



STATEMENT OF COMMON GROUND - NATURAL ENGLAND: 8.1.5

DECARBONISATION

Cory Decarbonisation Project

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On behalf of	Natural England	Cory Environmental Holdings Limited
Date		

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1. INTRODUCTION

1.1. PURPOSE OF THE STATEMENT OF COMMON GROUND

- 1.1.1. A Statement of Common Ground (SoCG) is a written statement produced during the application process for a Development Consent Order (DCO) and is prepared jointly by the applicant and another party.
- 1.1.2. Paragraph 007 of the Department for Ministry for Housing Communities and Local Government (MHCLG) Guidance entitled ‘Planning Act 2008: Examination stage for Nationally Significant Infrastructure Projects’ (30 April 2024) (hereafter referred to as MHCLG Guidance)¹ describes a SoCG as follows:
- “A Statement of Common Ground (SoCG) is a written statement prepared jointly by the applicant and another party or parties, setting out any matters on which they agree, or indeed disagree. A SoCG helps to ensure that the evidence at the examination focuses on the material differences between the main parties and therefore makes best use of the lines of questioning pursued by the Examining Authority”.*
- 1.1.3. This SoCG has been prepared in accordance with the MHCLG Guidance¹. The aim of a SoCG is to assist the Examining Authority in examining the DCO by providing an understanding of the status of discussions or negotiations between the applicant and the other party. The effective use of SoCG aid an efficient examination process.
- 1.1.4. A SoCG may be submitted to the Planning Inspectorate either prior to the start of, or during, an Examination and is updated as necessary, or as requested, during the Examination.
- 1.1.5. This SoCG has been prepared by WSP UK Limited on behalf of Cory Environmental Holdings Limited (the Applicant). It accompanies the application for a DCO (the DCO Application) in relation to the Cory Decarbonisation Project in Bexley, London. The DCO Application has been made in accordance with Section 37 of the Planning Act 2008 (as amended) and submitted to the Secretary of State (‘the SoS’) for Energy Security and Net Zero (DESNZ).
- 1.1.6. The DCO, if granted, would authorise the construction, operation, maintenance and decommissioning of the Cory Decarbonisation Project (the Proposed Scheme). The Proposed Scheme is to be located at Norman Road, Belvedere in the London Borough of Bexley (LBB) (National Grid Reference/NGR 549572,180512).
- 1.1.7. The Proposed Scheme is described in **Chapter 2: Site and the Proposed Scheme (Volume 1)** of the **ES (Planning Inspectorate Reference APP-051)** and includes:
- The Carbon Capture Facility (including its associated supporting plant and ancillary infrastructure);
 - A Proposed Jetty to allow for export of the captured carbon by vessel;

- A Mitigation and Enhancement Area;
- Temporary Construction Compounds; and
- Utilities Connections and Site Access Works.

1.2. INTRODUCTION TO NATURAL ENGLAND

- 1.2.1. This SoCG has been prepared between Natural England and the Applicant (jointly referred to as 'the Parties') in relation to the DCO Application.
- 1.2.2. Natural England is interested in the Proposed Scheme in its capacity as the Statutory Nature Conservation Agency (SNCA) in England.
- 1.2.3. Natural England is a statutory body as prescribed under Section 42(1)(a) (duty to consult) of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (as amended). In its role as SNCA, Natural England is responsible for providing advice to development promoters and consultation responses on relevant ecology and landscape matters. Advice and consultation responses are typically provided as part of non-statutory consultation and engagement, in response to the Environmental Impact Assessment (EIA) Scoping Report², as part of statutory consultation (including on the Preliminary Environmental Information Report (PEIR)³, engagement on the development of the Environmental Statement and Habitats Regulations Assessment and participation in the Examination process.
- 1.2.4. In addition, Natural England is responsible for providing statutory advice to the Planning Inspectorate on any Appropriate Assessment produced by the Planning Inspectorate, in accordance with Regulation 63(3) of the Conservation of Habitats and Species Regulations (2017, as amended)⁴.

1.3. STATEMENT OF COMMON GROUND STRUCTURE

- 1.3.1. Section 2 summarises all engagement to date of relevance to this SoCG and Section 3 details whether matters are Agreed, Not Agreed or Under Discussion between the Parties.
- 1.3.2. In respect of matters relevant to the Proposed Scheme, but not referred to in this SoCG, Natural England has no further comments to make at this point. It may have further or additional comments to make, particularly if further information about the Proposed Scheme becomes available.
- 1.3.3. The SoCG is a document that will evolve during the Examination stage and will conclude with a version that confirms the Parties' positions on relevant matters before the close of the Examination.

2. RECORD OF ENGAGEMENT

2.1.1. A summary of the meetings and correspondence that has taken place between the Applicant and Natural England in relation to the Proposed Scheme is outlined in **Table 2-1** below. There has been email correspondence between the Parties to discuss the sharing of information, arrangement of meetings and to share comment on draft documentation, but this table reflects the key meetings and emails of note that have taken place between the Parties.

