 to 18.3.10	Baseline information	It is noted that there are discrepancies in baseline information presented within this chapter, specifically in relation to water/riverbed depths and the number of vessel movements recorded for existing jetties. The ES should present the baseline information in a consistent manner with reference to all relevant available sources.
3.15.4	Para 18.3.14	Vessel movements	<p>Paragraph 18.3.14 of the Scoping Report states that analysis is presented for a single month (September 2021). The ES should provide a justification for the use of a single month of surveys undertaken nearly two years ago, setting out any limitations to the data and confirming whether this data has been supplemented in the ES with additional or more recent surveys.</p> <p>The surveys are also noted to not include movements made between Middleton Jetty and Cory's barge moorings, or the majority of recreational craft as they are not required to carry Automatic Identification Systems (as detailed in paragraph 18.3.12). The ES</p>

ID	Ref	Description	Inspectorate's comments
			<p>should provide a justification for the omissions of these vessel movements, and in the event that the ES is to include an alternative way of counting these, a methodology for the surveys. This is of relevance to the scope of the assessment as both vessels associated with the operation of the Cory owned facilities and recreational vessels are scoped into the assessment, and as such the Inspectorate considers that there should be baseline information available in relation to these.</p> <p>Table 5-2 of the Scoping Report states that "<i>Any vessels refuelling from the hydrogen project will be existing vessels using the River Thames, and therefore ship refuelling will not result in any additional movements</i>". The ES should provide further evidence to support the assertion that vessels collecting the hydrogen are existing vessels using the Thames. In addition, evidence is required to demonstrate that the additional vessel movements would not result in a likely significant effect on marine navigation, both in terms of the additional number of movements compared with existing and future baselines, and the routing of the additional vessel movements.</p>

3.16 Major Accidents and Disasters

(Scoping Report Chapter 19)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.16.1	Para 19.7.4	<ul style="list-style-type: none"> • Low likelihood and low consequence events; • Highly likely and low consequence events; and • High likelihood and high consequence events. 	<p>The Inspectorate is content that low likelihood and low consequence events can be scoped out.</p> <p>The Scoping Report does not provide a description of the likelihood and consequence of each event in Table 19-4, or a detailed justification for the proposed scoping out of 'highly likely and low consequence' and 'high likelihood and high consequence' events.</p> <p>In the absence of this information, the Inspectorate is not in a position to agree to a complete scope out of 'highly likely and low consequence' and 'high likelihood and high consequence' events, but has commented below on the proposals to scope out specific risks/hazards.</p>
3.16.2	Para 19.1.1 and Table 19-4	<p>Risk of major accidents and disasters (MAD) resulting from the following natural hazards – construction and operation:</p> <ul style="list-style-type: none"> • pluvial flooding; • groundwater flooding; • storms and gales; • wave surges; and • extreme temperatures. 	<p>The Inspectorate is in agreement that an assessment of these matters in relation to MAD can be scoped out for the construction phase.</p> <p>However, based on the identified vulnerability of the operational Proposed Development to climate hazards identified in Scoping Report Chapter 11 (Climate Resilience) and Chapter 19 (MAD), the Inspectorate is not in agreement that an assessment of these matters in relation to MAD can be scoped out for the operation phase.</p>
3.16.3	Table 19-4	<p>Risk of major accidents and disasters resulting from the</p>	<p>Table 19-4 of the Scoping Report states that there are no MAHPs within 1km of the Proposed Development. However, the Inspectorate</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		<p>following technological or manmade hazards – construction and operation:</p> <ul style="list-style-type: none"> Major Accident Hazard Pipelines (MAHPs) 	<p>notes the scoping consultation response from Northern Gas (see Appendix 2 of this Opinion), which indicates that MAPHs may be affected by the Proposed Development.</p> <p>The Inspectorate does not consider sufficient evidence has been provided to scope this matter out of the assessment. The ES MAD Chapter should assess risks to or from the Proposed Development from MAHPs where significant effects are likely.</p>
3.16.4	Table 19-4	<p>Risk of major accidents and disasters resulting from the following industrial/ urban accident hazards - construction and operation:</p> <ul style="list-style-type: none"> Fires 	<p>The Scoping Report explains that during construction, standard control measures would be implemented by the appointed contractor to manage the risk of fire. The Inspectorate is content that the risk of fire during construction is not likely to result in significant effects in terms of MAD and can be scoped out.</p> <p>However, the Inspectorate considers that the ES should assess the risk of fire/ explosion from the release of flammable gases (including CO₂ and hydrogen) and from the battery energy storage systems (if this option is pursued) during operation, including any measures designed to minimise impacts on the environment in the event of such an occurrence. Any mitigation measures relevant to safety risks associated with fire/ explosion, should be described in the ES (with reference to the proposed emergency preparedness and response plan, where relevant) and their delivery secured through the dDCO. Effort should be made to agree any necessary measures with relevant consultation bodies.</p>
3.16.5	Table 19-4	<p>Risk of major accidents and disasters resulting from the following technological or manmade hazards – construction and operation:</p>	<p>The Inspectorate is in agreement that an assessment of road traffic accidents in relation to MAD can be scoped out for the construction phase.</p> <p>However, while export of potentially hazardous materials such as liquified gases (CO₂ and hydrogen) via road remains an option, the</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		<ul style="list-style-type: none"> • Road traffic accidents 	<p>Inspectorate is not in a position to agree that risks of MAD resulting from road traffic accidents during operation can be scoped out.</p>
3.16.6	Table 19-4	<p>Risk of major accidents and disasters resulting from the following natural hazards – construction and operation:</p> <ul style="list-style-type: none"> • poor air quality <p>Risk of major accidents and disasters resulting from the following technological or manmade hazards –construction and operation:</p> <ul style="list-style-type: none"> • air pollution accidents 	<p>The Inspectorate is in agreement that an assessment of poor air quality and air pollution accidents in relation to MAD can be scoped out for the construction phase.</p> <p>However, the Inspectorate is not in agreement that an assessment of poor air quality and air pollution accidents in relation to MAD can be scoped out of the assessment for the operational phase. It is considered that the Proposed Development could result in new emission sources and pollutants, and potentially pollution incidents related to the hazardous materials stored on site.</p>
3.16.7	Table 19-4	<p>Risk of major accidents and disasters resulting from the following technological or manmade hazards - construction:</p> <ul style="list-style-type: none"> • land pollution accidents and water pollution accidents 	<p>Based on the reasoning and evidence presented in the Scoping Report and the implementation of standard pollution control measures, the Inspectorate is in agreement that the risk of land pollution accidents and water pollution accidents during construction are not likely to result in significant effects in terms of MAD. These matters can be scoped out.</p>
3.16.8	Table 19-4	<p>Risk of major accidents and disasters resulting from the following technological or manmade hazards – construction and operation:</p> <ul style="list-style-type: none"> • UXO 	<p>In line with comments in Table 2.1 above, the Inspectorate considers that the ES should include a high-level assessment of risks of major accidents and disasters from UXO during construction and operation.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.16.9	Table 19-4	<p>Risk of major accidents and disasters resulting from the following natural hazards – construction and operation:</p> <ul style="list-style-type: none"> • Geophysical – earthquakes, volcanic activity, landslides, sinkholes, tsunamis; • Hydrological – avalanches; • Climatological – cyclones, hurricanes, typhoons, thunderstorms, droughts, severe space weather (solar flares, solar energetic particles, coronal mass ejections), fog, wildfires; and • Biological - disease epidemics, animal diseases, plants (non native species). 	<p>Based on the reasoning and evidence presented in the Scoping Report, the Inspectorate is content that risks to or from the Proposed Development from these matters are not likely to result in significant effects. These matters can be scoped out of the assessment.</p>
3.16.10	Table 19-4	<p>Risk of major accidents and disasters resulting from the following technological or manmade hazards – construction and operation:</p> <ul style="list-style-type: none"> • Societal - demonstrations, societal or economic damage, humanitarian disasters (assistance, 	<p>Based on the reasoning and evidence presented in the Scoping Report, the Inspectorate is content that risks to or from the Proposed Development from these matters are not likely to result in significant effects. These matters can be scoped out of the assessment.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		<p>political and military constraints, security risks), famine, displaced population</p> <ul style="list-style-type: none"> • Industrial or urban accidents - nuclear sites, fuel storage, dam breaches, mines and storage caverns • Transport accidents - rail and aviation; • Utilities failures - electricity failure, gas failure, water failure, sewage failure; • Malicious attacks -terrorist and malicious attacks (chemical, biological, radiological, nuclear, transport, crowds, cyber, infrastructure); and • Engineering failure and accidents - bridge failure, mast collapse, demolition accidents and tunnel failure/ fire. 	

ID	Ref	Description	Inspectorate's comments
3.16.11	Table 19-4	Flood Defence Failure	It is noted that an assessment of the failure of flood defences is scoped in for both the construction and operational phases. The

ID	Ref	Description	Inspectorate's comments
			Scoping Report notes that Environment Agency maintained flood defences are within the site boundary. The ES should detail how works which may interfere with the flood defences have been avoided, and where they are unavoidable, any permissions needed to alter the flood defences and the consequences of doing so, for example in relation to flood risk on and off site.
3.16.12	Para 19.8.1	Consultees	The Scoping Report details that the London Borough of Bexley would be the main consultee regarding the assessment scope and methodology. The Inspectorate also considers that other statutory consultees would be of relevance, in particular the Environment Agency, the UKHSA and the Health and Safety Executive.
3.16.13	n/a	MAD to and from the Proposed Development	The Scoping Report does not differentiate between where a hazard is assessed in terms the vulnerability of the Proposed Development to MAD or the potential for the Proposed Development to lead to MAD. The Inspectorate considers that this should be clearly defined within the ES.
3.16.14	n/a	Cross-referencing	To avoid unnecessary duplication the Inspectorate is content that assessments relevant to MAD may, where relevant, be presented in other ES aspect Chapters. The Applicant should provide clear cross-referencing in the Major Accidents and Disasters ES aspect chapter to where the assessments are located.

3.17 Cumulative Effects

(Scoping Report Chapter 20)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.17.1	Para 20.3.14	Inter-project cumulative effects – developments under at least an equivalent size of 30 residential units	The Inspectorate considers that small scale developments are unlikely to give rise to significant cumulative effects over and above the Proposed Development in isolation and agrees that this matter can be scoped out.
3.17.2	Para 20.3.14	<p>Inter-project cumulative effects –</p> <ul style="list-style-type: none"> • Projects on the Inspectorate's Programme of Projects where a Scoping Report, PEIR or an equivalent has been submitted (Tier 2 projects as set out in the Inspectorate's Advice Note 17: 'Cumulative effects assessment relevant to NSIP projects'); and • Projects on the Inspectorate's Programme of Projects where a Scoping Report or PEIR has not been submitted (Tier 3 projects as set out in the Inspectorate's Advice Note 17). 	<p>It appears from paragraph 20.3.14 of the Scoping Report that projects on the Inspectorate's Programme of Projects where a Scoping Report, PEIR or an equivalent has (or has not) been submitted, would not be included in the list of other developments. The Inspectorate does not agree that any relevant other development at these stages can be scoped out of the cumulative effects assessment.</p> <p>Relevant other developments on the Inspectorate's Programme of Projects where a Scoping Report, PEIR or an equivalent has (or has not) been submitted, which falls within the Proposed Development's ZoI, should be identified. As set out in Advice Note 17, an assessment should be provided for all Tier 1 and Tier 2 other development, where possible. For other development falling into Tier 3, the Applicant should aim to undertake an assessment where possible, although this may be qualitative and at a very high level. The assessment should be carried out with reasonable effort and should be clearly documented in the ES for example using the format presented in Matrix 2 of Advice Note 17.</p>

ID	Ref	Description	Inspectorate's comments
3.17.3	Para 20.3.15	List of other developments	<p>The list of specific other developments for inclusion in the cumulative effects assessment has not been determined at this stage. The Scoping Report confirms that the relevant local planning authorities would be consulted regarding other developments for inclusion.</p> <p>The Inspectorate recommends that other relevant bodies (including Natural England, the Environment Agency and for plans/ projects in the marine area, the MMO) should also be consulted to ensure that the list of other development identified for inclusion in the cumulative effects assessment is comprehensive and accurate.</p>

APPENDIX 1: CONSULTATION BODIES FORMALLY CONSULTED

TABLE A1: PRESCRIBED CONSULTATION BODIES²

SCHEDULE 1 DESCRIPTION	ORGANISATION
The Health and Safety Executive	Health and Safety Executive
The National Health Service Commissioning Board	NHS England
The relevant Integrated Care Board	NHS South East London Integrated Care Board
Natural England	Natural England
The Historic Buildings and Monuments Commission for England	Historic England
The relevant fire and rescue authority	London Fire Commissioner
The relevant police and crime commissioner	Mayor's Office for Police and Crime
	Commissioner of Police of the Metropolis (Metropolitan Police)
The Environment Agency	The Environment Agency
The Maritime and Coastguard Agency	Maritime & Coastguard Agency
The Marine Management Organisation	Marine Management Organisation (MMO)
The Civil Aviation Authority	Civil Aviation Authority
The Relevant Highways Authority	London Borough of Bexley Highways Authority
The relevant strategic highways company	National Highways
Transport for London	Transport for London
Trinity House	Trinity House

² Schedule 1 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the 'APFP Regulations')

SCHEDULE 1 DESCRIPTION	ORGANISATION
United Kingdom Health Security Agency, an executive agency of the Department of Health and Social Care	United Kingdom Health Security Agency
Relevant statutory undertakers	See Table A2 below.
The Crown Estate Commissioners	The Crown Estate
The Secretary of State for Defence	Ministry of Defence

TABLE A2: RELEVANT STATUTORY UNDERTAKERS³

STATUTORY UNDERTAKER	ORGANISATION
The relevant Integrated Care Board	NHS South East London Integrated Care Board
The National Health Service Commissioning Board	NHS England
The relevant NHS Trust	London Ambulance Service NHS Trust
Railways	National Highways Historical Railways Estate
Road Transport	Transport for London
Dock and Harbour authority	Port of London Authority
Civil Aviation Authority	Civil Aviation Authority
Licence Holder (Chapter 1 Of Part 1 Of Transport Act 2000)	NATS En-Route Safeguarding
Universal Service Provider	Royal Mail Group
Homes and Communities Agency	Homes England
The Relevant Environment Agency	The Environment Agency
The relevant water and sewage undertaker	Thames Water
	Thames Water Commercial Services

³ 'Statutory Undertaker' is defined in the APFP Regulations as having the same meaning as in Section 127 of the Planning Act 2008 (PA2008)

STATUTORY UNDERTAKER	ORGANISATION
The relevant public gas transporter	Cadent Gas Limited
	Northern Gas Networks Limited
	Scotland Gas Networks Plc
	Southern Gas Networks Plc
	Energy Assets Pipelines Limited
	ES Pipelines Ltd
	ESP Connections Ltd
	ESP Networks Ltd
	ESP Pipelines Ltd
	Fulcrum Pipelines Limited
	GTC Pipelines Limited
	Harlaxton Gas Networks Limited
	Independent Pipelines Ltd
	Indigo Pipelines Limited
	Last Mile Gas Ltd
	Leep Gas Networks Limited
	Mua Gas Limited
	Quadrant Pipelines
	Squire Energy Limited
	National Grid Gas Plc
The relevant electricity distributor with CPO Powers	Eclipse Power Network Limited
	Energy Assets Networks Limited
	ESP Electricity Limited
	Fulcrum Electricity Assets Limited
	Harlaxton Energy Networks Limited

STATUTORY UNDERTAKER	ORGANISATION
	Independent Power Networks Limited
	Indigo Power Limited
	Last Mile Electricity Ltd
	Leep Electricity Networks Limited
	Mua Electricity Limited
	Optimal Power Networks Limited
	The Electricity Network Company Limited
	UK Power Distribution Limited
	Utility Assets Limited
	Vattenfall Networks Limited
	UK Power Networks Limited
The relevant electricity transmitter with CPO Powers	National Grid Electricity Transmission Plc
	National Grid Electricity System Operator Limited

TABLE A3: SECTION 43 LOCAL AUTHORITIES (FOR THE PURPOSES OF SECTION 42(1)(B))⁴

LOCAL AUTHORITY ⁵
London Borough of Bexley
Sevenoaks District Council
Dartford Borough Council
London Borough of Bromley
London Borough of Havering
London Borough of Greenwich

⁴ Sections 43 and 42(B) of the PA2008

⁵ As defined in Section 43(3) of the PA2008

LOCAL AUTHORITY⁵
London Borough of Barking and Dagenham
Thurrock Council
Kent County Council

THE GREATER LONDON AUTHORITY

ORGANISATION
The Greater London Authority

TABLE A4: NON-PRESCRIBED CONSULTATION BODIES

ORGANISATION
The Royal National Lifeboat Institution

APPENDIX 2: RESPONDENTS TO CONSULTATION AND COPIES OF REPLIES

CONSULTATION BODIES WHO REPLIED BY THE STATUTORY DEADLINE:
Dartford Borough Council
Environment Agency
ESP Utilities Group
Fulcrum Pipelines Ltd
Historic England
London Borough of Bexley
Commissioner of Police of the Metropolis (the Metropolitan Police Service) and the Mayor's Office for Policing and Crime
NATS En-Route Safeguarding
National Grid Electricity Transmission Plc
National Grid Gas
Natural England
Northern Gas
Port of London Authority
Sevenoaks District Council
Thames Water
Trinity House
United Kingdom Health Security Agency

Cory Environmental Holdings Ltd

Please ask for: Steven Bell
Direct Line: [REDACTED]
Direct Fax: [REDACTED]
E-mail: [REDACTED]@dartford.gov.uk
DX: 142726 Dartford 7
Your Ref: **EN010128**
Our Ref: DA/23/00487/OBB
Date: 15th May 2023

Dear Sir,

**Planning Act 2008 (as amended) and The Infrastructure Planning
(Environmental Impact Assessment) Regulations 2017 (the EIA Regulations)
– Regulations 10 and 11**

**Consultation from the Planning Inspectorate on a request for a scoping opinion for construct, operate and maintain a decarbonisation hub on the River Thames, comprising two key projects: the Carbon Capture and Storage Project and the Hydrogen Project. The Proposed Scheme also includes a Proposed Jetty and ancillary infrastructure and equipment within Bexley LB
Land Bounded By Industrial Estates In Belvedere**

Thank you for consulting the Council on this Screening submission. Following an assessment of the applicant's scoping report, Dartford Borough Council (DBC) consider that there are issues that are not identified and that should be 'Scoped In' to the report. These are set out below and also include some comments on lack of consultation/issues identified. DBC consider that the potential for impacts on the Borough relate to Air Quality and Highway Impacts and the comments below therefore concentrate on these two subjects.

