



## Hearing Transcript

<b>Project:</b>	<a href="#">Cory Decarbonisation Project</a>
<b>Hearing:</b>	Issue Specific Hearing 1 – Part 3
<b>Date:</b>	6 November 2024

**Please note:** This document is intended to assist Interested Parties.

It is not a verbatim text of what was said at the above hearing. The content was produced using artificial intelligence voice to text software. It may, therefore, include errors and should be assumed to be unedited.

The video recording published on the Planning Inspectorate project page is the primary record of the hearing.

### **Cory\_ISH1\_6 NOV\_PT3**

Created on: 2024-11-06 15:40:55

Project Length: 01:37:42

File Name: Cory\_ISH1\_6 NOV\_PT3

File Length: 01:37:42

#### FULL TRANSCRIPT (with timecode)

00:00:05:05 - 00:00:37:03

Good afternoon. It's, uh, 10 to 2 and time for me to reopen this, uh, uh, this hearing. Um, now I'm conscious, uh, although we're able to investigate things quite thoroughly, uh, this morning that, um, uh, we have got quite a lot to, uh, to, to cover on the agenda. Um, and, uh, I think, uh, what, what I'm going to going to do is perhaps ask for the, uh, the applicant's indulgence. I might, uh, go straight to asking questions on the particular, uh, particular issues rather than asking for any, uh, presentation.

00:00:37:12 - 00:01:04:24

Um, I'm just I'm just concerned that, um, uh, I think that the presentation format, uh, did take up some take up some time and perhaps 18 to, uh, opportunities for for questions. Um, I know, Mr. Tate, you did mention that actually, uh, the the one that we saw this morning was the most thorough of them and that they'd be, uh, slightly more, um. Slightly. Slightly briefer. Um. Can I just seek any comments you have on on that?

00:01:09:07 - 00:01:39:27

No. So we'll we'll do what that says to you most in that regard. Um, so by all means use that indication. But by all means use information that's pre-prepared in terms of illustrating, uh, answers. I'm just, uh, I would, if at all possible, like to get through the agenda items. As I mentioned at the start of today's meeting, there is the option that, uh, uh, we can post those things for writing, but I would like the advantage of, uh, uh, the sort of the advantages of the oral event to explore those, if at all possible. So we'll do it that way round, as it were.

00:01:40:07 - 00:02:13:03

Um, but having said that, the next item on the agenda was for the applicant to, uh, uh, advise. And I notice I've made a slight error in my agenda because everything else I put briefly, uh, advised and I didn't on on this one, but to briefly, uh, advise of any update on, uh, the parameters of the proposed, proposed jetty. Um, and I think that was. I haven't got any sort of pre-prepared, uh, questions that I want to delve into any further on that item. So if I can hand over to you just to, to to provide us an update, uh, on that, on the position, please.

00:02:14:02 - 00:02:46:25

Okay. Uh, Mr. Ross, on behalf of the applicant. So just to confirm, sir. So the the focus of the, um, the change was to do with the change in the vessel sizes. Um, what what that has meant is that a very slight reduction in the limit deviation before B um, but that is essentially at the top of of the work will be. So you've asked about the interaction with the, um, local power station jetty, which I will acronym to BP's, um, jetty. But you, um, can't quite see it on, on the screen.

00:02:46:27 - 00:03:17:27

If you were to compare the two, um, works plans. If I can just the at the top of work for B if it. So if you can, um, just, um, went like this, and now it just goes flat. Um, so it doesn't affect the interaction with the, the jetty. So that that was the one small change to the parameter work. Number four B as the change report explains, we did consider kind of the changed assessment assumptions around the dredged pocket level and the limit deviation for that.

00:03:18:14 - 00:03:38:29

Um, and there is a number of um the number of berthing dolphins changing from 2 to 4. But the key point is in the grand scheme of the overall, um, growth jetty, these are minor changes and they don't change or have any effect on the optionality we've saw in terms of the interaction with the jetty.

00:03:39:09 - 00:03:56:12

So, so if I understand it correctly, I mean, in terms of the position you're at, there's there's no change to the approach in the draft. DCO in terms of the flexibility you're seeking, uh, around the, the scope of the jetty and the retention or otherwise of the Belvedere, the former Belvedere power station jetty.

00:03:57:17 - 00:03:58:10

That's correct, sir.

00:03:59:03 - 00:04:23:22

So? Well, in some respects that's that's answered my question is that effectively, you're still seeking, uh, the same parameters in the application? I think I was I was just keen to understand that with the. You've been doing some work there about the capacity, the capacity for vessels to, uh, to, to use the jetty as to whether it had any, uh, knock on implications, uh, in terms of your, uh, thinking elsewhere.