Table 2-1 – Schedule of Meetings and Correspondence during the Pre-Application Stage

Date	Form of Correspondence	Summary of Matters Dealt with in Correspondence/ Meeting
26 th May 2023	Scoping Opinion	The Planning Inspectorate’s EIA Scoping Opinion ⁵ contained comments from Natural England. Those comments and the Applicant’s response are shown in Appendix 4-2: Scoping Opinion Response (Volume 3) (Planning Inspectorate Reference APP-076) .
19 th June 2023	Email	Request for opening a dialogue with respect to the Proposed Scheme. A Habitats Regulations Assessment (HRA) Screening report was provided for comment.
22 nd September 2023	Meeting	Initial introductory consultation meeting to present the evolving Proposed Scheme and decide next steps in the consultation process. Natural England to provide a response on the HRA Screening Report following the meeting. A discussion on the overview of the construction works within the marine environment, including the loss of intertidal and subtidal habitat. Natural England did not provide any comments on this matter at the time.

Date	Form of Correspondence	Summary of Matters Dealt with in Correspondence/ Meeting
29 th September 2023	Email	In Natural England's HRA Screening Response, they agreed with the conclusion of the HRA screening <i>“that there is a potential likely significant effect on Epping Forest SAC and that an Appropriate Assessment should be carried out”</i> .
12 th January 2024	S42 Response Letter (email)	<p>Natural England's Section 42 response letter made comments on the following topics of the PEIR³:</p> <ul style="list-style-type: none"> ● Statutory designated sites; ● Protected and notable species; ● Local sites and priority habitats and species; ● Ancient woodland, ancient and veteran trees; ● Soils and agricultural land quality; and ● Environmental Enhancements.
14 th June 2024	Letter	<p>Natural England submitted its Relevant Representation (RR) (RR-150) covering the following topics:</p> <ul style="list-style-type: none"> ● Internationally designated sites; ● Nationally designated sites; ● Protected species; ● Biodiversity net gain; and ● Other valuable and sensitive habitats and species, landscapes and access routes.
15 th July 2024	Email	Informal comments received from the Natural England air quality specialist, which covered the following points:

Date	Form of Correspondence	Summary of Matters Dealt with in Correspondence/ Meeting
		<p>Chapter 5: Air Quality (Volume 1) of the ES (APP-054):</p> <ul style="list-style-type: none"> • Amines • Terminology • Epping Forest Special Areas of Conservation (SAC) • Roads Impact • From New backup power <p>Chapter 7: Terrestrial Biodiversity (Volume 1) of the ES (APP-056):</p> <ul style="list-style-type: none"> • Additional evidence is required to support the conclusion that the overall impact on the Inner Thames Marshes SSSI is negligible.
<p>25th July 2024</p>	<p>Meeting</p>	<p>A meeting held to discuss the development of the Applicant's response to Natural England's RR (RR-150). Key discussion points covered air quality, water voles, biodiversity net gain (BNG), habitat and species impacts, and open mosaic habitat. Natural England confirmed it would not be providing input on BNG or commenting on this component going forwards.</p> <p>Natural England's concerns included the following points, as provided in their RR (RR-150), further detail is provided regarding these points within Table 3-2 below:</p> <ul style="list-style-type: none"> • Additional justification is required for NDep impacts to Ingrebourne Marshes and the Inner Thames Marshes Sites of Special Scientific Interest (SSSIs) (including accounting for vessels) to support the conclusions of submitted documents; • Further information required on Epping Forest SAC in-combination assessment; and

Date	Form of Correspondence	Summary of Matters Dealt with in Correspondence/ Meeting
		<ul style="list-style-type: none"> Clarification on the deposition of amines in the assessment for impacts on designated sites.
11th September	Email	The Applicant issued the meeting minutes and associated appendices, as discussed during the meeting on the 25 th July 2024.

2.1.2. It is agreed **Table 2-1** is an accurate record of the key meetings, consultation undertaken between the Applicant and Natural England in relation to the issues addressed in this SoCG as at the date of this SoCG.

3. ISSUES

3.1. TERMINOLOGY

3.1.1. In the tables in this section of this SoCG:

- “Agreed” indicates where the issue has been resolved;
- “Under Discussion” indicates where these points are the subject of ongoing discussion wherever possible to resolve, or refine, the extent of disagreement between the Parties; and
- “Not Agreed” indicates a final position of the Parties that is Not Agreed.

3.1.2. It can be taken that any matters not specifically referred to in this section of this SoCG are not of material interest or relevance to the Interested Party’s representation and therefore have not been considered in this document.

3.2. MATTERS AGREED

3.2.1. **Table 3-1** below details the Matters Agreed between Natural England and the Applicant.

