



# STATEMENT OF COMMON GROUND – FRIENDS OF CROSSNESS NATURE RESERVE: 8.1.6

**DECARBONISATION**

## **Cory Decarbonisation Project**

PINS Reference: EN010128

**September 2024**

**Revision A**

## QUALITY CONTROL

Document Reference		8.1.6			
Document Owner		Cory Environmental Holdings Limited			
Revision	Date	Comments	Author	Check	Approver
Revision A	August 2024	-			

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On behalf of	Friends of Crossness Nature Reserve	Cory Environmental Holdings Limited
Date		

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## 1. INTRODUCTION

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### 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 Ministry of Housing, Communities and Local Government (MHCLG), guidance entitled ‘Planning Act 2008: Examination stage for Nationally Significant Infrastructure Projects’<sup>1</sup> (30 April 2024) (hereafter referred to as MHCLG Guidance) 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 examination focusses 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 Guidance. 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 the SoCG aids 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 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) of the Department 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 (National Grid Reference/NGR 549572,180512).
- 1.1.7. The Proposed Scheme is described in Chapter 2: Site and Proposed Scheme Description of the Environmental Statement (Volume 1) (ES, APP-051) and includes:
- the Carbon Capture Facility (including its associated supporting plant and ancillary infrastructure);

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<sup>1</sup> <https://www.gov.uk/guidance/planning-act-2008-examination-stage-for-nationally-significant-infrastructure-projects>

- 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 Friends of Crossness Nature Reserve

- 1.2.1. Crossness Nature Reserve is a 25.5-hectare local nature reserve, forming part of the Erith Marshes Site of Metropolitan Importance for Nature Conservation (MSINC). The site is adjacent to Crossness Sewage Treatment Works, which forms the reserve's western boundary. It was created under a section 106 planning agreement in 1994 and is owned and managed by Thames Water.
- 1.2.2. The Friends of Crossness Nature Reserve (FoCNR) scheme was established by Thames Water in 2014. Membership gives access the protected area of the reserve and other areas that are not generally available to the general public.
- 1.2.3. This SoCG addresses topics of interest to the FoCNR and has been prepared between FoCNR and the Applicant (jointly referred to as the Parties) in relation to the DCO Application.

## 1.3. STATEMENT OF COMMON GROUND STRUCTURE

- 1.3.1. Following this introduction, Section 2 summarises all engagement to date of relevance to this SoCG and Section 3 details whether matters are Agreed, Under Discussion, or Not Agreed between the Parties.
- 1.3.2. In respect of matters relevant to the Proposed Scheme, but not referred to in this SoCG, FoCNR has no further comments to make at this point.
- 1.3.3. This SoCG is a document that is expected to evolved during the Examination, concluding 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 (Cory) and FoCNR in relation to the Proposed Scheme is outlined in Table 1. There has been email correspondence between the parties to discuss the sharing of information, arrangement of meetings and for them to comment on draft documentation, but this table reflects the key meetings and emails of note that have taken place between the parties.

**Table 1 Schedule of Meetings and Correspondence during the Preapplication Stage**

Date	Form of Engagement	Summary of Matters Dealt with in Correspondence/ Meeting
12/04/2023	Introductory Meeting with FoCNR	<p><b>Key Topic</b></p> <p>Introduce the project to FoCNR.</p> <p>Disappointment from FoCNR, considered additional pressure on the CNR that is already squeezed in.</p> <p>FoCNR consider offsetting not appropriate, and that the approach used for Riverside 2 simply changed one habitat for another, rather than creating beneficial new habitat.</p> <p><b>Key Outcome</b></p> <p>FoCNR to be notified when Scoping Report is submitted.</p>
19/04/2024	Email	Notification of Scoping Report submission
27/04/2024	Email	<p>Provision of presentation given on 12/04/2023 with the early graphic of the proposed facility removed.</p> <p>FoCNR disappointed with this removal. Cory confirmed the images based on very simplistic parameters, and not appropriate to share widely.</p>