Air Quality

There does not seem to be any reference to potential for air quality impacts and assessment of these within the Borough of Dartford. The Council consider that this is a significant omission given that impacts from both the plant/equipment itself and air quality impacts from traffic generation may have impacts within DBC's area. It should be noted that traffic (both construction and operational) that travels to/from the site using roads to the east, is likely to travel along Bob Dunn Way (within Dartford) to join the M25/A282 Dartford Crossing at junction 1a. Both Bob Dunn Way and the A282/M25 are designated as Air Quality Management Areas due to issues from existing traffic levels.

At para 4.5.2 the report highlights sensitive receptors within 10km of the site and notes that given the size of this area, it is not possible to list all such sites. However, whilst sites up to 8.5km have been mentioned, there is no mention of sites within Dartford. There are residential properties in Burnham Rd, that are both within the AQMA and also close to the eastern route from the site to the A282/M25.

Potential impacts in relation to AQ are significant and should be scoped in the EIA.

Land Based Transport

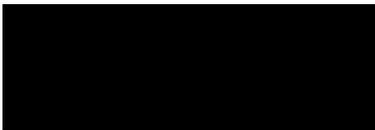
It is noted that this section (table 17-2 p460) refers to DBC's policies but does not include reference to the new emerging Local Plan. Given that this has recently completed its examination stage and therefore is well advanced in its progress, the Council consider that this should be referenced and considered.

DBC also note that with regard to the assessment of Land Based Transport, that National Highway are being consulted but Kent County Council (KCC) Highways have not been included. Given that KCC are the local highway authority and are an adjoining upper tier authority and local roads will be impacted, they are an essential consultee on a proposal of this scale. This is despite the fact that as para 17.4.2, the A206 (within Kent) is included in the list of key link roads. The Council also note that Burnham Rd is listed as a key link road but would query this as this should not be considered as a link road given its partially residential nature and that it leads to/from Dartford Town Centre. However, as noted above, this should be considered as a key receptor area in relation to air quality.

At para 17.8.1, the report refers to the assessment methodology being agreed with LBB and the EA. The Council feel that assessments carried out should extend into Dartford and Kent and they consider that the methodology should also be agreed with DBC and KCC.

It is hoped that these comments are useful for your subsequent Scoping Opinion response

Yours faithfully



HEAD OF PLANNING SERVICES

Emma Cottam
Planning Inspectorate
National Infrastructure Planning
Temple Quay House (2 The Square) Temple
Quay
Bristol
Avon
BS1 6PN

Our ref: SL/2023/122661/01-L01
Your ref: EN010128
Date: 16 May 2023

Dear Emma

**Planning Act 2008 (as amended) and The Infrastructure Planning
(Environmental Impact Assessment) Regulations 2017 (the EIA Regulations)
– Regulations 10 and 11**

**Application by Cory Environmental Holdings Limited (the Applicant) for an
Order granting Development Consent for the Cory Decarbonisation Project
(the Proposed Development)**

**Scoping consultation and notification of the Applicant's contact details and
duty to make available information to the Applicant if requested**

Thank you for consulting us on the above Scoping consultation and notification of the Applicant's contact details for the Application by Cory Environmental Holdings Limited (the Applicant) for an Order granting Development Consent for the Cory Decarbonisation Project (the Proposed Development).

We have reviewed the Environmental Impact Assessment Scoping Report (Document Reference Number: 0.0.1, Applicant: Cory Environmental Holdings Limited, PINS Reference: EN010128, 1.7., Revision: 01 Date: April 2023 Document owner: WSP UK Limited) and wish to provide the following comments on the follow subjects below covered within the scoping report as well and general advice on the environmental constraints that may affect the development.

1. Noise and Vibration
2. Marine Biodiversity
3. Water Environment and Flood Risk
4. Climate Resilience
5. Materials and Waste
6. Ground Conditions and Soils
7. Landside Transport
8. Major Accidents and Disasters
9. Cumulative Effects

I hope our comments are helpful, if you have any questions, please contact me.

creating a better place
for people and wildlife



Yours sincerely

Joe Martyn
Planning Specialist

Direct e-mail [REDACTED] [\[REDACTED\]@environment-agency.gov.uk](mailto:[REDACTED]@environment-agency.gov.uk)

Section 1: Detailed comments

1: Noise and Vibration

Underwater noise has been scoped in, apart from that caused by vessel movements. We agree with this approach

The marine works are likely to require piling. Fish populations and migratory fish have the potential to be negatively impacted by piling noise and this will need to be addressed. Disturbance from piling activities during construction, may well be significant in terms disturbance or delay to migratory activity, or negative impacts from direct physical injury to less motile fish species or life stages. The extent of any piling noise will need to be assessed in terms of its propagation across the whole river channel and any acoustic barrier to migratory activity or associated risks to fish.

Avoiding sensitive periods and selecting non-percussive piling methods are typically used to mitigate negative impacts on fish communities in the Thames.

British Standard (BS) 5228: 2009+A1:2014 Code of Practice for Noise and Vibration Control on Construction and Open Sites (Part 1: Noise and Part 2: Vibration) is a key document to consider the vibration and appropriate management of vibration. We welcome its inclusion.

We require that vibration be scoped in.

Table 5-2:

- The vibration from construction activities (e.g., extraction of pile and ancillary equipment, plant, piling, traffic etc) should be included within the scope. Thresholds for vibration should be submitted to the Environment Agency for approval as part of a monitoring strategy during the construction phase to help protect the primary flood defence from adverse effects.
- Vibration for traffic on site for operation within 16 metres of the flood defence should be scoped in to ensure the flood defence is not adversely affected by the proposal.

2: Marine Biodiversity

Fisheries: General

There is a requirement for water supply for this process, but the source of the supply is yet to be determined. If the tidal Thames is proposed as a potential source, then the Eel Regulations 2009 are likely to apply, and this will entail significant fine mesh, low velocity intake screening infrastructure to be installed in the marine environment. The size of this can be significant, dependent upon the water volumes required. Advice would be for the developer to identify this water supply source early in their programme, as this could have significant consequences for the design of any new pier and marine works and would therefore need to be scoped into the preliminary environmental information report (PEIR).

Related to the above, if any water storage is required at the site, then the location of this and any relationship to the existing aquatic receptors needs to be assessed.

Heat and radiation have been scoped out, so we are assuming that there will be no thermal

discharges to controlled waters associated with this proposal?

Ecology (Fisheries)

Limited records are available for freshwater fish species in the Great Breach system. Historically it was known to support Tench, Rudd, crucian carp and some eels, however there has been no monitoring for many years and the extent of these fish populations is no longer known. Survey by e- DNA will give an indication of the species now present, but if the project plans entail any major changes to channels or watercourses, then physical fish surveys may be required to assess risk to fish populations.

Marine Biodiversity

A wide range of fish species and life stages (especially juveniles) will be using the intertidal mudflats and upper intertidal vegetated areas for foraging and refugia whenever these are inundated. The utilisation of these habitats for fish should be recognised in the PEIR and any impacts upon, or losses of these areas appropriately mitigated or compensated for.'

7.3.43 – Environment Agency Transitional and Coastal (TraC) fish monitoring site at West Thurrock will also provide an indication of species that may be present in low flow periods.

7.3.48 – Sprats and Herring are regular caught downstream at the Environment Agency TraC site at West Thurrock. During low flow years, when salinity increases upstream, it is likely that they may be present in the development area. As a hearing specialist species, this should be considered in the noise and vibration assessment for fish. Whilst spawning will not occur, these species will be using the environment in this area affected by the development.

7.3.51 – European eel are abundant throughout Halfway Reach and were previously commercially exploited (via an authorised fyke net fishery) in this area. Juvenile glass eels will be migrating past the project site from late March onwards, whilst adult silver eels will be returning to sea from Oct onwards. There are also large numbers of eel resident in this area. For these reasons, the Environment Agency would apply the Eel Regulations 2009 fully if considering any proposal for any new abstraction of water from the tidal river.

7.3.52 – All of these species are known to be present and migrating through the Tideway. Environment Agency TraC fish monitoring tends not to pick up these species, as it is primarily targeting juvenile fish. Additionally, sampling may not occur when these species are present. Historic monitoring, which included power station screen and fish traps sampling has shown that low numbers of salmon and the more abundant sea trout are present and are occasionally caught by recreational anglers. Twaite (and possibly Allis) shad have been observed, with captures of juvenile fish made during fish rescues during the Tideway Tunnel works, and scientific sampling in the Mucking area. These species are therefore known to be present in the estuary, although their behaviour and movements is not yet understood. River and sea lamprey are also known to be present, with spawning populations in the Medway estuary, it is likely that they are beginning to return to the Thames.

7.6.2 – Avoidance of sensitive periods for fish species for dredging and piling operations is likely to be a key mitigation measure and should be clearly stated in the CoCP. There should be a justification for any use of percussive piling methods, in order to demonstrate that silent or vibro piling is not technically feasible.

7.7 – We disagree that loss or disturbance of habitat (fish and marine mammals) should be scoped out at this stage– whilst designated sites may not be directly affected, fish will be impacted by the scheme and appropriate mitigation and/or compensation for loss of physical habitat will need to be identified and agreed. E.g. loss of intertidal areas or vegetated margins. This should be addressed within the PIER.

Geomorphology

We query as to whether sediment deposition should be scoped out? Whilst the statement relates to the operational activities of boats etc, there is potentially going to be some geomorphological changes associated with the construction of the new pier. This new permanent structure will potentially cause changes to accretion and deposition locally, so unless the extent and rate of any sediment deposition is assessed, then it shouldn't be scoped out at this stage.

Unless the proposed jetty is identical to the existing structure, the replacement/proposed jetty and any dredge pocket will need hydrodynamic modelling to understand the impact on:

- Tidal currents;
- Wind waves;
- Wave wash from vessels using the jetty (wake) or passing nearby;

Impacts from increased wave wash is identified in Table 7-7 although this needs to explicitly say from both wind waves and vessels (Please additionally refer to Biodiversity comments regarding wave wash).

The impacts of changes to tidal currents and waves would need identifying: e.g. Accretion could cause a problem for outfalls and navigation whereas erosion could cause problems for release of contaminated sediment into the water column and undermining of structures.

Section 8.3.8 does talk about erosion but not in the context of the new jetty.

Dredging will need contaminate testing and we will need a WFD assessment for the Marine team.

With regards to Increased wave wash (marine plants and macroalgae, fish, marine mammals and Invasive non-native species (INNS)). We would wish to see assessment of the likely effects of wave wash upon the intertidal foreshore (BAP priority habitat) Ideally a foreshore baseline survey should be carried out prior to works to ascertain current foreshore levels.

'A loss of intertidal mudflat, which is a priority habitat, through erosion is of concern, although this is usually associated with the wake from fast moving vessels. A bathymetry survey of the redline boundary should be carried out in advance of the construction of the jetty and then 3 years afterwards in the same season (to account for seasonal changes in mudflat extent) in order to compare the intertidal mudflat extent. If more than 20% of the planform area of mudflat has been lost at mean low water, further mitigation measures should be proposed to the Environment Agency and enacted (e.g. wave wash booms, changes in vessel operation) to limit the impact of their wake and halt or reverse mudflat loss.'

Biodiversity

The plans entail the demolition of the existing derelict Belvedere Power Station Jetty. such redundant jetty structures can have an important ecological function in terms of a high tide roosting/refuge area for many important species of overwintering wading birds. These jetties,

that are free from terrestrial predators and disturbance, provide a valuable roost that wading birds can retreat to and rest over the high tide periods when the intertidal mud is covered. Given its current lack of use, and the presence of the two isolated mooring dolphins, then this jetty may well be an important roosting structure. This will need to be accounted for in the PEIR and consideration given to suitable mitigation if it is found to be important.

Additionally, the underwater structure and replacement of should be assessed for its current contribution (or not) to biodiversity and the proposal should aim to ensure a betterment for ecological niches and fish refuge to help fulfil biodiversity net gain. The jetty is used by wintering birds should be picked up by the proposed surveys. Identification of terrestrial and marine INNS required with mitigation measures.

3: Water Environment and Flood Risk

Water Quality

In general we feel that water quality potential concerns have been correctly identified and we are confident that Water Framework Directive (WFD) water quality compliance will be fully considered within appropriate impact assessments that should follow once more appropriate data has been gathered.

The report states that they are proposing to scope in water quality for an “impact assessment” which we support. We do not support the qualifying phrase Scoped in as a precaution_ pending design options as leaves room for the design options to allow water quality to be “scope out” later. If any dredging or piling is undertaken, then the proposal will not be able to “scope out” those activities.

We would prefer the final WFD impact assessment to be a standalone document (for ease of comment without the need to cross-reference to larger documents where facts may be embedded in large chapters).

Dredge applications compulsorily require sediment chemistry analysis. The suite the Marine Management Organisation (MMO) will require for the Thames sediments is “standard” (for the Thames) and which we support. We would like to highlight that “construction elements “ (such as piling /depiling) do not attract MMO sediment sampling as standard, since usually the volumes of sediment being disturbed are much smaller than those involved for dredges. It is helpful to indicate approximate volumes of disturbed sediment for these activities when conducting a WFD assessment, and sediment quality may either be approximated by use of compulsory nearby dredge sediment chemistry (when available) or by the precautionar assumption of Environmental Quality Standards Directive (EQSD) and Centre for the Environment, Fisheries and Aquaculture Science (CEFAS) chemical levels (above AL1) being present. The construction activity with therefore not “scope out” at that stage – a pathway for a potential impact does exist (though it may be of small scale). The scale of the potential impact is then set in context within the impact assessment stage. For small volumes (c 300 cubic metres) we would expect the impact assessment to be based less on hard numbers and more on professional judgement of high (sufficient) dilution to conclude WFD compliance. (By comparison, MMO “maintenance” dredges of less than 500cu m do not even require a MMO licence. they are exempt, so Environment Agency would not even be consulted on such a low-risk dredge). Should the applicant require more detailed advice on the interpretation of the guidance we can provide pre-application advice on a chargeable basis.

Specific comments

2.2.36. Abstraction from the Thames will require an abstraction licence. The WFD impact of abstraction of water on Thames Middle waterbody will need to be considered. Whilst the impact might be anticipated to be relatively small scale in terms of the proportional volume of Thames Middle (so may “impact assess” as WFD compliant when fully considered in relation to WFD water quality), the flow in the Thames is very seasonally variable. Summer droughts (and abstraction in the freshwater reaches for public supply) can severely limit the freshwater flows. Should any of this water be returned to the river as post process water (effluent) we note that it will need to conform to the relevant EQS limits. Any thermally elevated (relative to natural riverine temperature) discharges will require an assessment of potential impacts on physico-chemical water quality.

2.2.41. During summer droughts when dissolved oxygen levels in the estuary can be depressed (especially when storm sewers vent raw sewage (something which should reduce, but not end completely, following the operation of the Thames Tideway Tunnel) an alternative and possibly beneficial option may be to vent the oxygen via a diffuser into the tideway water, to elevate dissolved oxygen levels.