00:04:24:04 - 00:04:35:03

Um, so just spoken about that. And so just to confirm that there is a change in parameters, it is slight, but it's not it's not, um, it doesn't have relevance to the interaction with the jetty.

00:04:35:17 - 00:04:46:19

Yeah. So I was using parameters in the, in the, in a much wider sense out and understood. Is there anything that anybody would like to, uh, any points anybody like to make on that particular point.

00:04:50:12 - 00:05:50:18

Thank you. I can't see any hands raised online. Uh, and in that case, I now move on to item three, uh, which was about, uh, on and off site. Uh, mitigation and compensation. Um, uh, again, the agenda provided, uh, for the applicant provided a brief summary to the to the approach. Um, I think as I mentioned before, what might be more helpful is to to perhaps go straight into the more focused, uh, issues that I've identified on the, uh, on, on, on the agenda. Um, and item 3.1 was the approach to, uh, off site proposals in what's been identified as the the biodiversity net gain opportunity area at the former Tim's mini golf course and the, the just the sort of things I was trying to understand is actually what the spatial implications uh, for that would be as in, have you actually identified a sort of fiscal area in terms of the actual location and extent of any anticipated, uh, works.

00:05:50:29 - 00:06:33:12

Um, but also to understand and again, this does perhaps overlap with uh, uh questions in that come under the further item is that, um, there has been mentioned in relevant representations to other development proposals that might affect that, uh, that, that land. Uh, and also, um, just an understanding of what proposals they are at the moment in respect to natural environment management at the, uh, the golf course in terms of sort of who manages it, is there a management plan or similar that's being, uh, being adhered to? Um, and, uh, you know, if it is being managed, how has it been managed? Has it been managed as for any nature conservation purposes, is it being managed as open space, um, and those sort of issues.

00:06:33:14 - 00:06:52:16

So I've sort of combined. So I'll happily unpick those. But that's, that's really what I was trying to, uh, get an understanding of is really, you know, what, uh, what's there what's happening in the absence of this scheme, what are the implications of the scheme going to be? So perhaps if I could ask the applicant to, uh, respond to that.

00:06:52:26 - 00:07:39:19

Uh, Mr. Fox, about that. And so I will bring in doctor, um, Joyce, the project ecologist, to, to to answer most of those questions. I just, I just want to answer one of them first, which is the question about other developments having interaction with the, with that area, um, and the subjects to the point that Doctor Joyce will bring up in terms of, um, Peabody, who look after this land and, and what their how it fits with their wider aspirations. I will call it for the area. Um, the our understanding is that there are no other developments, um, past or planned, which will, um, influence on the kind of future proposals on that tends to be a golf course in terms of a development that will get a physical development for new housing or any other type of infrastructure which would which would affect that.

00:07:39:28 - 00:07:49:02

Um, but that is subject to the caveat that Doctor Joyce would explain in terms of the interactions with what people are you're considering as a kind of green infrastructure proposal for the future.

00:07:49:16 - 00:08:07:22

Yeah. Thank you for explaining that, Mr. Fox. So it's clear that from your understanding, there's no physical development proposed for that particular piece of land. But I think it's also understanding other things happening elsewhere that are perhaps relying on that piece of land in a similar or different way to your to your scheme is just so I can understand the interrelationship between those.

00:08:07:24 - 00:08:18:16

Yes, sir. The answer to that question is no, thank you. Um, but I'll just explain the kind of discussions that we've had with people today, what we understand they are doing and how what we are doing fits with that.

00:08:19:29 - 00:08:23:12

Thank you, Paul Joyce, for, uh, ecologist for the applicant. Um,

00:08:24:29 - 00:08:56:01

since the golf course is, uh, currently, um, is maintained, uh, through through cutting and not any other regime that we're aware of, uh, because it was a golf course probably previously and now doesn't have any civic function. It's a collection of different habitats which are being allowed to, um, uh, to go out once they go wild. But that's not quite what I mean. It's just being subject to relaxed management.

00:08:56:21 - 00:09:36:20

Uh, habitats that are there at the moment are, um, pieces of woodland, scrubland, uh, grassland, um, and other feral habitats that you find in, in neglected, uh, areas such as this, um, that have developed over former grassland. Um, and we've been working with Peabody and I personally working with Peabody on a landscape design, which we, uh, hope will in we will enhance that site to their aspirations, um, as part of the pathways to the Thames strategy or to feed into the pathways, the ten strategy they're working on, um, that, uh, that strategy tends you got at times.

