

From: [Jed Holloway \(Southwark LC\)](#)
To: [CoryDP](#)
Cc: [Redacted]
Subject: Cory DCO - Save Crossness Nature Reserve SOCG - EN010128
Date: 22 October 2024 15:40:11
Attachments: [Redacted]

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Good afternoon,

To introduce myself, I am the planning solicitor representing Save Crossness Nature Reserve in relation to Cory's DCO application for a carbon capture facility on the nature reserve.

Please see attached the latest draft of the Statement of Common Ground between SCNR and Cory. I note this draft is subject to further comments from Cory. We appreciate that Cory have already sent an initial draft (without SCNR comments) but thought it would be helpful to share a more advanced draft before the deadline. This draft was sent to Cory's representative earlier today; we asked her to forward to you, but she declined to do so.

Separately, I would like to note our intentions regarding the upcoming hearings on 5-7 November. SCNR has instructed a barrister, Acland Bryant of Garden Court Chambers. He is available on 5 and 7 November; however, he may be unable to attend the Issue Specific Hearing on 6 November. Unfortunately, personal matters mean that I may also be unable to attend (although I am hoping to attend remotely). If no legal representation is available on 6 November, we hope members of the client campaign team can speak directly. We apologise for any inconvenience this may cause. We will confirm the position in due course.

Kind regards,

Jed

Jed Holloway [Redacted]
Planning Voice Solicitor

T: [Redacted]



Southwark Law Centre, 14 -16 Hanover Park, Peckham, London, SE15 5HG. Peckham DX 34250
Lewisham Law Centre c/o Citizens Advice Lewisham, Leemore Community Hub, Bonfield Road, London, SE13 5EU

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STATEMENT OF COMMON GROUND – SAVE CROSSNESS NATURE RESERVE CAMPAIGN GROUP: 8.1.26

DECARBONISATION

Cory Decarbonisation Project

PINS Reference: EN010128

August 2024

Revision A



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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 Ministry of Housing, Communities and Local Government (MHCLG) (formerly Levelling Up, Housing and Communities) guidance entitled ‘Planning Act 2008: Examination stage for Nationally Significant Infrastructure Projects’¹ (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);

¹ <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 Save Crossness Nature Reserve Campaign Group

- 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). Crossness Nature Reserve is also designated as a Local Nature Reserve, Metropolitan Open Land and Open Space. 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, who owns and manages the land in its capacity as statutory undertaker.
- 1.2.2. Save Crossness Nature Reserve (~~SCNRC~~SCNR) is a campaign group ~~is~~ made up of local residents, bird watchers, local campaigners and environmentalists, many of whom are members of the Friends of Crossness Nature Reserve (FoCNR).
- 1.2.3. This SoCG addresses topics of interest to the ~~SCNRC~~SCNR group and has been prepared between the ~~SCNRC~~SCNR group and the Applicant (jointly referred to as the Parties) in relation to the DCO Application.

Commented [JH1]: Initials were inconsistent in doc - we've opted for SCNR as those are the initials generally used up to now

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, the ~~SCNRC~~SCNR group has no further comments to make at this point, but SCNR reserves the right to make further points as they are discovered/arise.
- 1.3.3. This SoCG is a document that is expected to ~~evolved~~evolve 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. The Applicant has previously engaged with the Friends of Crossness Nature Reserve as set out in the Statement of Common Ground prepared with them (Document Reference 8.1.6).
- 2.1.2. Having received Relevant Representations from ~~the Save Crossness Nature Reserve Campaign (SCNRC/SCNR) group~~ (RR-178), the Applicant will seek to engage with them to develop this Statement of Common Ground.

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 1 below details the matters agreed between the ~~SCNR~~SCNR group and the Applicant (Cory).

Table 2 Matters Agreed

3.2.2. opic	2.2. ub-topic	2.3. Details of Matters Agreed
Crossness Nature Reserve	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 in accordance with the objectives and principles of the Conservation Land</i> ’

Commented [JH2]: Not legitimate at this preliminary stage - new issues may arise, especially as new documents are produced

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Commented [JL3]: Note there appears to be an issue with the numbering formatting, but struggling to correct

Commented [JH4]: Note application ref is written differently in the s106 itself (“91/1318U”)