2.2.56. New jetty requires marine licences and accompanying WFD assessments. EA are consultee to all marine licences (both PLA and MMO licenses required... MMO may be the main consultee under DCO but PLA licence required also). Marine team would expect to be included in WFD marine water quality compliance consultations. As piling and associated activities WILL disturb sediments, and sediments in this part of the river WILL contain EQSD chemicals AND CEFAS- list chemicals (at concentrations ABOVE action level 1), this activity will not “scope out” and **will** require the further “impact assessment” stage. Dredging will certainly require WFD impact assessment stage. We note the project has “scoped in” water quality, within the WFD scoping exercise carried out in Appendix A, and we agree with this interpretation of the guidance.

2.2.57. Need for dredging noted. WFD “impact assessment stage” will be required, and we look forward to seeing it once the chemical analysis of dredge samples has been undertaken.

2.2.58. Noted a waste-water treatment plant is required. This may suggest a wastewater discharge is intended, either directly or indirectly, to the Thames Middle waterbody, and this is a matter for the EA permitting function. WFD compliance needs not be taken into account within any permit issued.

Hydrogen Project:

Noted a waste-water treatment plant is required. This may suggest a wastewater discharge is intended, either directly or indirectly, to the Thames Middle waterbody, and this is a matter for the EA permitting function. WFD compliance needs not be taken into account within any permit issued.

CODE OF CONSTRUCTION PRACTICE 2.3.8.

The Construction Practice (OCoCP) will be important in the context of mitigation for WFD potential impacts during construction. Drainage of the site may have implications for the Thames.

3.10. ASSESSMENT OF HEAT AND RADIATION 3.10.1.

We question whether this statement is accurate in respect of heat. Can the applicant confirm that there will be no thermally elevated discharges into the Thames Middle waterbody as a result of this project. If not, then they need to be scoped in, and considered in any permitting of discharges.

WATER FRAMEWORK DIRECTIVE (WFD) SCREENING REPORT 3.12.6.

For the WFD water quality element we agree with the WFD scoping carried out so far, in that water quality has been correctly scoped in for further detailed WFD “impact assessment” stages. These will follow when supporting information has been gathered, and we will comment upon the final WFD impact assessment for the various activities which ordinarily require marine licenses, though this will be via the DCO process.

7.2. POLICY, LEGISLATION, AND GUIDANCE 7.2.1. The policy, legislation, and guidance relevant to the assessment of the Proposed Scheme is detailed in Table 7.1. Table 7-1: Marine Biodiversity – Summary of Key Policy, Legislation and Guidance

States the licensing authority (MMO) will enforce the parts of a DCO that relate to a deemed marine licence and will be responsible for dealing with any breaches of any conditions of those approvals. We agree, and expect to be consulted by MMO on the WFD water quality elements supporting these marine licences as a statutory consultee.

7.3.18. states that the subtidal substrate within the Thames Middle Water Body is predominantly coarse sediment, sand, and mud (Ref 7.39).

We disagree with this interpretation. Thames Middle is an extremely large waterbody. The substrates at this upper end of Thames Middle are not however predominantly coarse substrates, they are in fact predominantly fine muddy substrates, and this is confirmed by the benthic species present in the area (typically soft sediment dwelling fauna). The site lies within the mud reaches where there is a highly depositional environment. Until 2008 the Thames Water pier close to the site was a routine intertidal sampling site for benthic invertebrates (Crossness intertidal) for the Thames Estuary Biological Monitoring Programme (TEBP). (another, “Crossness subtidal “site had also existed in the main channel close by). The TEBP was replaced by the WFD benthic invertebrate sampling programme (first trench of samples collected in 2007, overlapping the TEBP), but as the IQI invertebrate tool was not considered to be reliable at salinities below 18PSU this part of the river was not monitored for invertebrates, and the classification samples were all taken from areas further seaward within the same waterbody. The generalisation of coarser substrates is however true further seaward, the substrates change from silts to sands to mixed coarser material such as gravels, however Thames Middle ends at approximately Mucking Creek and it is still sandy muds and muddy sands there. Mixed substrates with coarser material are found around Chapman Buoy in Thames Lower.

10.8.7. states ‘WFD Assessment for the Thames Middle Water body will be prepared to support the ES. In advance of the WFD Assessment a WFD Scoping Template has been completed, which is provided within Appendix A of this Report.’

10.8.8 states The WFD Screening Assessment will assess the effects of the Proposed Scheme on the Thames Middle Water body and identify any mitigation measures required.

10.8.9. The Thames Middle Water body is vast in comparison to the Site Boundary. Consequently, any potential effects are expected to be minimal compared to the surface area of the water body.

This also applies to any impacts from the Proposed Scheme upon any undesignated water bodies and the resultant effects.

In undesignated waterbodies WFD does not apply. Therefore a WFD assessment is not required in them.

SECTION 3: WATER QUALITY

It is highly unlikely that any of the “design options” will be able to scope out WFD water quality. We expect to see impact assessments, and do not anticipate it will be legitimate to “scope out”. We do concur with the decision to “scope in” water quality at this stage.

Flood Risk and Coastal Processes

Table 10-5 Water Environment – Scoped In or Out of Further Assessment

From a Flood Risk Perspective, we are unconcerned over the topics that are shown as Scoped Out.

We welcome the other Impacts being Scoped in but believe that additional topics should be included and Scoped in as follows:

- The offset between the new structures horizontally and vertically relative to the Thames Tidal Defences.
- The impact on the Thames Tidal Flood defences, as well as the ability to uprate, maintain and if needed replace those structures in the future.
- Any displacement of fluvial floodplain.
- Works in close proximity to, or impacting, a fluvial watercourse.
- The potential impact on the Thames Tidal Defences of the demolition of the existing derelict Belvedere Power Station Jetty, and how that will be mitigated.

10.8.2: Design Manual for Roads and Bridges (DMRB) LA 113 – Road Drainage and the Water Environment considers the current receptors only, but this may change in the future during the proposed scheme. The Applicant could alternatively consider the source-pathway-receptor model in the context of tidal flooding to ensure that the flood risk is adequately managed e.g., by providing fit-for-purpose defences which mitigates the pathway to the receptor.

Sediment Transport Regime – We note that this impact is described in terms of this localised section of the River Thames. The area of interest should not be drawn too narrowly.

We disagree with the categorization of significance set out in table 10-7, which appears to somewhat trivialise impacts. Adverse impacts on water and flood risk infrastructure are unacceptable, as is creating any increase in peak flood levels. Even small increases in peak water levels in combination with other developments can have a cumulative effect and thus must be prevented and necessary opposed.

Coastal Processes

10.8.12: We disagree with the proposed approach to assessing the impact of the in-channel works on sediment movement in the River Thames. Detailed quantitative sediment transport modelling should be carried out. That should include assessing the cumulative effects with

the existing jetty and also with other nearby in-channel structures. The former sediment study that was undertaken for Middleton Jetty should be provided and compared to the changes that have taken place since that jetty was constructed. That comparison should be used to learn from the former method of assessment and to determine the sensitivity to change of the dynamic sediment transport regime in this section of the River Thames. That should then inform the sediment transport modelling for the proposed in-channel works.

Mitigation measures to address the risks to flood defence infrastructure, outfalls and the river habitats associated with scour and sediment accretion should be proposed, along with a contingency plan and trigger values for intervention. This can then be measured by surveying to the foreshore levels during construction/operation of the proposal.

Flood Risk

10.8.14 and 10.9 The Environment Agency has undertaken revised in-channel extreme water level flood modelling for the Tidal River Thames. However, we are still in the process of planning further flood modelling to update the breach modelling based on the new in-channel modelling. Revising the breach modelling would therefore provide an up-to-date assessment of the residual flood risk affecting the scheme.

The capacity of Great Breach and Green Level pumping stations are not so high that flood levels will not respond to major storm events. Furthermore, the Marsh Dykes modelling study 2020, assumed that the gravity outfall was working at Great Breach although that outfall is now blocked by sediment build up at and beyond the tidal flap valve. The need for flood modelling of the ditch network should be reviewed considering any changes to the network of surface water features or the floodplain.

- The application should consider the TE2100 Plan.
- The responsibility of maintenance to the flood defence is that of the Flood Defence Owner rather than the Environment Agency as stated in section 10.3.22.
- The relevant legislation should include the Metropolitan Flood Acts.

4: Climate Resilience

11.2. POLICY, LEGISLATION, AND GUIDANCE

Table 11-1: Climate Resilience – Summary of Key Policy, Legislation and Guidance

The issue of sea level rise (SLR) and the need to address the Thames Estuary 2100 plan has not been included here.

11.3.11 and 11.3.12 is not a sound description of the issue of sea level rise and tidal flood risk at this location. The sea level risk needs to be managed by uprating the Thames Tidal Flood Defences including raising the crest level of the flood defences within the site boundary, not by the open channels and pumped and gravity outfalls.

The condition and remaining lifetime of the tidal defences with the site boundary need to be assessed including with needed intrusive testing. The scheme needs to show how the development will be protected from flooding for its lifetime.

Space above and either side of the Thames Tidal Defences must be kept clear for maintenance, crest raising and asset renewal work. A 5-metre headroom was required

above the tidal defences for Middleton Jetty. The same headroom should be provided by the proposed new infrastructure.

The proposed future Tidal Defence Crest level is 7.70 m AOD by the year 2070, and to 8.20 m AOD by the year 2120, this may be subject to change in a new Thames Barrier is constructed further downstream.

The Planning Practice Guidance published on 25/08/2022, states that: 'The lifetime of a non-residential development depends on the characteristics of that development but a period of at least 75 years is likely to form a starting point for assessment.' It goes on to state that where development has an anticipated lifetime significantly beyond 100 years such as some major infrastructure projects, or where it would create significant land-use change such as a new settlement or substantial urban extension, it may be appropriate to consider a longer period for the lifetime of development when assessing the potential impacts of climate change on flood risk or coastal change and considering the future prospects for flood and coastal erosion risk management infrastructure.

'The assumed lifetime of this scheme is important when determining if it is appropriately protected from flood risk. The remaining lifetime of the flood defence structures needs to be determined and any improvement works required. The need for defence crest raising for climate change induced sea level rise is also critical. We believe that a significantly longer lifetime should be assumed. More rigorous justification should be provided by the applicant about the lifetime of the development.'

Table 11-9 and 11-10:

- SLR considered in operation but not construction phase (which is 5 years). SLR needs to be considered at construction phase to account for TE2100 Plan and raisings as required. Within this there should be consideration of adequate strength for raising and a design life commensurate with the development i.e., 75 years for non-residential development.
- SLR should not be scoped out for construction or operation for any receptors.

Application should consider:

- TE2100 Plan
- London Plan SI12
- Bexley Local Plan 2023 is POLICY DP19 1. e. 5.81

5: Waste and Materials

Environmental Permitting Regulations

The operation of the proposed facility may require a new environmental permit or a variation to an existing permit (EfW/AD) and added as a Directly Associated Activity (DAA).

We would encourage early engagement with National Permitting Service so we can advise on what is needed for permit and licence applications. A good quality application is the best way of avoiding delay during determination. The developer can make the case for applications to be prioritised so that they are not on the permit queue. Technical assessment cannot be expedited however so quality of application is key.

Note that we now assess the intake and discharge of biota as part of large scale abstractions from estuarine/sea water in terms of potential polluting effect. The abstraction licence would also cover possible impacts on species population.

The following information is a summary of our general advice regarding waste activities to development sites.

Excavating, levelling and regrading of onsite soils

Article 2 of the Waste Framework Directive (WFD) states that material excluded from the WFD is: 'uncontaminated soil and other naturally occurring material excavated in the course of construction activities where it is certain that the material will be used for the purposes of construction in its natural state on the site from which it was excavated'

Meaning that if you are purely regrading and moving this material across the site of its origin for levelling without any treatment to make it suitable (e.g. screening to remove stones and debris from soils or crushing to create aggregate) then you are unlikely to require an authorisation such as an environmental permit or a declaration under the Definition of Waste Code of Practice (DoWCoP) for this activity.

If you are treating any material to make it suitable to be re-used, this material maybe waste and an authorisation, for the treatment (e.g. mobile plant deployment approval) and deposit of this material, such as a declaration under the DoWCoP site of origin scenario or an environmental permit for the permanent deposit of waste to ground, will be required.

Removed or imported soils

Excavated soils which are transferred to another site to be used in or on land are likely to require a waste authorisation. The Definition of Waste Code of Practice (DoWCoP) can be used to carry out this activity provided that all the requirements of the Code of Practice are fully met, to include the submission of a Qualified Person declaration prior to any activity being carried out. Further information regarding the DoWCoP can be found [here](#).

Waste Treatment

If you are using mobile or static plant to treat waste (e.g. screening to remove stones and debris from soils or crushing to create aggregate) a waste treatment authorisation is required for this activity from the Environment Agency.

If you are purely crushing concrete, bricks, tiles and ceramics to reduce their size and produce a recognised highways standard aggregate you will need an authorisation from the Local Authority.

If you are treating waste to make it suitable to be re-used either on the site of origin or at another site under the DoWCoP then a hub and cluster set-up will need to be pre-approved by the Environment Agency. In the first instance, contact should be made with the local office in which the Hub site is to be located.

Imported secondary materials and recycled aggregate

Any imported aggregate material which has previously been subject to waste controls must meet an 'end of waste' specification and be made to a BSEN Standard. Permitted facilities

producing an end of waste aggregate must demonstrate that it is no longer a waste by following the Aggregates from Inert Waste Quality Protocol. This document can be found on the GOV.UK website [here](#). Testing results should be available from producers of QP aggregates on request to demonstrate standards have been achieved.

The Specification of Highways Works (SHW) for Class 2 & 3 cohesive fill materials are specifically for soils. Excavated and treated waste soils currently have no end of waste quality protocol available, these will remain waste. Meeting a Highways Specification does not in itself mean that the material is no longer waste.

Changes to Landfill Tax from April 2018

Landfill Tax is charged when waste is disposed of at sites operating with an environmental permit or licence from the relevant environmental authorities. Changes to Landfill Tax guidelines as of 1st April 2018 has meant that any waste disposed of at unauthorised sites will also incur landfill tax charges. If you are importing material from a waste facility or a waste operation please ensure in order to put this to ground without an authorisation that you are satisfied it is no longer a waste and therefore can be used without a waste authorisation. Further details of these landfill tax changes can be found on the GOV.UK website [here](#).

6: Ground Conditions and Soils

This site partly overlies a Secondary A bedrock aquifer. Any pathways for contamination must be strictly controlled to avoid pollution of the aquifers from any historic contamination identified on the site from previous uses. The area has a long history of industrial uses that may have resulted in land contamination.

At this stage, the Environment Agency does not provide detailed site-specific advice or comments with regard to land contamination issues apart from identifying the site sensitivity as above.

Whilst we will not be providing specific advice at this stage in the planning process, it is recommended that the requirements of the National Planning Policy Framework (NPPF) are followed. Paragraph 174 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by, unacceptable levels water pollution. Therefore, in completing any site investigations and risk assessments the applicant should assess the risk to groundwater and surface waters from contamination which may be present and where necessary propose appropriate remediation.

In making our response we have considered issues relating to controlled waters. The evaluation of any risks to human health arising from the site should be discussed with the Environmental Health Department.

We recommend that the applicant:

- Refers to the Environment Agency Land Contamination: Risk Management guidance;
- Uses BS 10175:2011+A2:2017, Investigation of potentially contaminated sites – Code of Practice as a guide to undertaking the desk study and site investigation scheme;
- Uses MCERTS accredited methods for testing contaminated soils at the site; and
- Consult our website at www.environment-agency.gov.uk for further information about

- any permissions that may be required.

The scope of the proposed EIA is acceptable in principle in that it outlines key issues of concern including water quality (Chapter 10) and land contamination (Chapter 16). We welcome the proposed inclusion of a piling risk assessment in Chapter 10, and that sediment plume modelling will be undertaken.

We note the two proposed projects (carbon capture and hydrogen production) will produce waste effluent. It is assumed these will either be treated on-site and disposed of to foul sewer (under consent) or taken for treatment at an appropriately licensed facility. Any discharge to the environment would be subject to environmental permitting regulations. It may be beneficial to include waste effluents in Chapter 14 (Materials and Waste).

7: Landside Transport

- Construction Traffic Management Plan needs to consider loading to the flood defence e.g., by plant or HGV.
- During operation any landside transport within 16 metres of the flood defence should consider possible adverse effects to the flood defence e.g., vibration and loading from HGV.

8: Major Accidents and Disasters

Table 19-4

- The Applicant will scope in coastal flooding which is welcomed. However, the Applicant states that the Environment Agency maintain the flood defences when this is in fact the Flood Defence Owner.
- We welcome the Flood defence failure scoped in..