02&03/07/2023	Email	<p>Disappointment from FoCNR to have missed details of preliminary consultation and request for a presentation.</p> <p>Cory advised project design evolving and would like to discuss with FoCNR, requesting dates for a meeting.</p>
18/07/2023 to 10/08/2023	Email	<p>Correspondence in relation to a FoCNR focussed meeting. Cory offered tour if Riverside 1 in addition to a presentation.</p> <p>Agreed, evening presentation on 13 September. Tour offer not accepted.</p>
13/09/2023	Presentation to FoCNR, with Q&A	<p><b>KeyTopic</b></p> <p>Meeting held to bring FoCNR up to date on project, give them a foretaste of the PEIR and to engage prior to statutory consultation.</p> <p>Discussion of proposed mitigation measures, including impact on grazier.</p> <p>Discussion of whether carbon capture will work.</p> <p>Discussion of how the existing s.106 can be amended, of mitigation land ownership, and how future development would be prevented.</p> <p>FoCNR consider CNR is already well managed and that surveys had been undertaken without consultation.</p> <p>Discussion of site location choice. FoCNR query why not use land at Belvedere Industrial Area. Query what other sites had been considered.</p>



		<p>Discussion of the five off-site conservation sites for Riverside 2.</p> <p>Discussion of expanded and compressed layout options. Query re height of buildings and from where they would be visible.</p> <p>Discussion of consultation strategy.</p> <p><b>Key Outcome</b></p> <p>Presentation, notes of the meeting, and notes regarding the 5 off-site conservation sites for Riverside 2 provided.</p> <p>Meeting to be set up with project ecologist, having given FoCNR time to consider baseline information.</p>
09-11/10/2023	Email	<p>Notification of the poster due to be erected regarding the PEIR and formal consultation. Copies of poster sent to FoCNR as requested.</p>
17/10/2023	Email	<p>Confirmation of formal consultation brochures being sent to FoCNR, digitally and hard copy.</p>
Oct-Nov 2023	Email	<p>Discussion of meeting between FoCNR and project ecologist.</p> <p>Provision of survey raw data and clarifying locations, including through use of early draft figures.</p>
04/12/2023	Ecology Meeting	<p><b>Key Topic</b></p> <p>Discussion of timing and rationale for surveys.</p> <p>Discussion re impact on CNR, particularly loss of East and Stable Paddocks. FoCNR query the poor condition noted for grassland</p>

		<p>within the CNR. Cory explained the poor condition was driven by a drop in the water table outside of wettest periods of the year, leaving dry grassland not typical of marshland. There was opportunity to enhance it.</p> <p>Discussion of potentially suitable habitats for inclusion in the mitigation area.</p> <p>Discussion of stable and provision for grazier.</p> <p>CNR walkover highlighting positives of the reserve and challenges that they often face.</p> <p><b>Key Outcome</b></p> <p>Hold workshop with a representative group of the FoCNR to discuss identified elements further.</p>
05/01/2024	Email	<p>Notification of change to red line boundary in addition to statutory notification.</p> <p>Copy of response letter to Thames Water.</p>
14/02/2024	Workshop	<p><b>Key Topic</b></p> <p>Stable block relocation. FoCNR does not consider Lagoon Field<sup>2</sup> appropriate - a highly prized area of grassland, for horse grazing and habitat. Any impact on this Field would be seen as further loss and should be avoided.</p>

<sup>2</sup> A broadly triangular shaped field located south of the Thames Water Access Road and west of Borax South. It lies Work No. 8 and is shown on the map of the Crossness Nature Reserve appended to this SoCG.