		<p><u><i>Specification and the Management Plan...</i></u> (paragraph 4.3 of the s.106 agreement.) The Conservation Land referred to within the s.106 agreement is the Crossness LNR-<u>Nature Reserve</u>.</p> <p><u>Thames Water owns and manages the land in its function as the water and sewerage undertaker for the Thames region.</u></p> <p><u>Thames Water has statutory duties to further the conservation and enhancement of natural beauty and conservation of flora and fauna (pursuant to section 3 of the Water Industry Act 1991), and to have regard to conserving biodiversity (pursuant to section 40 of the Natural Environment and Rural Communities Act 2006). These duties apply to its management of Crossness Nature Reserve.</u></p>
	<p>Funding</p>	<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<u>2005</u> and 2014) were secured for works on the Crossness Nature Reserves<u>Reserve and Erith Marshes</u>, including the stables-<u>stable block located in the area that would be lost to the CCS scheme.</u></p> <p>Maintenance and management works are otherwise undertaken by <u>Thames Water, with assistance from</u> the FoCNR and other volunteers <u>as required.</u></p>

	<p>Designation</p>	<p>Crossness Nature Reserve is a Local Nature Reserve located within the Erith Marshes Site of Importance for Nature Conservation (metropolitanMetropolitan).</p> <p>It is also designated Metropolitan Open Land (MOL). <u>It also meets the definition of “open space” in the London Plan 2021, and the definitions of “Urban Open Space” and “green infrastructure” in the Bexley Local Plan.</u></p> <p><u>There is no definition in relevant planning policy for “Accessible Open Land”. All of Crossness Nature Reserve meets the description of “open space” in the London Plan 2021.</u></p>
	<p><u>Species and habitats</u></p>	<p><u>Crossness Nature Reserve has a high population of water vole, Britain’s most endangered Mammal.</u></p> <p><u>Numerous scarce and rare bee species are present on Crossness Nature Reserve and Norman Road Field, including England’s rarest and fastest declining bumblebee, the Shrill Carder, the Brown-banded Carder and the Moss Carder.</u></p> <p><u>Barn owls have bred at Crossness Nature Reserve since 2007.</u></p> <p><u>Visiting migrants including Sedge and Reed Warblers travel from Africa every year to breed in the reedbeds across Crossness Nature Reserve. Cetti’s Warbler – once a rare migrant species – is now a resident species.</u></p> <p><u>The rare Lesser Emperor dragonfly breeds at Crossness Nature Reserve. The rare Southern Migrant Hawker and Norfolk Hawker are also present.</u></p> <p><u>Numerous Red Data Book terrestrial and aquatic invertebrates are present.</u></p>

		<p><u>Indicators of ancient marshland are present, such as Borrer's Saltmarsh Grass, Frog Rush and Toad Rush, and rare species such as Marsh Dock, Strawberry Clover and Narrow-leaved Bird's-foot Trefoil</u></p> <p><u><i>[We await further information from our ecological specialist, which we will add here in due course]</i></u></p> <p><u>Current construction works on Riverside 2 will have a temporary negative impact on species and habitats, which is likely to have impacted the data. The construction compounds (Borax Fields) were, until the start of the work on R2, annual breeding ground for Skylarks, Meadow Pipit and Cetti's Warbler and (occasionally) Ringed Plover</u></p>
	<p>Horse grazing</p>	<p><u>Grazing by horses is an important element of the management of the Crossness Nature Reserve. Grazing is a key method to maintain habitats and their ecological value on marshland such as Crossness Nature Reserve.</u></p> <p><u>Graziers have been in this area for generations by families with historic ties to the land. Those families identify as being from the gypsy and traveller community, and their historic ties to the land are interlinked with this identity.</u></p> <p><u>Crossness Nature Reserve is currently grazed by a maximum of 12 horses, under a grazing licence. The licence covers an area of approximately 27 acres across the Crossness Nature Reserve land. It includes but is not limited to the East Paddock. The licensee has confirmed that that loss of the East Paddock would have negative impacts for her and her horses. The licensee generally keeps her horses, stallion and foals separated in different parts of the licenced area. The licensee comes from the original family of graziers. Norman Road Field is owned and managed by Peabody Estates who have a separate tenant grazier</u></p>

		<u>operating under a licence agreement with details unknown. All are from Romany gypsy descent.</u>
	<u>Public access</u>	<p><u>Many parts of Crossness Nature Reserve are not publicly accessible. Restricted public access is a common feature of nature reserves to minimise wildlife disturbance, conserve nature and avoid negative impacts on sensitive ecosystems and habitats.</u></p> <p><u>Inaccessible parts of Crossness Nature Reserve can be observed from the footpaths and other publicly accessible areas, particularly from the viewing screens and platforms created specifically for this purpose.</u></p> <p><u>The Protected Area of Crossness Nature Reserve can be accessed by anyone with membership - which is free and only involves completing a form and providing a photo – and their guests.</u></p>
Carbon Capture Facility	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 <u>seek to</u> capture <u>some of the</u> carbon dioxide emissions from Riverside 1 and Riverside 2. Both fossil and biogenic carbon will<u>would</u> be captured, as waste from households and businesses is composed of materials which contain biogenic carbon such as paper, 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>

Commented [JH5]: SCNR is not in a position to confirm this - especially the specific amount of carbon that would be captured.