9: CUMULATIVE EFFECTS

See the comments under 10.8.12 which refer to a cumulative effect issue that needs to be addressed.

From: [ESP Utilities Group Ltd](#)
To: [REDACTED]
Subject: Reference: PE176254. Plant Not Affected Notice from ES Pipelines
Date: 11 May 2023 15:29:56

CoryDP
Planning Inspectorate

11 May 2023

Reference: EN010128

Dear Sir/Madam,

Thank you for your recent plant enquiry at: Crossness Nature Reserve, Norman Road, Lower Belvedere, London Borough of Bexley DA17 6JY

I can confirm that ESP Utilities Group Ltd has no gas or electricity apparatus in the vicinity of this site address and will not be affected by your proposed works.

ESP Utilities Group Ltd are continually laying new gas and electricity networks and this notification is valid for 90 days from the date of this letter. If your proposed works start after this period of time, please re-submit your enquiry.

Important Notice

Please be advised that any enquiries for ESP Connections Ltd, formerly known as British Gas Connections Ltd, should be sent directly to us at the address shown above or alternatively you can email us at: PlantResponses@espug.com

ESP have provided you with all the information we have to date however, there may be inaccuracies or delays in data collection and digitisation caused by a range of practical and unforeseeable reasons and as such, we recommend the following steps are taken as a minimum before work is commenced that involves the opening of any ground and reference made to HSG47 (Avoiding danger from underground services).

- A. Plans are consulted and marked up on site**
- B. The use of a suitable and sufficient device to locate underground utilities before digging (for example the C.A.T and Genny)**
- C. Trial holes are dug to expose any marked up or traced utilities in the ground**
- D. If no utilities are shown on any plans and no trace is received using a suitable**

and sufficient device, trial holes are dug nonetheless using hand tools at the location or at regular intervals along the location that the work is being carried out depending on the length of excavation work being undertaken

E. All location work is carried out by individuals with sufficient experience and technical knowledge who may choose to control this activity under a Safe System Of Work

Yours faithfully,

Plant Protection Team
ESP Utilities Group Ltd



Bluebird House
Mole Business Park
Leatherhead
KT22 7BA

☎ 01372 587500 📠 01372 377996

<http://www.espug.com>

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From: [FPL - Conx Request](#)
To: [REDACTED]
Subject: RE: Planning Inspectorate - EN010128 – Cory Decarbonisation Project – Reg 10 Consultation and Reg 11 Notification
Date: 19 April 2023 11:13:06
Attachments: [~WRD0463.jpg](#)
[image003.jpg](#)
[image004.png](#)
[image005.png](#)

Good Afternoon,

We can confirm Fulcrum Pipelines Limited do not have any existing pipes or equipment on or around the above site address.

Please note that other gas transporters may have plant in the area which could be affected by your proposed works.

We will always make every effort to help you where we can, but Fulcrum Pipelines Limited will not be held responsible for any incident or accident arising from the use of the information associated with this search. The details provided are given in good faith, but no liability whatsoever can be accepted in respect thereof.

If you need any help or information simply contact Fulcrum on 03330 146 455.

In case of an emergency please phone 0800 111 999.

Kind regards,

Fulcrum Pipelines Limited

03330 146 455



Leah Burns
Gas Design Engineer

t: [REDACTED] | m: [REDACTED]

e: [REDACTED]@fulcrum.co.uk | w: www.fulcrum.co.uk

a: Fulcrum, 2 Europa View, Sheffield Business Park, Sheffield, S9 1XH, T: 03330 146 466

Don't forget if you need support:

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From: CoryDP <CoryDP@planninginspectorate.gov.uk>
Sent: Wednesday, April 19, 2023 10:55 AM
To: CoryDP <CoryDP@planninginspectorate.gov.uk>
Subject: Planning Inspectorate - EN010128 – Cory Decarbonisation Project – Reg 10 Consultation and Reg 11 Notification

THIS IS AN EXTERNAL MESSAGE - PLEASE EXERCISE CAUTION

Dear Sir / Madam,

Please see attached correspondence from The Planning Inspectorate (PINS) in relation to the proposed Cory Decarbonisation Project (Nationally Significant Infrastructure Project).

Please note the deadline for consultation responses is **17 May 2023** and is a statutory requirement that cannot be extended.

Thank You



Gary Chapman | EIA and Land Rights Advisor (HEO)
The Planning Inspectorate

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DPC:76616c646f72



Emma Cottam
Senior EIA Advisor
The Planning Inspectorate
Temple Quay House
2 The Square
Bristol BS1 6PN

By email: corydp@planninginspectorate.gov.uk

17 May 2023

Dear Emma Cottam

Consultation on EIA scoping report for Development Consent Order for the Cory Decarbonisation Project

Thank you for consulting Historic England on the EIA scoping report for the above project.

As the Government's statutory adviser, Historic England is keen to ensure that conservation and enhancement of the historic environment is fully taken into account at all stages and levels of the planning process. Accordingly, we have reviewed this consultation in the context of the National Planning Policy Framework (NPPF) and its core principle that heritage assets be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life for this and future generations.

In broad terms, we welcome the approach to historic environment considerations set out in the scoping report and consider that this is an appropriate and proportionate assessment of the likely significant effects of the development. We would, however, make the following detailed comments on the text.

Given the location, scale of the proposed work, it is recommended that archaeology is scoped-in.

It is noted that the ES Scoping Opinion Request includes the submission of an Environmental Impact assessment Scoping Report, 0.0.1 dated April 2023 by Cory. In particular, section 8, pages 208-227, of the document addresses Heritage issues while it is welcomed that 3.11.1 identifies Heritage to be included within the anticipated ES.

Table 8-1 identifies Key Legislation, Policy and Guidance but it appears not include reference to the borough wide SPD: Archaeological Priority Areas Appraisal, Jan 2020, or the fact the application site is within a Tier III APA while 8.3.5 does reference that the area is within an APA. The description of the area and the archaeological potential is supported. Also, we



would suggest that in relation to 8.4 London Plan 2021, a reference should be made to the Bexley Riverside Opportunity Area.

8.3.8 identifies the potential risk to the archaeological resource from the effects in the area of the foreshore, again this statement is supported.

8.6 The scope of the Design, Mitigation and Enhancement Measures is also supported.

8.7 the Description of Potential Likely Significant Effects is also supported.

Table 8-2 lists the Impact types in respect of the Historic Environment elements are proposed to be scoped-in and those proposed to be scoped-out. The identified impacts to be scoped-in/out are supported.

Finally, in respect of Assessing Impact and Effects, 8.8.4-8.8.5, to achieve these aims, a detailed deposit modelling exercise will be necessary, see Deposit Modelling and Archaeology: Guidance for Mapping Buried Deposits, Jan 2020, Historic England.

Please note that this advice is based on the information that has been provided to us and does not affect our obligation to advise on, and potentially object to any specific development proposal which may subsequently arise from these documents, and which may have adverse effects on the environment.

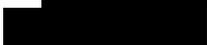
I trust these comments are helpful. Please do not hesitate to contact me should you require any further information or clarification.

Yours sincerely

Tim Brennan MRTPI

Historic Environment Planning Adviser

E-mail  [@HistoricEngland.org.uk](mailto:tim.brennan@HistoricEngland.org.uk)

DD: 



Development Management
Planning Department
Place
Civic Offices, 2 Watling Street,
Bexleyheath, Kent, DA6 7AT
Telephone 020 8303 7777

The person dealing with this matter is: Ian Smith

Direct Dial: [REDACTED]

Email: [REDACTED]@bexley.gov.uk

Our Application Reference Number: 23/00892/ALA

Date: 10/05/2023

corydp@planninginspectorate.gov.uk

BY EMAIL

Dear Ms E. Cottam,

Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11.

Application by Cory Environmental Holdings Limited (the Applicant) for an Order granting Development Consent for the Cory Decarbonisation Project (the Proposed Development)

Scoping consultation and notification of the Applicant's contact details and duty to make available information to the Applicant if requested.

Thank you for your letter dated 19/04/2023 which invites the Council to make comments on an Environmental Impact Assessment Scoping Report (Scoping Opinion) which has been submitted to the Secretary of State of its opinion as to the information to be provided in an Environmental Statement (ES) relating to the aforementioned proposal.

The applicant has set out the proposed structure of the EIA which consists of the following environmental topic chapters.

- Air Quality

- Noise and Vibration
- Terrestrial Biodiversity
- Marine Biodiversity
- Historic Environment
- Townscape and Visual (including Arboriculture)
- Water Environment and Flood Risk
- Climate Resilience
- Greenhouse Gases
- Socioeconomics
- Population, Health, and Land Use
- Materials and Waste
- Ground Conditions and Soils
- Landside Transport
- Marine Navigation
- Major Accidents and Disasters
- Cumulative Effects.

For each proposed chapter, the likely environment effects will be described to the extent of changes between the existing baseline and future baseline environment because of the construction and/or operation of the Proposed Scheme. The applicant has anticipated that information required to inform the existing baseline environment for the assessments will be data obtained or surveys completed between Q2 of 2022 and Q4 of 2023.

Having reviewed the submitted Scoping Opinion the Council is generally satisfied with the Scoping Opinion submitted. However, the Council would like to state the following:

Policy Update

Land Use designations shown on figures within the Scoping Opinion and Policies should be updated to reflect the adoption of the Bexley Local Plan (2023).

On 26 April 2023, the London Borough of Bexley formally adopted the Bexley Local Plan. The Local Plan, together with the Mayor's London Plan (2021), now comprise the statutory Development Plan for the borough and will be used by officers for the determination of planning applications. A new Policies Map illustrates geographically the application of the policies in the Local Plan.

The Local Plan and Policies Map replace in full the Bexley Core Strategy 2012, the remaining extant policies of the Bexley Unitary Development Plan 2004, and the Unitary Development Plan Proposals Map 2004. The Bexley Local Plan, along with the Local Plan Policies Map are available to view and download from the Council website at <https://www.bexley.gov.uk/services/planning-and-building-control/planning-policy-and-guidance>. A number of relevant Local Plan policies are missing from the policy, sections of each chapter in the scoping report.

Air Quality

- The Council is satisfied that the applicant has adequately addressed the construction phase issues at this stage.
- The ES will need to reassess the impact on ground level concentrations made by the processes required for carbon capture process. This will inevitably reduce the temperature of the discharge and may also change the discharge height and efflux velocity. The ES should revisit the dispersion modelling carried out for the energy from waste facilities, and properly assess the changes in plume dispersion and ground level concentrations that result. This assessment should include all emissions that were originally assessed when these facilities were first proposed.

Noise and Vibration

- Paragraph 5.6.1 (also mentioned in paragraph 2.3.5) refer to proposed core working hours as being 07:00 to 19:00 hours Mondays to Fridays and 07:00 to 13:00 hours on Saturdays. Whilst it is accepted that limited activities may require 24 hour working at certain times, L.B. Bexley will expect the majority of noisy works (i.e. those audible at the façade of residential premises) to be undertaken during our prescribed core hours of 08:00 to 18:00 hours Mondays to Fridays and 08:00 to 13:00 hours on Saturdays with no noisy works on Sundays/Public Holidays. These hours are consistent with those agreed for other national infrastructure projects such as Crossrail.
- It is anticipated that the applicant's appointed contractors will enter into formal prior consent arrangements with the Council under the provisions of section 61 of the Control of Pollution Act 1974. This allows for appropriate dispensations as required.

Terrestrial Biodiversity

- The Sites of Importance for Nature Conservation (SINC) network ensures that the majority of the most important habitats and species are protected through the land use planning process. Consequently, SINC's receive a significant degree of protection through the planning process (London Environment Strategy and LES Appendix 2). The London Environment Strategy has not been referenced in relation to biodiversity and should be included.
- The application site boundary includes areas designated for their significant ecological importance, for example, the Crossness Nature Reserve and several Metropolitan and borough sites of importance for nature conservation and strategic green wildlife corridors. Any potentially negative impacts on these designations will need careful consideration. London Plan Policy G6 and GG2 along with Local Plan Policies SP8, SP9 and DP20 are the main planning policies providing planning protection for these designated sites. Policy GG3 has not been listed in table 6-1 and should be included.

- References to Sites of Importance for Nature Conservation (SINC) should reflect their strategic significance. For example, table 6-2 refers to the River Thames and tidal tributaries SINC and the Erith Marshes SINC. These are both Metropolitan SINC (MSINC) designations, reflecting that they are highly significance sites, not just to the borough, but also to the whole of London. The term metropolitan should be included when referencing these SINC.

Ref 2.4 refers to the Addendum to the SINC Report 2016, however, the 2016 report is only partially replaced by the addendum, and so both reports should be referred to <https://www.bexley.gov.uk/services/planning-and-building-control/planning-policy-and-guidance/biodiversity-and-geodiversity> The published Bexley Green Infrastructure Study also provides background evidence on green infrastructure in the borough including both open space and biodiversity, and supports the implementation of the Local Plan.

- Ecological surveys should be undertaken at the most appropriate optimum times of year. Paragraph 6.8.2. of the Scoping Opinion refers to further surveys planned for 2023 and states that '*Reptile surveys will be undertaken from September to October 2023*'. Generally, reptiles are active from March to October. However, the best time to survey is a mixture of time of year, time of day and weather conditions, with peak months being April and May, when reptiles are most visible. Several survey visits are typically required; therefore, it is recommended surveys are carried out across the survey season, including peak months, to provide the most accurate picture of the reptile population.
- Table 6-4 of the Scoping Opinion scopes out maintenance activities during the operational phase. However, it is unclear to the Council at this stage if access to ecologically sensitive areas will be needed for maintenance to take place, such access may have the potential for negative impacts such as disturbance to nesting birds.
- It is noted that enhancement measures to improve the environment, will be included. Local Plan Policy DP20 requires development to demonstrate measurable Biodiversity net gain (BNG) will be achieved. It is therefore recommended that the applicant commits to a minimum 10% BNG. Any ecological enhancement proposed should demonstrate additionality after taking into account enhancement and BNG commitments agreed through already approved planning consents.

Marine Biodiversity

- The Council has no expertise in this subject and will therefore leave it up to other Statutory Bodies to comment on this chapter of the Scoping Opinion.

Historic Environment

- Table 8-1 of the Scoping Opinion outlines a summary of key legislation, policy and guidance. The application site is located within a Tier 3 Area of Archaeological Potential (Thamesmead and Erith Marshes), as identified in the London Borough of Bexley Archaeological Areas Appraisal (prepared by Historic England, January 2020). This document should be referenced within the table.
- The Crossness Conservation Area Appraisal and Management Plan does not appear to be referenced. As the conservation area is a designated heritage asset, this document should be acknowledged and addressed.
- With regards to the Local Plan policies, Policy SP1- *Achieving Sustainable Development* – the spatial strategy covers all new proposals for development under part 2 of the policy. This policy should be referenced within the ES.
- The setting of heritage assets is referenced within the chapter; however, Table 8-1 of the Scoping Opinion does not mention the key Legislation of the Planning (Listed Buildings and Conservation Areas) Act 1990. Sections 66 and 72 are directly relevant to the assessment of the impact of any development upon the setting of Listed Buildings and Conservation Areas.
- Table 8-2 of the Scoping Opinion outlines the impacts which will be scoped in or out of further assessment. It is considered (based on Legislation requirements, and existing policy and guidance) that the conclusions for further assessment are appropriate.

Townscape and Visual (including Arboriculture)

- Policy SP1 of the Bexley Local Plan (2023) covers all new development proposals. This policy should be referenced in Table 9-1 of the Scoping Opinion.
- Table 9-3 of the Scoping Opinion outlines the impacts which will be scoped in or out of further assessment. It is detailed that any potential impacts on topography (for both the construction and operation phases) be scoped out. The Council would suggest that this should only be the case if **there are no significant changes proposed to topography**. The Scoping Opinion states that there will not be, but it would be helpful to understand what ‘no significant changes’ means. Should the topography of the application site be required to change to facilitate the development (via an increase in level), then **this should be required to be scoped in** as part of the further assessment.
- It is considered (based on Legislation requirements, and existing policy and guidance) that the other conclusions for further assessment are appropriate.

Water Environment and Flood Risk

- The Scoping Report states that the risk from groundwater flooding is classified as moderate, which agrees with the records the Council holds. However, impacts from groundwater have been scoped out due to the area not being at 'high risk'. Whilst the Council accept that there is only a moderate risk within the site boundaries, the marshland nature of the site can result in unexpected flooding from groundwater, and from the interaction of groundwater with other sources. **For this reason, the Council believes that it should be scoped in.**
- Table 10-1 should also reference the Bexley Local Flood Risk Management Strategy and the Bexley SuDS Design & Evaluation Guide.
- Section 2.1.28 incorrectly identifies the site boundary as within Flood Zone 2 whilst Section 10.3.22 states that it is within Flood Zone 3. This needs to be addressed.
- Table 10-1 refers to Policies DP32 and DP33 of the Bexley Local Plan (2023). However, there are additional policies in the Local Plan relating to the water environment and flood risk which should also be referred to, such as DP18, DP19, DP29.
- Design, mitigation and enhancement should address the need to raise flood defenses along the River Thames.
- The Council would like to be consulted during the preparation of the Flood Risk Assessment for the application site.