	<p>Fencing - concluded not appropriate as would limit views across the CNR.</p> <p>West Paddock – scrapes from early 2000s. Frog Rush presents, very rare. Fox proof fencing would be appropriate.</p> <p>Bird hide and boxes – would like more but recognised to attract vandalism, design and construction important.</p> <p>Parking – would be welcomed so long as it did not result in further loss of habitat.</p> <p>Ditch management – agreed a comprehensive strategy across CNR and Norman Road Field would be advantageous.</p> <p>Planting – tree planting that would compromise grassland not appealing, scrub management could be beneficial.</p> <p>Spoil heap to NE corner arisen from digging scrapes in Norman Road Field. General level of support to remove these.</p> <p>Discussion flue gas ductwork from Riverside 2 to the carbon capture plant. Potential to reform ditches along these boundaries to benefit of water vole.</p> <p>FoCNR identified potential for replacement of agricultural fencing.</p> <p>Educational facilities generally not appealing, already available in protected area and would compromise grassland.</p> <p>Discussion of new bridge at southern end of Great Breach lagoon to improve connectivity. Generally appealing, thought design would be important.</p>
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		<p>CNR Members Area – FoCNR identified various elements that could be improved.</p> <p>Southern Marshes<sup>3</sup> – FoCNR queried whether that area had been considered as it has potential for enhancement.</p> <p>BPSJ (disused) – generally supportive of retention for bird habitat.</p> <p>Discussion about climate resilience.</p> <p><b>Key Outcome</b></p> <p>Useful meeting to understand priorities and challenges of the CNR.</p> <p>Recognised FoCNR maintained its objection to the scheme.</p> <p>Further detail regarding Frog Rush (<i>Juncus ranarius</i>) provided</p>
03/04/2024	Email	Notification of submission of DCO application.
08-13/05/2024	Email	Exchange notifying FoCNR of the relevant representation phase and what this means for the group.

2.1.5. It is agreed that this is an accurate record of the key meetings and consultation undertaken between the Applicant and FoCNR in relation to the issues addressed in this SoCG as at the date of this SoCG.

<sup>3</sup> Land to the south of the A2016 Eastern Way that also forms part of the Erith Marshes SINC and is in Thames Water ownership.

- 2.1.6. The issues and matters highlighted in Table 2 summaries the key issues that have been in discussion between the two Parties.

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### 3. ISSUES

#### 3.1. Terminology

3.1.1. The phrasing used in this SoCG are understood to have the following meanings:

- “Agreed” indicates where the issue has been resolved;
- “Under discussion” indicates where these points are the subject of on-going 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 Friends of Crossness Nature Reserve’s representation and therefore have not been considered in this document.

#### 3.2. MATTERS AGREED

3.2.1. Table 2 below details the matters agreed between Friends of Crossness Nature Reserve (FoCNR) and the Applicant (Cory).

**Table 2 Matters Agreed**

Topic	Sub-topic	Details of Matters Agreed
<b>Crossness Nature Reserve</b>	Formation	On 21 January 1994, outline planning permission was granted (reference 91/01318/OUT for the ‘ <i>construction of a sewage sludge incinerator using the fluidised bed process with dewatering, ash collection and gas cleaning facilities.</i> ’ The consent was subject to a s.106 agreement, also dated 21 January 1994, with principal commitment for Thames Water to ‘ <i>maintain and enhance the Conservation Land for a period of 99 years from the date of approval of the Management Plan by the Chief Planning Officer ...</i> ’

		(paragraph 4.3 of the s.106 agreement.) The Conservation Land referred to within the s.106 agreement is the Crossness LNR.
	Funding	<p>As required under clause 4.4 of the s.106 agreement, Thames Water paid a sum of money (to the value of not less than £150,000 and not more than £300,000) for the future objectives maintenance and enhancement of the Crossness Nature Reserve. Thames Water funds a full time Manager for the Crossness Nature Reserve.</p> <p>Public funds (in 20025 and 2014) were secured for works on the Crossness Nature Reserves, including the stables.</p> <p>Maintenance and management works are otherwise undertake by the FoCNR and other volunteers.</p>
	Designation	<p>Crossness Nature Reserve is a Local Nature Reserve located within the Erith Marshes Site of Importance for Nature Conservation (metropolitan).</p> <p>It is also designated Metropolitan Open Land (MOL)</p>
	Horse grazing	<p>Grazing by horses is an important element of the management of the Reserve. Graziers have been in this area for generations by families with historic ties to the land.</p>
<b>Carbon Capture Facility</b>	Principle of development	<p>Climate change is a global priority and the UK Government is seeking rapid decarbonisation with a legal requirement for the UK to achieve Net Zero by 2050.</p> <p>The Cory Decarbonisation Project would capture carbon dioxide emissions from Riverside 1 and Riverside 2. Both fossil and biogenic carbon will be captured, as waste from households and businesses is composed of materials which contain biogenic carbon such as paper,</p>