The Cory Decarbonisation Project would not reduce the amount of carbon dioxide produced by Riverside 1 and Riverside 2 – rather it would capture and store some of the carbon dioxide produced. The CCS facility itself, and the process of transporting and storing the carbon dioxide, would require high levels of energy usage, which would result in carbon dioxide emissions further to the existing emissions of Riverside 1 and Riverside 2.

The claim that “at least 95% of CO2 emissions” will be captured refers only to direct emissions from Riverside 1 and Riverside 2; it does not include indirect emissions from the operation of Riverside 1 and Riverside 2 (for example, resulting from operational energy usage), or the emissions resulting from the operation of the proposed carbon capture facility or the subsequent storage of the captured carbon.

Cory cannot guarantee that the estimated 95% capture (as qualified above) can be achieved. Many carbon capture facilities capture a significantly lower percentage than this.

The proposed carbon capture facility would not capture other pollutants produced by Riverside 1 and Riverside 2.

The operation of the proposed carbon capture facility would require the production of harmful chemicals, such as ammonia, solvents and sulfuric acid.

A report from the Institute for Energy Economics and Financial Analysis dated 1 September 2022 found that “underperforming carbon capture projects considerably outnumber successful projects globally, and by large margins, with both the technology and regulatory frameworks found

		<u>wanting”2. Of the 13 projects studied, seven under-performed, two failed and one was mothballed.</u>
	<u>Natural biologic carbon sequestration</u>	<p><u>Carbon dioxide is naturally captured from the atmosphere by plants, through a process called natural biologic carbon sequestration. This is a passive and inexpensive method of capturing carbon, and can serve as a key tool to combatting the climate crisis.</u></p> <p><u>The Cory Decarbonisation Project would reduce the amount of carbon naturally sequestered by Crossness Nature Reserve.</u></p>
	Site location	<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 <u>utilises land within the involves development on and loss of Crossness Nature Reserve that land.</u> <u>This would result in the loss of ancient coastal grazing marsh habitat, for which mitigation cannot recreate.</u></p> <p><u>There are theoretically feasible alternative locations for the Carbon Capture Facility that would involve no loss of Crossness Nature Reserve land (i.e. outside of the South Zone).</u></p>

Commented [JH6]: The 70% figure cannot be correct based on para 5.4.10 of the Planning Statement: “The Carbon Capture Facility requires a site area of some 8ha and the area of land designated as MOL and lost to development is limited to 2.5ha of that area, or 31%.” So max would be 69% - and isn't some land neither MOL nor SIL? i.e. strip of SINC land

Commented [JH7]: This is misleading and not acceptable: it overlooks that development on other aspects does not comply with policy. It oversimplifies what compliance with policy means.

		<p><u>Site locations in the East Site would achieve at least two of the three Project Objectives, being:</u></p> <ul style="list-style-type: none"> • <u>“Located in the vicinity of the Riverside Campus and the River Thames”; and</u> • <u>“of sufficient size to accommodate the Carbon Capture Facility”</u> <p><u>(noting that the third and final Project Objective – “deliverable in a timely manner” – is more subjective and without further information are not in a position to confirm either way).</u></p> <p><u>Site locations in the East Site would achieve the following Optioneering Principles:</u></p> <ul style="list-style-type: none"> • <u>“Principle 1: Seek to avoid or minimise adverse impact to locally important biodiversity sites.”</u> • <u>“Principle 2: Seek to avoid or minimise adverse impact to protected species.”</u> • <u>“Principle 4: Seek to avoid or minimise land take within the MOL Accessible Open Land, and impacts on PRow”</u> • <u>“Principle 5: Ease of required connections with the Riverside Campus and the Proposed Jetty”</u> <p><u>Cory’s selected site fails to achieve Optioneering Principles 1, 2 and 4 above.</u></p>
<p>Riverside 1 and Riverside 2</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>