Climate Resilience

- The Council has no expertise in this subject and will therefore leave it up to other Statutory Bodies to comment on this chapter of the Scoping Opinion.

Greenhouse Gases

- Policy SP14 of the Bexley Local Plan (2023) supports developments that demonstrate a commitment to drive down greenhouse gas emissions to net zero. Scoping Report Paragraph 2.4.11. states that the Proposed Scheme is anticipated to operate for a minimum of 25 years. Local Plan DP30 sets out a requirement to assess the whole life-cycle carbon emissions of the development.
- The Environmental Impact Assessment will need to reassess the impact on ground level concentrations made by the processes required for carbon capture process. This will inevitably reduce the temperature of the discharge and may also change the discharge height and efflux velocity. The EIA should revisit the dispersion modelling carried out for the energy from waste facilities, and properly assess the changes in plume dispersion and ground level concentrations that result. This assessment should include all emissions that were originally assessed when these facilities were first proposed.

Socioeconomics

The Council is generally satisfied at the details submitted in this chapter and that the applicant has adequately addressed this issue at this stage.

Population, Health, and Land Use

- Policies SP9 and DP15 of the Bexley Local Plan (2023) set out the local policy approach to protect Social and community services and facilities. Examples of types of social and community services and facilities identified in Table 10 of the Local Plan, include accessible open space and accessible nature areas. The Crossness Nature Reserve and accessible parts of the Sites of Importance for Nature Conservation provide an important community service and facility.
- The Crossness Nature Reserve and SINC are designated not only for their significance for wildlife, but also for their value to people. Access to nature has significant health and wellbeing benefits by allowing people to connect with nature.
- Paragraph 13.3.24 of the Scoping Opinion provides a limited summary of these assets. It is noted that table 13-2 scopes in Terrestrial Recreation, referring to the Crossness Nature Reserve under justification. However, the importance of these designations is not clearly reflected in the Significance Criteria.

Materials and Waste

The Council is generally satisfied at the details submitted in this chapter and that the applicant has adequately addressed this issue at this stage.

Ground Conditions and Soils

The Council is generally satisfied at the details submitted in this chapter and that the applicant has adequately addressed this issue at this stage.

Landside Transport

- The proposed approach for obtaining baseline conditions is through a desktop review supplemented by a site visit to establish the existing pedestrian routes, cycle routes, bus services and local highway characteristics. In addition to this, to understand traffic volumes and queues on the highway network queue length surveys, Automatic Traffic Count (ATC), Manual Traffic Count (MCC) and potentially non-motorised surveys will be undertaken. Before commencement, the applicant should provide the proposed methodology and details of the surveys to the Highway Authority for review and approval.
- The applicant has proposed three future baseline conditions that will be considered; a peak construction year, future year, and design year. The operation of Riverside 2 and committed developments are to be incorporated.

- The applicant has proposed the study area will include all transport and highway links from the Proposed Scheme to the surrounding local and strategic road network that would be subject to daily traffic flow changes. Key links are included within the study area, which is acceptable.
 - Norman Road.
 - Yarnton Way.
 - B253 Picardy Manorway.
 - A2016 Picardy Manorway/Eastern Way/Bronze Age Way.
 - A2000 Perry Street.
 - A2026 Burnham Road.
 - A206.

Further details of the proposed study area should be agreed with the Highway Authority.

- The applicant has listed the following impacts that will be scoped with the EIA during both construction and operation phases;
 - Pedestrian / cyclist severance.
 - Pedestrian / cyclist delay.
 - Pedestrian / cyclist amenity.
 - Fear and intimidation.
 - Public transport network.
 - Driver delay.
 - Accidents and safety.

Details on the TA for both the construction and operation phases alongside each of the impacts proposed to be scoped has been provided. IEMA guidance will be followed which is accepted by the Highway Authority.

- The construction phase assessment will include;
 - construction traffic volume (Heavy Goods Vehicles (HGVs) and light vehicles) including movements associated with materials and waste.
 - anticipated vehicle routing during construction.
 - journey to work data (obtained from the latest available Census data).

The applicant should also be advised to assess the potential movements generated from workforce travel and any disruption to the highway and transport network resulting from a potential road or footway closure associated with construction works.

- The operation phase assessment will include
 - operation traffic volume (HGVs and light vehicles).
 - proxy traffic volumes for committed developments, including Riverside 2.
 - anticipated vehicle routing during operation.
 - journey to work data (obtained from the latest available Census data).

- The applicant is also advised to consider vehicle volumes that could be generated when the main mode of transporting carbon via the river Thames is not possible due to metrological effects, jetty outage or on-site capacity issues and the liquid carbon is transported by road.

Marine Navigation

- The Council has no expertise in this subject and will therefore leave it up to other Statutory Bodies to comment on this chapter of the Scoping Opinion.

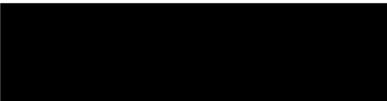
Major Accidents and Disasters

The Council is generally satisfied at the details submitted in this chapter and that the applicant has adequately addressed this issue at this stage. The Council would however encourage the applicant to engage with groups such as the London Fire Brigade, Met Police and the GLA's Fire, Resilience and Emergency Planning Committee.

Cumulative Effects.

The Council is generally satisfied at the details submitted in this chapter and that the applicant has adequately addressed this issue at this stage. It is understood that there may be some cumulative effects as a result of this development however, it would be down to the applicant to demonstrate that any cumulative effect is acceptable.

Yours faithfully



Mr R Lancaster
Head of Planning & Regulatory Services

Environmental Services
Operations Group 3
Temple Quay House
2 The Square
Bristol, BS1 6PN

Date: 12 May 2023

Dear Sir / Madam

**Application by Cory Environmental Holdings Limited (for an Order granting Development Consent for the Cory Decarbonisation Project
Scoping consultation and notification of the Applicant's contact details and duty to make available information to the Applicant if requested (Ref EN010128))**

We write on behalf of the Metropolitan Police Service and the Mayor's Office for Policing and Crime, to submit representations in relation to the above EIA scoping consultation. These are enclosed as a separate attachment.

Please do keep us informed about the progress of the proposals and any response by the applicants to the issues raised.

Yours sincerely


Vincent Gabbe
Consultant
@knightfrank.com

Encl.

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Cory Decarbonisation Project

EIA Scoping Consultation Response

12 May 2023



Document history

Document title: EIA Scoping Consultation Response

Revision	Purpose description	Originated	Checked	Reviewed	Authorised	Date
1.0	For issue	Various	LM	AR	TC	12/05/2023

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1. Introduction

The Mayor's Office for Policing and Crime (MOPAC) has been included within the scoping consultation phase for the Cory Decarbonisation Plant Development Consent Order (DCO) application.

Our comments are provided below by topic and focus on the potential impacts to nearby MOPAC facilities, most notably the Belvedere Storage Facility, Crabtree Manorway, Belvedere.

The MOPAC Belvedere facility comprises a modern warehouse used for vehicle storage and maintenance, forensic evidence storage, offices and leisure facilities. It is approximately 330 m east of the DCO boundary at its closest point.

Having reviewed the Environmental Impact Assessment Scoping Report for the Cory Decarbonisation Project we have the following comments:

2. General Approach

The EIA should give consideration to best practice guidance such as the Government's Good Practice Guide for EIA.

3. Air Quality

MOPAC considers their facility to be a relevant sensitive commercial receptor although it is not specifically listed in paragraph 4.5.1 or 4.5.2 of the Scoping Report for the construction and operational air quality assessments. We request that the MOPAC facility is included as a sensitive receptor for operational as well as construction impacts, due to the presence of outdoor workshops and offices at the site, where exposure may occur on a regular basis.

The applicable legislation and proposed methods and tools for the air quality assessment of the proposed are considered appropriate i.e. Institute of Air Quality Management (IAQM) construction dust guidance, IAQM/Environmental Protection UK (EPUK) development control guidance, Environment Agency permitting guidance and the ADMS dispersion modelling software; this should be reviewed at the time the EIA is undertaken.

Defra's recommendation in the draft revised Air Quality Strategy (AQS) (April 2023) is for new development to consider air quality upfront in design to deliver PM_{2.5} improvements. The assessment of this pollutant at EIA stage should not only relate to construction and operational emissions but also the potential to further mitigate impacts on local air quality through design. This should include consideration of alternatives to the standby diesel backup generators proposed, for which workers at the MOPAC facility are potentially relevant receptors. The design of the emissions from such generators should meet best practice to ensure effective dispersion.

Future estimates of air quality for use in the assessment should be based on robust baseline monitoring data. Monitoring data for the year 2019 are more likely to provide a more conservative basis appropriate for DCO compared to 2021, which included periods of lockdown. Ratified/verified data for 2022 should be available by the time the air quality assessment is undertaken for the EIA and should also be considered. Local diffusion tube surveys for NO₂ which may form the basis of model verification, should be carried out in line with Defra good practice guidance with consideration of accuracy/precision and bias adjustment. For short-term (< 6 months) surveys, it is best practice to set tubes up in triplicate.

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The construction phase of the proposed Cory Decarbonisation Project has the potential to generate dust and combustion emissions during the five-year construction period. We note that Table 4-2 of the scoping report refers to residential property only for the purposes of the dust risk assessment. The MOPAC Belvedere facility is within the IAQM construction dust study area of 350 m. While unlikely to be at a high risk of impact, we would nonetheless welcome its consideration at EIA stage. This is due to the potential for adverse impacts of dust on outdoor vehicle storage and roof mounted solar panels at the facility, as well as potential health effects on workers at the facility.

The Scoping Report, paragraph 2.3.8, states that “*Environmental mitigation required during construction will be recorded in an Outline Code of Construction Practice (OCoCP) to be submitted as part of the application for a DCO. A DCO requirement will ensure measures relevant to construction are included in a full Code of Construction Practice document (CoCP), to be prepared for the Proposed Scheme before construction commences. This CoCP will detail the environmental controls, environmental protection measures and safety procedures that will be adopted during construction. This will provide a tool to ensure the successful management of the likely environmental effects as a result of construction activities.*” We would expect to see appropriate dust mitigation and monitoring to be set out in a detailed dust management plan (DMP) to ensure no significant impacts on the buildings and occupants of the MOPAC facility during the construction phase.

We note that impacts of emissions from road traffic, Non-Road Mobile Machinery (NRMM) and marine vessels during construction and/or operation will be considered, including PM_{2.5}. We would welcome the quantitative assessment of construction as well as operational emissions, as this phase will last five years.

Crabtree Manorway North is not included in the traffic modelling/assessment study area (it is not listed in paragraph 17.4.2). There are existing issues with traffic congestion in the locality, and therefore we would like this road to be included.

Paragraph 17.6.1 states mitigation for the construction and operation phase “may include” a Construction Traffic Management Plan (CTMP) and Workplace Travel Plan (WTP). Given the extended duration of the construction phase and the scale of proposed development, we would expect both to be produced; this should include detailed information on the traffic mitigation measures that are proposed to be implemented and how these will be effectively applied.

The assessment of operational emissions will include the new CCS stack, as well as changes to the existing Riverside facilities. Table 4.2 is unclear in terms of the “other” (non AQS) pollutants that will be included in the assessment of operational emissions and whether this includes PM_{2.5}. We note that the modelling will consider new pollutants such as amines and aldehydes, as well as standby plant emissions, and that the assessment will refer to the latest Environment Agency permitting guidance which is appropriate.

Consideration should also be given to any changes in stack gas parameters such as discharge temperature and/or velocity as a result of the CO₂ absorption process which may change the effectiveness of dispersion in the local area.

If the contaminated land risk assessment identifies the potential for Volatile Organic Compound (VOC) emissions from remediation areas, we would welcome monitoring of these pollutants at the site boundary to ensure human health effects from ambient air exposure are considered as well as potential odours.

Regarding accidents with potential impacts on air pollution, it is currently unclear whether consideration will be made of the explosion risk of new infrastructure for CO₂ and hydrogen compression/storage/pipelines.

4. Traffic and Transport

The scope for traffic and transport is considered proportionate, in accordance with best practice and, therefore, generally acceptable.

Given that the local road network can be subject to traffic congestion during peak periods, it is essential that traffic data is collected in such a way that the traffic demand is captured, not just traffic throughput. Consequently, queue length surveys on all approaches of all junctions to be assessed will be essential.

5. Noise and Vibration

The proposed assessment methodology and approach stated in the noise and vibration chapter for ascertaining baseline conditions are considered to be appropriate, however, vibration impacts should be considered for buildings as well as human receptors. The general approaches to noise and vibration mitigation provided in the Scoping Report are acceptable, although further information on mitigation measures should be provided in the Environmental Statement.

6. Ground Conditions and Soils

The proposed assessment methodology and approach states that there will be a Qualitative Risk Assessment which will categorise the level of risk determined by the consequence and probability classifications. However, this has not been linked to the subsequent significance of effect criteria. It is recommended that the two are linked for the Environmental Statement.

It would be expected that appropriate risk assessment be completed post-ground investigations in line with Land Contamination Risk Management 2020, this needs to be included in section 16.6 and will determine the subsequent required mitigation.

From: [NATS Safeguarding](#)
To: [CoryDP](#)
Cc: [NATS Safeguarding](#); [REDACTED] [@corygroup.co.uk](mailto:[REDACTED]@corygroup.co.uk)
Subject: RE: Planning Inspectorate - EN010128 – Cory Decarbonisation Project – Reg 10 Consultation and Reg 11 Notification [SG35191]
Date: 24 April 2023 14:29:22
Attachments: [image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)
[image009.png](#)
[image010.png](#)
[image011.jpg](#)

Dear Sirs,

NATS operates no infrastructure within 10km of the proposal's site. Accordingly we anticipate no impact and have no comments to make on the Scoping Opinion.

Regards
S. Rossi
NATS Safeguarding Office



Sacha Rossi
ATC Systems Safeguarding Engineer

D: [REDACTED]

E: [REDACTED] [@nats.co.uk](mailto:[REDACTED]@nats.co.uk)

4000 Parkway, Whiteley,
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NATS Internal

From: CoryDP <CoryDP@planninginspectorate.gov.uk>
Sent: 19 April 2023 10:55
To: CoryDP <CoryDP@planninginspectorate.gov.uk>
Subject: Planning Inspectorate - EN010128 – Cory Decarbonisation Project – Reg 10 Consultation and Reg 11 Notification

Your attachments have been security checked by Mimecast Attachment Protection. Files where no threat or malware was detected are attached.

Dear Sir / Madam,

Please see attached correspondence from The Planning Inspectorate (PINS) in relation to the proposed Cory Decarbonisation Project (Nationally Significant Infrastructure Project).

Please note the deadline for consultation responses is **17 May 2023** and is a statutory requirement that cannot be extended.

Thank You



Gary Chapman | EIA and Land Rights Advisor (HEO)
The Planning Inspectorate

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Complex Land Rights

Ellie Laycock

Development Liaison Officer

UK Land and Property

██████████@nationalgrid.com

Tel: ██████████

www.nationalgrid.com

SUBMITTED ELECTRONICALLY:

corydp@planninginspectorate.gov.uk

17 May 2023

Dear Sir/Madam

APPLICATION BY CORY ENVIRONMENTAL HOLDINGS LIMITED (THE APPLICANT) FOR AN ORDER GRANTING DEVELOPMENT CONSENT FOR THE CORY DECARBONISATION PROJECT (THE PROPOSED DEVELOPMENT)

SCOPING CONSULTATION RESPONSE

I refer to your letter dated 19th April 2023 in relation to the above proposed application. This is a response on behalf of National Grid Electricity Transmission PLC (NGET). Having reviewed the scoping report, I would like to make the following comments regarding NGET infrastructure within or in close proximity to the current red line boundary.

NGET has a cable fibre within or in close proximity to the scoping area. NGET assets form an essential part of the electricity transmission network in England and Wales. Please continue to consult NGET in regards to this development.

Specific Comments – Electricity Infrastructure:

- NGET's Overhead Line/s is protected by a Deed of Easement/Wayleave Agreement which provides full right of access to retain, maintain, repair and inspect our asset
- Statutory electrical safety clearances must be maintained at all times. Any proposed buildings must not be closer than 5.3m to the lowest conductor. NGET recommends that no permanent structures are built directly beneath overhead lines. These distances are set out in EN 43 – 8 Technical Specification for “overhead line clearances Issue 3 (2004)”.
- If any changes in ground levels are proposed either beneath or in close proximity to our existing overhead lines then this would serve to reduce the safety clearances for such overhead lines. Safe clearances for existing overhead lines must be maintained in all circumstances.