		<p>cardboard, and wood, as well as fossil carbon from materials containing plastics. By capturing the fossil carbon (circa. 50%), Cory’s operations will achieve net zero, i.e. no new carbon will be released into the atmosphere. By also capturing the carbon from biogenic materials, Cory’s operations will be carbon negative, because carbon that is part of the natural carbon cycle will be captured and stored, and thus permanently removed from the atmosphere</p>
	<p>Site location</p>	<p>The Carbon Capture Facility is proposed to be located on land immediately adjacent to, and on the western side of, Norman Road.</p> <p>The site of the Carbon Capture Facility substantially (some 70%) utilises land allocated as Strategic Industrial Location within the Bexley Local Plan. This element complies with local plan policy.</p> <p>The site of the Carbon Capture Facility also utilises land within the Crossness Nature Reserve that would result in the loss of habitat, for which mitigation is required.</p>
<p><b>Riverside 1 and Riverside 2</b></p>	<p>Designations</p>	<p>Riverside 1 and Riverside 2 are energy recovery facilities that have gained the necessary planning permission and Environmental Permit. They are located on land allocated as Strategic Waste Management in the Bexley Local Plan.</p>



### 3.3. MATTERS UNDER DISCUSSION

3.3.1. Table 3 below details the matters Under Discussion between Friends of Crossness Nature Reserve (FoCNR) and the Applicant (Cory).

**Table 3 Matters Under Discussion**

Topic	Sub-topic	Details of Matters Under Discussion
<b>Accessible Open Land</b>	Accessible Open Land	<p>That there is clarity that Accessible/Non-Accessible Open Land does not relate the ecological quality or habitats of the land. The terms are used to reflect whether land is open space always available to the general public to stand on/within and enjoy.</p> <p>For example:</p> <ul style="list-style-type: none"> <li>- The East and Stable Paddocks can be observed from the public highway and Accessible Open Land. However, they are not open to general public to enter, stand within and enjoy.</li> <li>- The Protected/Members Area is accessible only to FoCNR and their guests.</li> </ul>
<b>Terrestrial Ecology</b>	Survey data	Whether the environmental surveys are satisfactory and provide an appropriate baseline for the assessment and consequent mitigation and enhancement proposals.

### 3.4. MATTERS NOT AGREED

3.4.1. Table 4 below details the matters Not Agreed between the Friends of Crossness Nature Reserve (FoCNR) and the Applicant (Cory).

**Table 4 Matters Not Agreed**

Topic	Sub-topic	Details of Matters Not Agreed
<b>Site location</b>	Site alternatives assessment	That there is no other reasonable site alternative that would deliver the Project Objectives.
<b>Terrestrial Biodiversity</b>	Mitigation and Enhancement Area	That the mitigation and enhancement proposed in the Norman Road Field and the Crossness Nature Reserve will be beneficial to habitats and improve access for people.

## 4. SIGNATORIES

	Friends of Crossness Nature Reserve	Cory Environmental Holdings Ltd (the Applicant)
<b>Signed</b>		
<b>Printed Name</b>		
<b>Title</b>		
<b>On behalf of</b>	Friends of Crossness Nature Reserve	Cory Environmental Holdings Ltd
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