	<p><u>Heat networks</u></p>	<p><u>Cory has previously suggested that Riverside 1 and Riverside 2 could be used to supply heat to nearby homes via a district heat network, prior to the introduction of a Carbon Capture Facility. However, the heat network has not been installed.</u></p> <p><u>Generating heat through the incineration of plastics is similar to generating heat through the incineration of fossil fuels, in that it results in the production of carbon dioxide.</u></p>
<p><u>Norman Road Field</u></p>	<p><u>Existing ecological mitigation obligations</u></p>	<p><u>On 25 January 2005, outline planning permission was granted (reference 02/03373/OUTEA) for the construction of a business park nearby to Crossness Nature Reserve, and the Eastern Thamesmead Industrial Estate, known as ‘Veridion Park’.</u></p> <p><u>The corresponding s106 agreement required the developer at clause 24 to “adopt and implement the ‘Ecological Master Plan’ and in particular the active management of Area 5”, with Area 5 being the Norman Road Field (see the plan on page 51 of the Ecological Master Plan).</u></p> <p><u>The plans for enhancement of Area 5 included:</u></p> <ul style="list-style-type: none"> <u>• creation of two new ditches;</u> <u>• implementation of a management regime suitable for grazing marshes, with management taken in consultation with the warden of Crossness Nature Reserve;</u> <u>• creation of several small scrapes to encourage colonisation of wetland and marsh plants and to provide high tide roosts for wintering waders;</u>

		<ul style="list-style-type: none"> • <u>creation of a system of sluices to manipulate water levels, in order to ensure an appropriate hydrological regime;</u> • <u>implementation of a grazing regime aimed at restoring the grazing marsh grassland;</u> • <u>removal of vigorous species such as false oat-grass to permit colonisation of finer, less-competitive species;</u> • <u>creation of specific drinking points using fencing to reduce the risk of poaching damage;</u> • <u>creation of a monitoring system to ensure over- and under-grazing do not occur.</u> <p><u>The long-term intention was for the Ecological Master Plan to be implemented through a series of ‘Management Plans’ which would provide detailed prescriptions and specifications for habitat creation and management of the habitat. However, it has not been possible to locate these Management Plans.</u></p> <p><u>Whilst the ditches and wader scrapes were created at the time, we are not aware of any on-going management by the landowner to fulfil the requirements of the section 106.</u></p>
<p><u>Former Thamesmead Golf Course</u></p>	<p><u>Biodiversity Net Gain</u></p>	<p><u>Thamesmead golf course was closed in 2014. Since then there has been no (or very limited) management of the site by the landowner, allowing rewilding to naturally occur.</u></p> <p><u>The assessment of habitat condition at the BNG Opportunity Area was undertaken when many flowering plants would not be in evidence.</u></p>



Planning Inspectorate Reference: EN010128
Statement of Common Ground – Crossness Nature Reserve
Application Document Number: 8.1.26

3.3. MATTERS UNDER DISCUSSION

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

Table 3 Matters Under Discussion

Topic	Sub-topic	Details of Matters Under Discussion
Accessible Open Land	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"> — 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. - The Protected/Members Area is accessible only to FoCNR and their guests.
Heat	Heat	<p>Cory has been involved in the Bexley District Heating Partnership, with other partners including London Borough of Bexley and Greater London Authority. Cory has recently employed a Managing Director for Heat and is progressing a strategic programme of delivering a district heat network in the locality and deploying mobile heat batteries.</p>

		<p>Heat from the carbon capture process is identified as an additional benefit of the Proposed Scheme, which includes the infrastructure necessary to export it from site.</p> <p><u>SCNR would like to understand the full extent of promises of delivery of the district heat network in relation to Riverside 1 and Riverside 2, and what actual delivery has been achieved. SCNR would also like to understand how the Carbon Capture Facility would facilitate delivery of the district heat network, and how any commitments would be secured legally.</u></p>
<p>Terrestrial Ecology</p>	<p>Survey data</p>	<p>Whether the environmental surveys are satisfactory and provide an appropriate baseline for the assessment and consequent mitigation and enhancement proposals.</p>

Commented [JL8]: SCNR is clear on its position here. Unless Cory are willing to accept the data is insufficient, we suggest this is moved to matters not agreed.

3.4. MATTERS NOT AGREED

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

Table 4 Matters Not Agreed

Topic	Sub-topic	Details of Matters Not Agreed
<u>Carbon capture storage</u>	<u>Efficiency of carbon capture</u>	<p><u>That 95% capture of carbon emissions from Riverside 1 and Riverside 2 can be achieved.</u></p> <p><u>That capture of direct emissions from Riverside 1 and Riverside 2 is the best measure of the benefits of the proposed scheme in terms of carbon capture.</u></p>
	<u>Downstream effects</u>	<u>The extent to which downstream effects should / have been assessed.</u>
	<u>CNP presumption</u>	<u>That the CNP presumption under policy EN-1 is engaged because of the ecological mitigation hierarchy</u>
Site location	Site alternatives assessment	<p>That there are other reasonable site alternative that would deliver the Project Objectives.</p> <p><u>That the site selected by Cory best delivers on the Project Objectives.</u></p> <p><u>That it is appropriate for the site location to be assessed by reference to the Project Objectives determined by Cory.</u></p> <p><u>That the environmental mitigation hierarchy has been sufficiently applied regarding site selection.</u></p>