- The relevant guidance in relation to working safely near to existing overhead lines is contained within the Health and Safety Executive's (www.hse.gov.uk) Guidance Note GS 6 "Avoidance of Danger from Overhead Electric Lines" and all relevant site staff should make sure that they are both aware of and understand this guidance.
- Plant, machinery, equipment, buildings or scaffolding should not encroach within 5.3 metres of any of our high voltage conductors when those conductors are under their worse conditions of maximum "sag" and "swing" and overhead line profile (maximum "sag" and "swing") drawings should be obtained using the contact details above.
- If a landscaping scheme is proposed as part of the proposal, we request that only slow and low growing species of trees and shrubs are planted beneath and adjacent to the existing overhead line to reduce the risk of growth to a height which compromises statutory safety clearances.
- Drilling or excavation works should not be undertaken if they have the potential to disturb or adversely affect the foundations or "pillars of support" of any existing tower. These foundations always extend beyond the base area of the existing tower and foundation ("pillar of support") drawings can be obtained using the contact details above.
- NGET high voltage underground cables are protected by a Deed of Grant; Easement; Wayleave Agreement or the provisions of the New Roads and Street Works Act. These provisions provide NGET full right of access to retain, maintain, repair and inspect our assets. Hence we require that no permanent / temporary structures are to be built over our cables or within the easement strip. Any such proposals should be discussed and agreed with NGET prior to any works taking place.
- Ground levels above our cables must not be altered in any way. Any alterations to the depth of our cables will subsequently alter the rating of the circuit and can compromise the reliability, efficiency and safety of our electricity network and requires consultation with National Grid prior to any such changes in both level and construction being implemented.

To download a copy of the HSE Guidance HS(G)47, please use the following link:

<http://www.hse.gov.uk/pubns/books/hsg47.htm>

Further Advice

We would request that the potential impact of the proposed scheme on NGET's existing assets as set out above and including any proposed diversions is considered in any subsequent reports, including in the Environmental Statement, and as part of any subsequent application.

Where any diversion of apparatus may be required to facilitate a scheme, NGET is unable to give any certainty with the regard to diversions until such time as adequate conceptual design studies have been undertaken by NGET. Further information relating to this can be obtained by contacting the email address below.

Where the promoter intends to acquire land, extinguish rights, or interfere with any of NGET apparatus, protective provisions will be required in a form acceptable to it to be included within the DCO.

NGET requests to be consulted at the earliest stages to ensure that the most appropriate protective provisions are included within the DCO application to safeguard the integrity of our apparatus and to remove the requirement for objection. All consultations should be sent to the following email address: box.landandacquisitions@nationalgrid.com

I hope the above information is useful. If you require any further information, please do not hesitate to contact me.

The information in this letter is provided notwithstanding any discussions taking place in relation to connections with electricity customer services.

Yours faithfully



Ellie Laycock
Development Liaison Officer, Complex Land Rights

From: [.Box.Assetprotection \(National Gas\)](#)
To: [CoryDP](#)
Subject: RE: [EXTERNAL] Planning Inspectorate - EN010128 – Cory Decarbonisation Project – Reg 10 Consultation and Reg 11 Notification
Date: 19 April 2023 13:40:54
Attachments: [image001.png](#)
[image003.png](#)
[image004.jpg](#)

Team,

Thank you for your email.

Regarding planning application EN010128, there are no National Gas Transmission assets affected in this area.

If you would like to view if there are any other affected assets in this area, please raise an enquiry with www.lsbud.co.uk. Additionally, if the location or works type changes, please raise an enquiry.

Kind regards

Asset Protection Team

From: .box.assetprotection <assetprotection@nationalgrid.com>
Sent: 19 April 2023 11:42
To: .Box.Assetprotection (National Gas) <box.assetprotection@nationalgas.com>
Subject: FW: [EXTERNAL] Planning Inspectorate - EN010128 – Cory Decarbonisation Project – Reg 10 Consultation and Reg 11 Notification

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From: CoryDP <CoryDP@planninginspectorate.gov.uk>
Sent: 19 April 2023 11:08
To: .Box.transmissionConnections <transmissionconnections@nationalgrideso.com>
Cc: CoryDP <CoryDP@planninginspectorate.gov.uk>; Commercial.Operation <Commercial.Operation@nationalgrideso.com>; .box.assetprotection <assetprotection@nationalgrid.com>
Subject: [EXTERNAL] Planning Inspectorate - EN010128 – Cory Decarbonisation Project – Reg 10 Consultation and Reg 11 Notification

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Dear Sir / Madam

Please see attached correspondence from The Planning Inspectorate (PINS) in relation to the proposed Cory Decarbonisation Project (Nationally Significant Infrastructure Project).

Please note the deadline for consultation responses is **17 May 2023** and is a statutory requirement that cannot be extended.

Thank You



Gary Chapman | EIA and Land Rights Advisor (HEO)
The Planning Inspectorate

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DPC:76616c646f72



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For the registered information on the UK operating companies within the National Grid group please use the attached link: <https://www.nationalgrid.com/group/about-us/corporate-registrations>

Date: 16 May 2023
Our ref: 430604
Your ref: EN010128



The Planning Inspectorate
BY EMAIL ONLY

Consultations
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 900

Dear Sir/Madam

Environmental Impact Assessment Scoping consultation under Regulation 10 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulation 11

Proposal: EIA Scoping opinion for proposed Cory Decarbonisation Project.

Location: Riverside Resource Recovery Facility, Norman Road North, Belvedere, DA17 6JY

Thank you for seeking our advice on the scope of the Environmental Statement (ES) in the consultation dated 23 April 2023, received on the same date.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

A robust assessment of environmental impacts and opportunities, based on relevant and up to date environmental information, should be undertaken prior to an application for a Development Consent Order. Annex A to this letter provides Natural England's advice on the scope of the Environmental Impact Assessment (EIA) for the proposed development.

We are unable to make detailed comments on EIA scoping due to a lack of knowledge of the detail of the scheme and are providing advice based on the scoping report.

Detailed advice on scoping the Environmental Statement is available in the attached Annex.

For any further advice on this consultation please contact the case officer Isabella Jack at [REDACTED]@naturalengland.org.uk and copy to consultations@naturalengland.org.uk.

Yours faithfully

Isabella Jack
Sustainable Development
Thames Solent Area Team

Annex A – Natural England Advice on EIA Scoping

Environmental data

Natural England is required to make available information it holds where requested to do so. National datasets held by Natural England are available at <http://www.naturalengland.org.uk/publications/data/default.aspx>.

Detailed information on the natural environment is available at www.magic.gov.uk. This includes Marine Conservation Zone GIS shapefiles.

Natural England's SSSI Impact Risk Zones are a GIS dataset which can be used to help identify the potential for the development to impact on a SSSI. The dataset and user guidance can be accessed from the [Natural England Open Data Geoportal](#).

Natural England does not hold local information on local sites, local landscape character, priority habitats and species or protected species. Local environmental data should be obtained from the appropriate local bodies. This may include the local environmental records centre, the local wildlife trust, local geo-conservation group or other recording society.

Biodiversity and Geodiversity

The assessment will need to include potential impacts of the proposal upon sites and features of nature conservation interest as well as opportunities for nature recovery through biodiversity net gain (BNG). There might also be strategic approaches to take into account.

Ecological Impact Assessment (EclA) is the process of identifying, quantifying, and evaluating the potential impacts of defined actions on ecosystems or their components. EclA may be carried out as part of the EIA process or to support other forms of environmental assessment or appraisal. [Guidelines](#) have been developed by the Chartered Institute of Ecology and Environmental Management (CIEEM).

Designated nature conservation sites

International and European sites

The ES should thoroughly assess the potential for the proposal to affect internationally designated sites of nature conservation importance / European sites, including marine sites where relevant. This includes Special Protection Areas (SPA), Special Areas of Conservation (SAC), listed Ramsar sites, candidate SAC and proposed SPA.

Article 6 (3) of the Habitats Directive requires an appropriate assessment where a plan or project is likely to have a significant effect upon a European Site, either individually or in combination with other plans or projects.

Nationally designated sites

Sites of Special Scientific Interest

The Environmental Statement should include a full assessment of the direct and indirect effects of the development on the features of special interest within the SSSIs outlined in the scoping report and identify appropriate mitigation measures to avoid, minimise or reduce any adverse significant effects.

Regionally and Locally Important Sites

The ES should consider any impacts upon local wildlife and geological sites, including local nature reserves. Local Sites are identified by the local wildlife trust, geoconservation group or other local group. The ES should set out proposals for mitigation of any impacts and if appropriate, compensation measures and opportunities for enhancement and improving connectivity with wider ecological networks. They may also provide opportunities for delivering beneficial environmental outcomes.

Protected Species

The conservation of species protected under the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2017 is explained in Part IV and Annex A of Government Circular 06/2005 [Biodiversity and Geological Conservation: Statutory Obligations and their Impact within the Planning System.](#)

Applicants should check to see if a mitigation licence is required using NE guidance on licencing [NE wildlife licences](#). Applicants can also make use of Natural England's (NE) charged service [Pre Submission Screening Service](#) for a review of a draft wildlife licence application. NE then reviews a full draft licence application to issue a Letter of No Impediment (LONI) which explains that based on the information reviewed to date, that it sees no impediment to a licence being granted in the future should the DCO be issued. This is done to give the Planning Inspectorate confidence to make a recommendation to the relevant Secretary of State in granting a DCO. See [Advice Note Eleven, Annex C – Natural England and the Planning Inspectorate | National Infrastructure Planning](#) For details of the LONI process.

The ES should assess the impact of all phases of the proposal on protected species (including, for example, great crested newts, reptiles, birds, water voles, badgers and bats). Natural England does not hold comprehensive information regarding the locations of species protected by law. Records of protected species should be obtained from appropriate local biological record centres, nature conservation organisations and local groups. Consideration should be given to the wider context of the site, for example in terms of habitat linkages and protected species populations in the wider area.

The area likely to be affected by the development should be thoroughly surveyed by competent ecologists at appropriate times of year for relevant species and the survey results, impact assessments and appropriate accompanying mitigation strategies included as part of the ES. Surveys should always be carried out in optimal survey time periods and to current guidance by suitably qualified and, where necessary, licensed, consultants.

Natural England has adopted [standing advice](#) for protected species, which includes guidance on survey and mitigation measures. A separate protected species licence from Natural England or Defra may also be required.

Priority Habitats and Species

Priority Habitats and Species are of particular importance for nature conservation and included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. Lists of priority habitats and species can be found [here](#). Natural England does not routinely hold species data. Such data should be collected when impacts on priority habitats or species are considered likely.

Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land. Sites can be checked against the

(draft) national Open Mosaic Habitat (OMH) inventory published by Natural England and freely available to [download](#). Further information is also available [here](#).

An appropriate level habitat survey should be carried out on the site, to identify any important habitats present. In addition, ornithological, botanical, and invertebrate surveys should be carried out at appropriate times in the year, to establish whether any scarce or priority species are present.

The Environmental Statement should include details of:

- Any historical data for the site affected by the proposal (e.g. from previous surveys)
- Additional surveys carried out as part of this proposal
- The habitats and species present
- The status of these habitats and species (e.g. whether priority species or habitat)
- The direct and indirect effects of the development upon those habitats and species
- Full details of any mitigation or compensation measures
- Opportunities for biodiversity net gain or other environmental enhancement

Biodiversity net gain

The Environment Act 2021 includes NSIPs in the requirement for Net Gain but NSIPs will not have to comply with BNG until 2025. Natural England encourages the consideration of BNG as part of the development proposals.

The ES should use an appropriate biodiversity metric such as [Biodiversity Metric 3.0](#) together with ecological advice to calculate the change in biodiversity resulting from proposed development and demonstrate how proposals can achieve a net gain.

The metric should be used to:

- assess or audit the biodiversity unit value of land within the application area
- calculate the losses and gains in biodiversity unit value resulting from proposed development
- demonstrate that the required percentage biodiversity net gain will be achieved

Biodiversity Net Gain outcomes can be achieved on-site, off-site or through a combination of both. On-site provision should be considered first. Delivery should create or enhance habitats of equal or higher value. When delivering net gain, opportunities should be sought to link delivery to relevant plans or strategies e.g. Green Infrastructure Strategies or Local Nature Recovery Strategies.

Air Quality

Air quality in the UK has improved over recent decades but air pollution remains a significant issue. For example, approximately 85% of protected nature conservation sites are currently in exceedance of nitrogen levels where harm is expected (critical load) and approximately 87% of sites exceed the level of ammonia where harm is expected for lower plants (critical level of 1µg) ^[1]. A priority action in the England Biodiversity Strategy is to reduce air pollution impacts on biodiversity. The Government's Clean Air Strategy also has a number of targets to reduce emissions including to reduce damaging deposition of reactive forms of nitrogen by 17% over England's protected priority sensitive habitats by 2030, to reduce emissions of ammonia against the 2005 baseline by 16% by 2030 and to reduce emissions of NO_x and SO₂ against a 2005 baseline of 73% and 88% respectively by 2030. Shared Nitrogen Action

[1] [Report: Trends Report 2020: Trends in critical load and critical level exceedances in the UK - Defra, UK](#)

Plans (SNAPs) have also been identified as a tool to reduce environmental damage from air pollution.

The planning system plays a key role in determining the location of developments which may give rise to pollution, either directly, or from traffic generation, and hence planning decisions can have a significant impact on the quality of air, water and land. The ES should take account of the risks of air pollution and how these can be managed or reduced. Further information on air pollution impacts and the sensitivity of different habitats/designated sites can be found on the Air Pollution Information System (www.apis.ac.uk).

Natural England has produced guidance for public bodies to help assess the impacts of road traffic emissions to air quality capable of affecting European Sites. [Natural England's approach to advising competent authorities on the assessment of road traffic emissions under the Habitats Regulations - NEA001](#)

Information on air pollution modelling, screening and assessment can be found on the following websites:

- SCAIL Combustion and SCAIL Agriculture - <http://www.scail.ceh.ac.uk/>
- Ammonia assessment for agricultural development
<https://www.gov.uk/guidance/intensive-farming-risk-assessment-for-your-environmental-permit>
- Environment Agency Screening Tool for industrial emissions
<https://www.gov.uk/guidance/air-emissions-risk-assessment-for-your-environmental-permit>
- Defra Local Air Quality Management Area Tool (Industrial Emission Screening Tool) – England <http://www.airqualityengland.co.uk/laqm>

Water Quality

The planning system plays a key role in determining the location of developments which may give rise to water pollution, and hence planning decisions can have a significant impact on water quality, and land. The assessment should take account of the risks of water pollution and how these can be managed or reduced.

From: [Before You Dig](#)
To: [CoryDP](#)
Subject: RE: EXT:Planning Inspectorate - EN010128 – Cory Decarbonisation Project – Reg 10 Consultation and Reg 11 Notification
Date: 19 April 2023 14:34:42
Attachments: [image003.png](#)
[image004.png](#)
[image005.png](#)

Good afternoon,

NGN may have a number of gas assets in the vicinity of some of the identified “site development” locations. It is a possibility that some of these sites could be recorded as Major Accident Hazard Pipelines(MAHP), whilst other sites could contain High Pressure gas and as such there are Industry recognised restrictions associated to these installations which would effectively preclude close and certain types of development. The regulations now include “Population Density Restrictions” or limits within certain distances of some of our “HP” assets.

The gas assets mentioned above form part of the Northern Gas Networks “bulk supply” High Pressure Gas Transmission” system and are registered with the HSE as Major Accident Hazard Pipelines.

Any damage or disruption to these assets is likely to give rise to grave safety, environmental and security of supply issues.

NGN would expect you or anyone involved with the site (or any future developer) to take these restrictions into account and apply them as necessary in consultation with ourselves. We would be happy to discuss specific sites further or provide more details at your locations as necessary.

If you give specific site locations, we would be happy to provide gas maps of the area which include the locations of our assets.

(In terms of High Pressure gas pipelines, the routes of our MAHP’s have already been lodged with members of the local Council’s Planning Department)

Kind regards,

Jennie Adams

**Administration Assistant
Before You Dig
Northern Gas Networks
1st Floor, 1 Emperor Way
Doxford Park
Sunderland
SR3 3XR**

Before You Dig: 0800 040 7766 (option 3)

www.northerngasnetworks.co.uk

facebook.com/northerngasnetworks

twitter.com/ngngas

Alternative contact:

beforeyoudig@northerngas.co.uk



Get involved! Have your say in the future of your gas network and win great prizes, by taking part in our BIG customer survey at together.northerngasnetworks.co.uk Keep posted to take part in a range of activities from workshops to roadshows. Together, we are the network.