Table 3-1 – Matters Agreed

Date		Topic	Form of Correspondence	Details of Matters Agreed
29 th September 2023	Email	HRA		HRA Screening Response from Natural England received and confirmed they agreed with the conclusion of the HRA Screening Report and the approach with only taking the Epping Forest SAC to Stage 2 (Appropriate Assessment).

Date		Topic	Form of Correspondence	Details of Matters Agreed
14 th June 2024	Natural England RR (RR-150)	Chapter 7: Terrestrial Biodiversity (Volume 1) of the Environmental Statement (APP-056)		<p>Natural England are content with the surveys, assessment methodology, mitigation approach and conclusions of the impact assessment on, wintering birds, breeding birds, terrestrial invertebrates, reptiles, bats, freshwater fish, aquatic macroinvertebrates and macrophytes (as presented in Chapter 7: Terrestrial Biodiversity (Volume 1) of the Environmental Statement (APP-056)).</p> <p>Natural England are content with the surveys, assessment methodology and conclusions of the impact assessment on water voles.</p>
14 th June 2024	Natural England RR (RR-150)	HRA		<p>Natural England confirm they agree with the conclusions of Appendix 7-3 - Information to Inform a Habitat Regulations Assessment (Volume 3) of the ES (APP-090) as stated in their RR (RR-150). Natural England agreed that the Proposed Scheme will have no adverse effect on the Epping Forest SAC. Matters related to in-combination impacts are still under discussion (see below).</p>

3.3. MATTERS UNDER DISCUSSION

3.3.1. **Table 3-2** details the Matters Under Discussion between Natural England and the Applicant.

Table 3-2 – Matters Under Discussion

Date	Form of Correspondence	Details of Matters Under Discussion
25 th July 2024	Meeting – Water Voles	Natural England will need to consider a method statement for water vole mitigation in order to grant a Letter of No Impediment. The Applicant has confirmed that a method statement will be submitted in October 2024.
25 th July 2024 11 th September 2024	Meeting and follow on Email - Air Quality Impacts	<p>Natural England have raised queries in respect of the following matters. These were discussed at the meeting and the Applicant has provided further information to Natural England to seek to resolve them:</p> <ul style="list-style-type: none"> • In-combination impacts to Epping Forest SAC – the Applicant’s position is that modelling effects of the emissions of other plans or projects is neither practicable nor necessary given the extent of the Study Area (~76,600ha) and the large distance between the Proposed Scheme and Epping Forest SAC (11.8km). The modelled impact of the Proposed Scheme at this distance is imperceptible (<1% of any relevant critical load or critical level). Taking into account the conservatism inherent in the dispersion modelling, these impacts can robustly be considered to be so small that the Proposed Scheme could not reasonably be considered likely to act in-combination with other plans or projects to have an adverse effect on the integrity of Epping Forest SAC.. Natural England is considering this position. • Nitrogen and Ammonia deposition impacts to Inner Thames Marshes SSSI. The Applicant has provided further information to Natural England on this topic, which Natural England is considering. <p>Amine deposition impacts to designated sites – the Applicant’s position is that amines are included with the calculated nitrogen and acid deposition using a</p>

Date	Form of Correspondence	Details of Matters Under Discussion
		<p>deposition velocity approach (as used for other pollutants including NO₂ and NH₃). The deposition velocity used is the same as that for ammonia, as set out in Table 1-3 of Appendix 5-2: Operational Phase Assessment of the ES (Volume 3) (APP-078). Furthermore, a realistic worst-case assumption for the proportion of nitrogen within the deposited amines has been assumed based on the list of potential amines emitted by carbon capture processes provided in a CERC report commissioned by the Environment Agency. Natural England is considering this position.</p>

3.4. MATTERS NOT AGREED

3.4.1. No matters remain that are Not Agreed between Natural England and the Applicant.

4. REFERENCES

- 1 UK Government. 2008. 'Planning Act 2008: Examination stage for Nationally Significant Infrastructure Projects'. Available at:
<https://www.gov.uk/guidance/planning-act-2008-examination-stage-for-nationally-significant-infrastructure-projects>
- 2 Cory Environmental Holdings Limited. (2023). 'Environment Impact Assessment Scoping Report: Cory Decarbonisation Project'. Available at:
<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010128/EN010128-000021-EN010128%20-%20Scoping%20Report.pdf>
- 3 Cory Environmental Holdings Limited. (2023). 'Preliminary Environmental Information Report: Cory Decarbonisation Project'. Available at:
<https://corydecarbonisation.co.uk/document-library/>
- 4 UK Government. (2017). 'The Conservation of Habitats and Species Regulations 2017' (as amended).
- 5 Planning Inspectorate. (2023). 'Environmental Impact Assessment Scoping Opinion: Cory Decarbonisation Project.' Available at:
<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010128/EN010128-000026-EN010128%20-%20Scoping%20Opinion.pdf>