Terrestrial Ecology	Mitigation and Enhancement Area	<p><u>That the harm to Crossness Nature Reserve has been properly assessed – this includes whether the baseline is accurate, particularly in light of key areas not being entered. It also includes whether the surveyors commissioned by Cory were suitably qualified to carry out the survey and data analysis.</u></p> <p><u>That the mitigation and enhancement proposed in the Norman Road Field and the Crossness Nature Reserve will not be beneficial to habitats and improve access sufficiently mitigate the harm caused by the loss of Crossness Nature Reserve land.</u></p> <p><u>That the baseline for people the Norman Road Field is accurate, and whether it should factor in any previous but unfulfilled planning obligations relating to ecological mitigation on that land.</u></p> <p><u>That the former Thamesmead Golf Course does not provide an appropriate opportunity for off-site biodiversity net gain. That there is sufficient certainty that Crossness Nature Reserve can continue to be effectively managed under Cory's ownership. Cory proposed a tripartite management agreement with Peabody and Thames Water which was rejected by Thames Water.</u></p>
	<u>Habitats and species</u>	<p><u>That Cory has conducted adequate surveys in terms of survey format, length of survey, time of year, and area covered.</u></p>

Commented [JH9]: This is a misrepresentation of SCNR's arguments.

Commented [JH10]: Again this misrepresents SCNR's arguments.

		<u>That Cory has correctly identified all relevant habitats and species within Crossness Nature Reserve</u>
	<u>Ecological value of Crossness Nature Reserve</u>	<u>That grazing has limited the ecological value of parts of Crossness Nature Reserve</u>
	<u>Biodiversity Net Gain</u>	<p><u>That the mitigation hierarchy has been applied in relation to biodiversity impact.</u></p> <p><u>That the biodiversity baseline for the former Thamesmead Golf Course has been correctly assessed.</u></p> <p><u>Whether the assessment of habitat condition in September would limit ability to assess habitat types and conditions.</u></p> <p><u>That the biodiversity proposals for the former Thamesmead Golf Course have been adequately set out.</u></p> <p><u>That the biodiversity harm to Crossness Nature Reserve has been correctly assessed.</u></p> <p><u>Accordingly, whether 10% biodiversity net gain can be achieved.</u></p>
<u>Open Land</u>	<u>Accessible Open Land</u>	<p><u>That ‘Accessible Open Land’ is a relevant concept when assessing the value of Crossness Nature Reserve land in planning terms. That public access is determinative of the public value of a nature reserve.</u></p> <p><u>That the concept of open space under sections 131 and 132 of the Planning Act 2008 is relevant to the notion of ‘open space’ under planning policy.</u></p>

		<u>Whether the entirety of Crossness Nature Reserve qualifies as 'Special Category Land' by virtue of being land held by a statutory undertaker.</u>
Visual and Townscape	Visual and Townscape Impact	That the level of impact has been underestimated.
<u>Statutory undertakers' land</u>	<u>Compulsory purchase of statutory undertakers' land</u>	<u>That Thames Water's ownership and management of Crossness Nature Reserve renders it statutory undertaker land.</u> <u>That s127 of the Planning Act 2008 is engaged.</u>
<u>Graziers</u>	<u>Nature of grazing licenses</u>	<u>How the land is grazed – by whom and how grazing is managed</u>
	<u>Impact of grazing</u>	<u>That grazing has negatively impacted the ecological value of Crossness Nature Reserve (or parts thereof)</u>
	<u>Equalities context</u>	<u>That the displacement of graziers from gypsy and traveller communities is an equalities issue.</u> <u>That it is acceptable to proceed with displacement of graziers without mitigation.</u>



4. SIGNATORIES

	Save Crossness Nature Reserve Campaign	Cory Environmental Holdings Ltd (the Applicant)
Signed		
Printed Name		
Title		
On behalf of	Save Crossness Nature Reserve Campaign Group	Cory Environmental Holdings Ltd
Date		



DECARBONISATION

10 Dominion Street
Floor 5
Moorgate, London
EC2M 2EF
Contact Tel: 020 7417 5200
Email: enquiries@corygroup.co.uk
corygroup.co.uk