Northern Gas Networks Limited (05167070) | Northern Gas Networks Operations Limited (03528783) | Northern Gas Networks Holdings Limited (05213525) | Northern Gas Networks Pensions Trustee Limited (05424249) | Northern Gas Networks Finance Plc (05575923). **Registered address:** 1100 Century Way, Thorpe Park Business Park, Colton, Leeds LS15 8TU. Northern Gas Networks Pension Funding Limited Partnership (SL032251). **Registered address:** 1st Floor Citypoint, 65 Haymarket Terrace, Edinburgh, Scotland, EH12 5HD. **For information on how we use your details please read our [Personal Data Privacy Notice](#)**

From: CoryDP <CoryDP@planninginspectorate.gov.uk>

Sent: 19 April 2023 10:55

To: CoryDP <CoryDP@planninginspectorate.gov.uk>

Subject: EXT:Planning Inspectorate - EN010128 – Cory Decarbonisation Project – Reg 10 Consultation and Reg 11 Notification

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Dear Sir / Madam,

Please see attached correspondence from The Planning Inspectorate (PINS) in relation to the proposed Cory Decarbonisation Project (Nationally Significant Infrastructure Project).

Please note the deadline for consultation responses is **17 May 2023** and is a statutory requirement that cannot be extended.

Thank You



Gary Chapman | EIA and Land Rights Advisor (HEO)
The Planning Inspectorate

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DPC:76616c646f72





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Emma Cottam
Senior Environmental Impact Assessment Advisor
The Planning Inspectorate
Environmental Services
Operations Group 3
Temple Quay House
2, The Square
Bristol, BS1 6PN

16 May 2023

Application by Cory Environmental Holdings Limited (the Applicant) for an Order granting Development Consent for the Cory Decarbonisation Project (the Proposed Development). (Scoping Opinion) Ref: EN010128

Dear Emma

Thank you for your letter dated 19 April 2023 inviting the Port of London Authority (PLA) to comment on the information that it considers should be provided in the Environmental Statement for the Cory Decarbonisation Project at Belvedere, in the London Borough of Bexley.

For information, The PLA is the Statutory Harbour Authority for the Tidal Thames between Teddington and the Thames Estuary. Its statutory functions include responsibility for conservancy, dredging, maintaining the public navigation and controlling vessel movement's and its consent is required for the carrying out of all works and dredging in the river and the provision of moorings. The PLAs functions also include for promotion of the use of the river as an important strategic transport corridor to London.

I have now had the opportunity to review the Environmental Impact Assessment (EIA) Scoping Report and have the following comments to make.



Site location:

Note that the redline boundary for the proposed development is very broad at this stage, extending across the River Thames to the borough boundary line between the London Boroughs of Bexley and Barking & Dagenham. It will need to be made clear as the scheme develops the extent of the actual works affecting the Thames and how far into the Thames the proposed jetty and berthing pocket will encroach in order to amend the red line boundary as appropriate.

General Points:

The PLA in principle welcome the proposal which is looking to utilise the Tidal Thames as a decarbonisation hub and as a potential location for hydrogen production and fuelling. As the scheme develops the Environmental Statement (ES) will need to demonstrate how the use of the river for the transportation of construction and waste materials will be maximised in line with planning policy. It will also need to be made clear as the scheme develops any impacts as a result of the increased river traffic, once the facility is operational.

The development site has a current river works licence, including for the existing works and use of the Safeguarded Middleton Wharf. It will be vital for discussions to be held between the PLA and the applicant at an early stage with regard to the river works licencing process (including dredging) and its incorporation as part of the DCO process.

Specific comments:

- **Chapter 2 - Site and Proposed Scheme Description:**

Paragraph 2.2.27 states that the development of the destination geological storage locations offshore and the transportation of LCO₂ via the River Thames is not part of the Carbon Capture and Storage Project, although it is acknowledged that the 'downstream' effects of the transporting the LCO₂ may be assessed as part of the EIA process for the Proposed Scheme, where appropriate. It is not clear what is meant by 'downstream effects of transporting LCO₂' and this will require expansion in the ES.

As part of the decommissioning section (paragraph 2.4.11) it is stated that The Proposed Scheme is anticipated to operate for a minimum of 25 years, and that at the end of the 25-year period, the Proposed Scheme may have some residual life remaining and therefore a decision will be made as to whether to extend

the operational life of the Proposed Scheme. It is essential that the PLA are included in any discussions on the long term use and any potential decommissioning of the proposed river infrastructure.

Within chapter 2 there are several references to the installation of various pipelines as part of the proposed development, including as a potential option for the export of hydrogen off site. As the detail of the scheme progresses the location and start/end points of the proposed pipelines must be confirmed, including any associated amendments required for the red line boundary.

Noted that during the construction stage of the development it will be ensured that Middleton Jetty will continue to operate to enable the continued operation of Riverside 1 and Riverside 2. This will need to be reflected in the associated NRA. Furthermore, as part of the construction stage detail on any temporary construction works in the river will also need to be progressed further in order for the PLA to fully understand the impacts, scale and timings of the proposed works. To highlight it will also be essential that all temporary marine related works are removed at the end of the construction phase and if required appropriate riverbed restoration undertaken.

Welcomed that paragraph 2.3.7 states that there is the possibility that some deliveries associated with the construction stage can be via the River Thames, in particular for the construction of the Proposed Jetty, and that the ES will provide further information in this regard. The PLA would support the full investigation of how the river can be utilised as part of the construction stage, noting as above the need to continue to operate the adjacent facility at Middleton Jetty.

- **Chapter 7 - Marine Biodiversity:**

Section 7.6 on Design, Mitigation and Enhancement Measures includes some information on embedded mitigation measures during the construction phase including:

- Confirming the need for an Ecological Clerk of Works (ECoW) to be present during dredging/piling;
- Implementation of reduced vessel speed to minimise impact on intertidal habitats from wash

To highlight, by proposing embedding mitigation before an assessment of its need has been carried out, this has a potential effect to restrict the applicant in their construction and operational phases without any assessed benefits.

Within table 7-7 of this chapter, for impacts scoped in or out of further assessment, it is noted that noise and vibration (Medway Estuary MCZ, The River Thames and its Tidal Tributaries (SINC), marine habitats, intertidal and subtidal benthic communities and marine plants and macroalgae) have been scoped out. To confirm one of the reasons the River Thames and its Tidal Tributaries SINC was designated was because of the river's importance for spawning and migrating fish. Therefore, noise and vibration have the potential to affect the migration and spawning of fish, and consideration should be given to scoping this in for the Environmental Statement.

Paragraph 7.6.3 includes a statement with regard to habitat creation, including on the potential creation of new areas to replace those that may be lost as a result of the Proposed Scheme, and that if this cannot be completed on site potential alternative options may include offsetting or creation of a compensation site. Further detail on this will be required as the scheme development, including on whether any potential habitat creation is proposed within, or outside of the red line boundary. Paragraph 1.1.9 states that further work is being undertaken in respect of the ecological mitigation areas that may be required for the Proposed Scheme, which may expand the Site Boundary; the PLA must be kept informed on how this is progressed.

Paragraph 7.7.2 makes reference to the long-term loss of subtidal and intertidal habitat from the new footprint of the Proposed Jetty and maintenance dredging. Here it is considered that there will also need to be full consideration of habitat changes as a result of the decommissioning and dismantlement of the existing Belvedere Power Station Jetty as part of the Proposed Scheme, as referenced in paragraph 18.3.5.

Welcomed in paragraph 7.8.3 that the proposed assessment methodology on Marine Biodiversity will be discussed, and agreement sought with various relevant agencies including the PLA.

- **Chapter 10 - Water Environment and Flood Risk:**

10.6.2: In the operational phase of this section, it is stated that water discharges into the river. Within the ES it will be essential that further detail is provided on this including where this will be discharged, and of what velocity, volume and frequency.

- **Chapter 13 – Population, Health and Land Use:**

Noted here that the design of the scheme will be such that the existing Thames Path route will remain open where practicable and accessible to users during the construction stage, with suitable diversions identified. It must be made clear as the project progresses on how the Thames Path will be affected during the

construction phase of the development. Further detail will also be required as part of the operational stage with regard to the access over the Thames Path for pedestrians / vehicles to the proposed jetty, as well as any pipelines which will be situated over the path, and any associated safety & security matters that will need to be considered as part of the design.

During the operational phase of the development there is reference in paragraph 13.6.2 of potential additional barge moorings which should be positioned on the southern side of the River Thames and west of the proposed jetty in order to lessen the impact of regular vessel movements by the applicant's vessels and operation vessels on passing vessels. The potential impacts of these additional moorings will need to be considered in the associated NRA.

- **Chapter 15 – Materials and Waste:**

Under the policy, legislation and guidance section, the Marine Management Organisation (MMO) South East Marine Plan (2021) is referenced, including policy SE-DD03 on the disposal of dredge material. Whilst this is welcomed this appears to be the only chapter where the South East Marine Plan is referenced – this requires review by the applicant as there are other policies (such as SE-BIO-1 on Biodiversity and SE-PS-1 on Ports and Shipping) within the Marine Plan which will also be relevant for the Proposed Scheme and must be considered.

- **Chapter 17 – Landside Transport:**

Paragraph 17.6.1 states that a Construction Traffic Management Plan (CTMP) will be provided as part of the Proposed Scheme, which will set out measures to mitigate construction effects. As part of the CTMP further information will be required on the proposed use of the River Thames during the construction phase of the scheme.

With regard to paragraph 17.8.12, the operational phase assessment where relevant should also highlight the hydrogen export/use options particularly the option to utilise Hydrogen tube trailers – requiring a road tanker loading facility on-site. This section of the ES will also need to refer to the potential for vehicular access to the proposed jetty, which is referenced in paragraph 2.2.56 of the Scoping Report.

- **Chapter 18 - Marine Navigation:**

It is important to note that currently there is no proposed new river structure shown on any of the maps included in the scoping report. The existing disused Belvedere Power Station Jetty which will need to be fully decommissioned and dismantled as part of the project is located significantly further inland than where the proposed jetty will likely be situated. Whilst this is considered acceptable at this time due to the further work required on the exact location of the new jetty it must be highlighted that there will likely be a significant difference in the location of the existing Belvedere Power Station Jetty and the new jetty for the decarbonisation project.

With regard to the previous Navigational Risk Assessment (NRA) prepared as part of the Riverside 2 redevelopment, to highlight, the Riverside 2 scheme had no additional marine infrastructure associated with it and was based only on the proposed additional barge movements, whereas the marine infrastructure and movements associated with the decarbonisation project will be much more significant and should be recognised by the applicant.

Paragraph 18.3.5 includes a description of various key navigational features within the study area. Ford's jetty is referenced here, stating that on average there are eight arrivals and departures a month from this Jetty. This is incorrect and is actually more substantially used, with 127 arrivals at this jetty over the last three months and this must be reflected in the ES. Furthermore, although it partly outside of the study area, Thunderer Jetty should also be highlighted, as this also has capacity for larger vessels, with several visiting the jetty in a month that are 119-133m LOA.

With regard to Bathymetry and Charted Depths, there is some conflicting information in the report. Paragraph 18.3.8 states that the riverbed is between -7mCD and -9mCD in proximity to the location of the Proposed Jetty and paragraph 18.3.9 states that charted depths alongside currently range between +4mCD and -4.5mCD, depending on the location of the proposed jetty. This is not clear as within the report there is no definition of where the proposed jetty will be, and therefore no detailed information on the level of dredging that may be required as part of the project, although there is a reference in paragraph 2.2.57 that a water depth of approx. 9m will be required for all-tide access. Related to this it is considered that publicly available PLA chart information should be used to present the existing depths in this area in a more straightforward way than currently shown.

Paragraph 18.3.10 states that in general, Halfway Reach sees lower vessel traffic than much of the rest of the tidal area of the River Thames. To confirm, the PLA consider that this area is a busy reach, with active berths along both banks operating daily, as well as transiting traffic for further upriver as shown in figure 18-2

(Bathymetric Survey). Future projected growth includes more cruise ship and other larger craft transiting upriver to Greenwich and further through this area. To confirm there is also limited available deep water in this reach (circa 183m wide) and around Jenningtree Point which creates pinch points at some states of tide.

With regard to the potential hydrogen bunkering facilities as part of the proposed jetty for marine vessels, depending on how this will be used will need to be addressed in detail in the associated NRA, including on the potential on whether this facility will be used for other operators separate to the applicant.

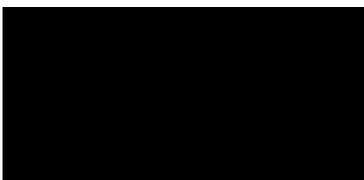
Paragraph 18.6.2 refers to the PLA pilotage directions with regard to the proposed design vessel for the Proposed Scheme. Whilst this is welcome consideration must also be given to the Code of Practice for Ship Towage Operations on the Thames for tug requirements. (<https://www.pla.co.uk/Safety/Regulations-and-Guidance/Code-of-Practice-for-Ship-Towage-Operations-on-the-Thames>).

Welcome that it is recognised in paragraph 18.6.2 that appropriate riparian life saving equipment will be considered in line with PLA requirements. For information, the provision of appropriate riparian life saving equipment should be provided in line with the PLA's 'a safer riverside' guidance for development on and alongside the tidal Thames. (<http://pla.co.uk/Safety/Water-Safety/Water-Safety>)

Finally, under the references section of chapter 18, to confirm that document reference 18.19 (PLA - Navigational Risk Assessment – Guidance to Operators and Owners) is not for river structures such as the proposed jetty but rather for the owners/operators of vessels carrying out NRAs for their boats.

I hope the above information is of assistance.

Yours Faithfully



Michael Atkins
Senior Planning Officer
Port of London Authority

corydp@planninginspectorate.gov.uk

Tel No: 01732 227000
Ask for: Alison Salter
Email: dc.north@sevenoaks.gov.uk
My Ref:
Your Ref: EN010128
Date: 16 May 2023

Dear Sir or Madam

Application for Scoping Opinion by: Cory Environmental Holdings Limited
Application reference: EN010128
Project: Cory Decarbonisation Project

I refer to the above scoping opinion which is currently under consideration. This letter constitutes the Council's response as a consultee.

The scoping report does not appear to exclude any information which the Council would wish to see covered.

Having reviewed the submitted information, it is considered unlikely that the proposal would have an adverse impact on the Sevenoaks District.

It is understood that the proposed development consists of two projects which aim to support national targets to reduce carbon emissions and create a secure, reliable and affordable energy supply for consumers. The carbon capture element of the development would provide and support the decarbonisation of energy from waste derived carbon dioxide emissions in the UK, to deliver CO₂ savings and support a fully de-carbonised district heating network. It should also make the waste to energy plant carbon negative.

The hydrogen element of the development should provide and support the production of hydrogen facilities that would enable the provision of a regular hydrogen supply to heavy goods vehicles and vessels.

Sevenoaks District Council are committed to working towards achieving net zero carbon emissions by 2030 and have a Net Zero Action Plan. As such, the Council raise no objection.

Chief Executive: Dr. Pav Ramewal

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Argyle Road
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e information@sevenoaks.gov.uk
DX30006 Sevenoaks
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Yours sincerely



Alison Salter
Development Manager



The Planning Inspectorate
Temple Quay House
Temple Quay
Bristol
BS1 6PN

Our DTS Ref: 70296
Your Ref: EN010128 - Scoping Opinion

16th May 2023

Dear Sir/Madam

Re: Riverside 1 and Riverside 2, Norman Road, Belvedere, LONDON, DA17Cory Environmental Holdings Limited ("Cory") - Cory Decarbonisation Project ("the Proposed Development")

Further Response to EIA Scoping Report

Further to our response dated 21st April, we would like to make the following additional comments in relation to the Scoping Report submitted in connection with the Proposed Development:

Inclusion of Thames Water Land:

As a preliminary comment, we would note that the Proposed Development site boundary includes land owned by Thames Water associated with Crossness Sewage Treatment Works and which forms part of the Thames Water Crossness Nature Reserve.

While there has been initial contact by Cory with Thames Water about the inclusion of Thames Water's land within the Proposed Development site boundary, no formal agreement has been given by Thames Water to use this land. Cory has also not provided any detailed Proposed Development plans for the Thames Water land to date, although an illustrative site layout plan has been shown at meetings which shows significant development utilising the Thames Water land.

The development of Thames Water land shown within the Proposed Development site boundary would involve:

- loss of 5.7 acres of Crossness Nature Reserve habitat (East Paddock 4.5 acres; Stable Paddock 1.2 acres). The Crossness Nature Reserve was required to be provided by a S106 legal agreement associated with the Sludge Powered Generator planning permission dated 21/01/1994 on Crossness Sewage Treatment Works. The S106 agreement also sets out that the Crossness Nature reserve should be maintained as such for at least 99 years;
- potential loss of 756 metres of ditch habitat containing Water Voles, as well as an important invertebrate fauna;

- loss of Dittander along East Paddock's south ditch – a scarce coastal plant;
- loss of the part of the Crossness Nature Reserve that is favoured by passage migrant bird species Wheatear, Whinchat, and Stonechat;
- loss of stables that were paid for with public money. The stable block (located in Stable Paddock) was delivered via the London Borough of Bexley's 'Belvedere Green Links' regeneration programme and funded by the Homes and Communities Agency, European Regional Development Fund and the London Development Agency.
- loss of part of the Thames Water access road that runs out to Norman Road and bisects the Cory Fields. This is an access to the Crossness Nature Reserve, but also a secondary/emergency access to Crossness Sewage Treatment Works. Crossness is Thames Water's second largest sewage treatment works and is of strategic importance to London's infrastructure.

Whilst discussions are ongoing with Cory in relation to the inclusion of Thames Water land within the site boundary and what development may take place on it, Thames Water's position in this respect is fully reserved, to the extent that such land is proposed to be included as part of the Proposed Development the Environmental Statement will need to fully assess the above effects.

MOL

The Thames Water land at Crossness Nature Reserve is designated as Metropolitan Open Land (MOL) which is given similar status as Green Belt in the adopted London Plan. Therefore, such MOL should only be used if no non MOL sites are available.

The submitted Environmental Statement should therefore cover a full assessment of the alternatives and alternative sites considered.

Lack of Drawings Illustrating the Proposed Development

The Scoping Report does not include any drawings/graphics showing what is being proposed.

This is considered not to be in accordance with the Planning Inspectorate guidance which sets out what a scoping request must include. It is considered that such graphics/drawings illustrating the Proposed Development are required to enable a full assessment of the likely effects of the development and in particular, on the Crossness Nature Reserve.

Such drawings/graphics showing what is being proposed should be submitted to accompany the Scoping Opinion request.

Light Impacts

Light impacts have been scoped out (see 3.10.1) and yet nocturnal protected species are present at Crossness Nature Reserve in the form of foraging bats (European Protected Species) and by the presence of breeding Barn Owls (a Schedule 1 bird species) – both are species that are at risk of light pollution.

Light impacts should therefore not be scoped out of the ES and will need to be assessed as part of Cory's Environmental Impact Assessment.

Excluded Habitat data:

- Fig.6.1 ‘Habitats of Principal Importance’ excludes Thames Water’s Sea Wall Field and Protected Area North, thereby excluding a further 7.3 acres / 3ha of habitat. This habitat is located outside the red line area but adjoins it and is located within the 250m study area. The rest of the Crossness Nature Reserve is marked as Coastal and Floodplain Grazing Marsh on Fig.6.1; the Sea Wall Field and Protected Area North areas should have the same classification.
- 6.3.13 Other Habitats – As well as the marshland habitat missing as above, it is considered that other areas of open water habitat is missing such as Great Breach Lagoon and Island Field Lagoons and these should also be included.

Section 6.3

It is understood that the below ecological issues in Section 6.3 will be addressed as the EIA/scheme develops, but it will be important to use the most up to date data.

By way of update the following information is available from Crossness Nature Reserve:

- it states in Table 6-2 that 130 bird species have been recorded, but 210 bird species have been recorded at Crossness Nature Reserve
- 6.3.31 states that there are 23 notable Terrestrial Invertebrates. From Crossness Nature Reserve data there are 56 nationally scarce terrestrial invertebrates on the reserve, 5 Nationally Rare/Red Data Book, 5 Biodiversity Action Plan, and 3 species that do not have conservation status but that are uncommon in Britain. So, there are 69 notable terrestrial invertebrates within their project area
- 6.3.38 refers to Environment Agency data of 2013 which makes reference to only to 3 non-native species, and no protected macroinvertebrate species. A 2019 Aquatic Invertebrate survey report, states that Crossness Nature Reserve has 99 species of aquatic Coleoptera (beetles) and Heteroptera (true bugs) in its ditches, of which 3 are Red Data Book Species (Nationally Rare) and 14 are Nationally Scarce.
- Some old data is being used, i.e., reference in 6.3.18 to ‘closest record of a bat was a Noctule in 2014’. There are far more up-to-date bat records available which we can make available.
- 6.3.28 Reptile Surveys – states that 2 Common Lizard were recorded during the reptile survey in 2022. Crossness Nature Reserve was a receptor for over 1000 reptiles (Slow Worm and Common Lizard) a few years ago, and we frequently stumble across Slow Worm and Grass Snake on site so there is believed to be a healthy population
- 6.3.36 states no records of fish, only Eels. As demonstrated by herons, egrets and kingfishers fishing in Crossness Nature Reserve’s water bodies, fish are present and further surveys would therefore be required.

Additional Water Supply Comments

It is noted that the proposed development includes a Hydrogen Project, and the Scoping Report sets out at paragraph 2.2.36 that: “The source of the water supply is yet to be determined. The following options are being explored as part of the ongoing design: (i) abstraction from the River Thames, (ii) mains water connection, process effluent from the Carbon Capture and Storage Project, and/or (iii)

local supply from neighbouring landowners. This Scoping Report has been prepared taking into account all of these options.”

In relation to mains water connection, the proposed development site is located in the Riverside water Flow Monitoring Zone (FMZ) which is reliant on water generated from West London moved south by the Thames Water Ring Main.

The Riverside FMZ is an area in London where we have concerns about having enough water supply to meet growth. Much of Riverside FMZ has been classed as ‘Opportunity Areas’ in the London Plan and a total of 128 new developments, comprising of 66,614 new households, are planned to be built up to 2050. Peak day demand is expected to increase by 37% by 2050 which is beyond the capacity of the current network, confirmed by the Riverside Growth Study (2021).

Depending on volumes required by the proposed development, water supply from the Thames Water network could be a significant constraint unless substantial enhancements to our infrastructure are undertaken. Any water supply from the Thames Water network will therefore need to be fully assessed and active engagement in this respect will be required with Thames Water. Under the Water Industry Act, Thames Water is not obliged to provide water for non-domestic use. Therefore, we are keen to discuss any potential demand relating to non-domestic use as soon as possible.

I trust the above to be satisfactory, however should you have any further enquiries please don’t hesitate to contact me.

Yours sincerely

Mark Dickinson

Mark Dickinson

Development Planning Manager



[@thameswater.co.uk](mailto:mark.dickinson@thameswater.co.uk)

Maple Lodge STW, Denham Way, Rickmansworth, WD3 9SQ



It's everyone's water

From: [REDACTED]
To: CoryDP
Cc: [REDACTED]
Subject: RE: Planning Inspectorate - EN010128 – Cory Decarbonisation Project – Reg 10 Consultation and Reg 11 Notification
Date: 16 May 2023 14:39:19
Attachments: [image001.jpg](#)
[image003.png](#)
[image005.png](#)
[Letter to stat cons_Scoping & Reg 11 Notification.pdf](#)

Good afternoon Gary/Emma,

I note that the marine works relating to the proposed development area lie within the jurisdiction of the Port of London Authority. Therefore, Trinity House advise that any marine works proposed below mean high water springs should be fully assessed in consultation with Port of London Authority and any risk mitigation measures should be agreed with them in the first instance.

Kind regards,

Stephen Vanstone

Navigation Services Manager | Navigation Directorate | Trinity House

[REDACTED] [@trinityhouse.co.uk](mailto:[REDACTED]@trinityhouse.co.uk) | [REDACTED]

www.trinityhouse.co.uk



From: CoryDP <CoryDP@planninginspectorate.gov.uk>
Sent: 19 April 2023 11:03
To: Navigation <navigation@trinityhouse.co.uk>
Cc: CoryDP <CoryDP@planninginspectorate.gov.uk>; Thomas Arculus [REDACTED] <[\[REDACTED\]@trinityhouse.co.uk](mailto:[REDACTED]@trinityhouse.co.uk)>
Subject: Planning Inspectorate - EN010128 – Cory Decarbonisation Project – Reg 10 Consultation and Reg 11 Notification

FAO Steve Vanstone - Navigation Services Officer

Dear Mr Vanstone,

Please see attached correspondence from The Planning Inspectorate (PINS) in relation to the proposed Cory Decarbonisation Project (Nationally Significant Infrastructure Project).

Please note the deadline for consultation responses is **17 May 2023** and is a statutory requirement that cannot be extended.

Thank you



Gary Chapman | EIA and Land Rights Advisor (HEO)
The Planning Inspectorate

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UK Health
Security
Agency

Environmental Hazards and Emergencies Department
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nsipconsultations@ukhsa.gov.uk
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Your Ref: EN010128
Our Ref: 63360

Ms Emma Cottam
Senior Environmental Impact Assessment Advisor
The Planning Inspectorate
Temple Quay House
2 The Square
Bristol BS1 6PN

5th May 2023

Dear Ms Cottam

**Nationally Significant Infrastructure Project
Cory Decarbonisation Project EN010128
Scoping Consultation Stage**

Thank you for including the UK Health Security Agency (UKHSA) in the scoping consultation phase of the above application. ***Please note that we request views from the Office for Health Improvement and Disparities (OHID) and the response provided below is sent on behalf of both UKHSA and OHID.*** The response is impartial and independent.

The health of an individual or a population is the result of a complex interaction of a wide range of different determinants of health, from an individual's genetic make-up, to lifestyles and behaviours, and the communities, local economy, built and natural environments to global ecosystem trends. All developments will have some effect on the determinants of health, which in turn will influence the health and wellbeing of the general population, vulnerable groups and individual people. Although assessing impacts on health beyond direct effects from for example emissions to air or road traffic incidents is complex, there is a need to ensure a proportionate assessment focused on an application's significant effects.

Having considered the submitted scoping report we wish to make the following specific comments and recommendations:

Environmental Public Health

We understand that the promoter will wish to avoid unnecessary duplication and that many issues including air quality, emissions to water, waste, contaminated land etc. will be

covered elsewhere in the Environmental Statement (ES). We believe the summation of relevant issues into a specific section of the report provides a focus which ensures that public health is given adequate consideration. The section should summarise key information, risk assessments, proposed mitigation measures, conclusions and residual impacts, relating to human health. Compliance with the requirements of National Policy Statements and relevant guidance and standards should also be highlighted.

In terms of the level of detail to be included in an ES, we recognise that the differing nature of projects is such that their impacts will vary. UKHSA and OHID's predecessor organisation Public Health England produced an advice document *Advice on the content of Environmental Statements accompanying an application under the NSIP Regime*¹, setting out aspects to be addressed within the Environmental Statement¹. This advice document and its recommendations are still valid and should be considered when preparing an ES. Please note that where impacts relating to health and/or further assessments are scoped out, promoters should fully explain and justify this within the submitted documentation.

Recommendation

Our position is that pollutants associated with road traffic or combustion, particularly particulate matter and oxides of nitrogen are non-threshold; i.e, an exposed population is likely to be subject to potential harm at any level and that reducing public exposure to non-threshold pollutants (such as particulate matter and nitrogen dioxide) below air quality standards will have potential public health benefits. We support approaches which minimise or mitigate public exposure to non-threshold air pollutants, address inequalities (in exposure) and maximise co-benefits (such as physical exercise). We encourage their consideration during development design, environmental and health impact assessment, and development consent.

It is noted that the current proposals do not appear to consider possible health impacts of Electric and Magnetic Fields (EMF).

Recommendation

We request that the ES clarifies this and if necessary, the proposer should confirm either that the proposed development does not impact any receptors from potential sources of EMF; or ensure that an adequate assessment of the possible impacts is undertaken and included in the ES.

¹
<https://khub.net/documents/135939561/390856715/Advice+on+the+content+of+environmental+statements+accompanying+an+application+under+the+Nationally+Significant+Infrastructure+Planning+Regime.pdf/a86b5521-46cc-98e4-4cad-f81a6c58f2e2?t=1615998516658>

Human Health and Wellbeing – OHID

This section of OHID's response, identifies the wider determinants of health and wellbeing we expect the ES to address, to demonstrate whether they are likely to give rise to significant effects. OHID has focused its approach on scoping determinants of health and wellbeing under four themes, which have been derived from an analysis of the wider determinants of health mentioned in the National Policy Statements. The four themes are:

- Access
- Traffic and Transport
- Socioeconomic
- Land Use

Having considered the submitted Scoping Report, OHID wish to make the following specific comments and recommendations.

Hydrogen gas manufacture, storage and distribution network – Community risk perception / understanding of risk.

The broad definition of health used by the World Health Organisation (WHO), includes reference to mental health. Mental well-being is fundamental to achieving a healthy, resilient and thriving population. It underpins healthy lifestyles, physical health, educational attainment, employment and productivity, relationships, community safety and cohesion and quality of life. A scheme of this scale and nature has impacts on the over-arching protective factors, which are:

- Enhancing control
- Increasing resilience and community assets
- Facilitating participation and promoting inclusion

The scoping report does not make reference to the potential for local public concern through understanding of risk / risk perception. Previous hydrogen distribution schemes have scoped-in community concern over hydrogen safety, due to this being a relatively new industry and the potential for major incidents.

Communities in the vicinity of the scheme will receive targeted communications as part of the normal consultation process. Communication programmes should provide a source of clear and objective information to increase knowledge and awareness. Consultations should also use the opportunity to assess levels of local concern, which can then be used to assess significance of effects and inform community consultation and the provision of information.

Recommendation

The ES should consider potential effects on mental health through risk perception / understanding of risk posed by the manufacture, storage and transportation of hydrogen and other hazardous substances.

When estimating community anxiety and stress in particular, a qualitative assessment may be most appropriate. Robust and meaningful consultation with the local community will be an important mitigation measure, in addition to informing the assessment and subsequent mitigation measures. This may involve conducting resident surveys but also information received through public consultations, including community engagement exercises. The Mental Well-being Impact Assessment Toolkit (MWIA) contains key principles that should be demonstrated in a project's community engagement and impact assessment. We would also encourage consultation with the local authority's public health team, who are likely to have Health Intelligence specialists who will have knowledge about the availability of local data.

The Mental Well-being Impact Assessment Toolkit (MWIA)², could be used as a methodology. The assessment should identify vulnerable populations and provide clear mitigation strategies that are adequately linked to any local services or assets.

Baseline indicators the assessment would benefit from including social cohesion/connectedness, satisfaction with local area and quality of life indicators owing to their established links to mental health and wellbeing.

In terms of sources, we would draw your attention to the following:

- [PHE Fingertips – Mental Health and Wellbeing JSNA](#)
 - Area profiles with various indicators on common mental disorders (including anxiety) and severe mental illness which can be benchmarked with other local areas as well as regional and national data
- [Office for National Statistics - Wellbeing Indicators](#)
 - Range of datasets related to wellbeing available including young people's wellbeing measures, personal wellbeing estimates and loneliness rates by local authority

Population and human health

It is noted (Table 13-2: Population, Human Health and Land Use – Impacts Scoped In or Out of Further Assessment) that no separate population and human health chapter is proposed, but any human health effects from Chapter 4: Air Quality, Chapter 5: Noise and Vibration, Chapter 9: Townscape and Visual, Chapter 14: Socio-economics and Chapter 17: Landside Transport will be assessed within those ES chapters. It further notes that although scoped out, the PEIR and ES for the Proposed Scheme will include an additional appendix to cross-reference where the ES has considered health within these chapters.

² [Mental Wellbeing Impact Assessment Toolkit](#), (National MWIA Collaborative (England), 2011) - A toolkit with an evidence-based framework for improving well-being through projects.

The scoping report (para 13.8.4 & 13.4.7) notes the assessment of significance will be undertaken in accordance with the methodology outlined in Chapter 3: EIA Methodology.

Given the location and extent of potential impacts OHID are content at this stage to consider population and human health within separate chapters with a supporting appendix. A separate chapter may be required subject to any further assessment findings, particularly in relation to any community anxiety identified within consultation responses.

Chapter 3 methodological approaches to assessment of significance are generic and not specific to population and human health. Guidance on determining significance for human health in EIA (Pyper, R et al., 2022), published by the Institute of Environmental Management and Assessment (IEMA) should be used as the basis for the assessment of significance.

Recommendation

Determining significance for human health should follow guidance within Pyper, R et al., 2022³, published by the Institute of Environmental Management and Assessment (IEMA). The final ES should provide suitable justification for any assessment of significance.

Yours sincerely

On behalf of UK Health Security Agency
nsipconsultations@ukhsa.gov.uk

Please mark any correspondence for the attention of National Infrastructure Planning Administration.

³ Pyper, R., Waples, H., Beard, C., Barratt, T., Hardy, K., Turton, P., Netherton, A., McDonald, J., Buroni, A., Bhatt, A., Phelan, E., Scott, I., Fisher, T., Christian, G., Ekermawi, R., Devine, K., McClenaghan, R., Fenech, B., Dunne, A., Hodgson, G., Purdy, J., Cave, B. (2022) IEMA Guide: Determining Significance for Human Health in Environmental Impact Assessment.