00:09:36:22 - 00:10:17:02

You go, of course, currently is without a funding mechanism and our work would be providing that, um, we've come at this as an with Thames View golf course, providing an off site, um, a habitat creation area to balance losses on our application site. Um, we've had three base needs from that site. Uh, one is creation of open mosaic habitat. The second is creation of rehid habitat, and the third is a broad enhancement which we have applications that would be enhancement of grassland but could be enhancement and creation of other habitats.

00:10:17:19 - 00:10:53:02

Um, on site we achieve I'm going to put it this way, a modest 1.31% net gain, uh, from landscaping within, uh, the CSS site and other improvements. Um, and we're gaining 8.7%, uh, which preserved the market for 10% with the inclusion of Tennessee Golf Course and the in previous way. We're proposing that, um, in total we're we're proposing through with our colleagues, Peabody, to enhance, uh, to create habitats and enhance, uh, 65% of that golf course area.

00:10:53:04 - 00:10:58:10

So there does remain further opportunities for enhancement, which would be down to people through their strategy.

00:10:59:24 - 00:11:31:00

And and what what, um, you know, what are what are what are the landowners going to do if, if your scheme wasn't on the table? What what what are their proposals for for the site? Or is it I think you use the phrase, uh, um, uh, sort of, as you know, I can't remember right now, which is a shame. I think it was sort of a relatively neglected sort of, uh, way of dealing with it. So what are the landowners approach to the site?

00:11:32:01 - 00:11:55:25

Um, I think the landowners approach to the site, the goal is to maintain it, uh, without it Going, um, without brambles and other type of types of vegetation completely covering it. There is some cutting going on, but, uh, there there's no other active management going on at the site for, for nature conservation purposes to improve it. Simply keeping it in the same state is now for an attempt to against nature.

00:12:00:01 - 00:12:19:06

Okay. And, uh, I see there's a sort of an illustration bean, bean, bean, bean put up there. And in terms of the, uh, the opportunity area, uh, my understanding is that covers, um, a sort of a structure to the north side. Is that a form of driving range or, uh, some something similar so that that would be included within the area that you'd be looking at?

00:12:19:29 - 00:12:25:10

Um, that's correct. That the former driving range is within the site boundary that we're, we're looking at for enhancement.

00:12:26:20 - 00:12:28:21

And what what would happen to that structure?

00:12:29:21 - 00:12:38:29

Uh, sorry. Sorry, sir. Could you, uh, Joyce, for the applicant, are you, uh, referring to the buildings and car park which are on the the north of the psychology.

00:12:39:04 - 00:12:51:14

Yeah. So my understanding was there. There's a form of driving, which obviously is a small building and then an extensive area presumably which was the actual driving range. Range itself. Yeah, I was just I was just wondering what the proposal were for the, the built structures.

00:12:51:24 - 00:13:09:09

Yeah. Apologies. I misinterpreted the driving range itself and the grassland that's sitting there. So apologies for my part. Um, the car parking structure do not fall within the area we're using for enhancement. Anybody have asked us to remove that from the boundary you're working with?

00:13:19:02 - 00:13:36:26

And in terms of, um, the the future future management of the of the area, what what would be the aim, uh, for the, the management and the use of that area, uh, following any intervention that comes by by way of the, uh, uh, of the application.

00:13:39:16 - 00:14:17:09

Uh, calls us to the applicant, the, uh, the, um, working with Peabody. Uh, the aspiration for the golf course is to provide, um, a nature conservation benefit or the former golf course. Apologies. Is to bind a site which provides nature conservation enhancements and benefits that is also accessible to the public. Uh, so we've been working with their landscape designers, um, on the ecological aspects, but also incorporating um, uh, pathways and other features so the public can enjoy the nature conservation benefits that we're hoping to bring forward.

00:14:18:29 - 00:14:50:03

And let me just, just just add to that some further context is that you can correct me if I'm wrong here, but my standing is that the the estate, the housing estate, for want of better phrase, or the area of housing. To the west is the Peabody Estate. So this is part of their kind of general, um, wanting to

improve access to nature and green spaces in the area for their residents. Um, and I just want to make that point is additional color to what Mr. Joyce was saying.

00:14:50:05 - 00:15:00:22

So that's why we're working with them, because we want to ensure that, um, what we are proposing kind of fits in with their overall aspirations for the area from a green infrastructure point of view.

00:15:01:16 - 00:15:18:02

Uh, I'm, I'm conscious that, uh, obviously that, uh, the landowners aren't, uh, aren't here, but, um, uh, what's what if they've already got these aspirations? What's to stop them doing that? Why do why does, um, I mean, I so, I mean,

00:15:19:18 - 00:15:28:17

I understand that you're, you're putting forward as, uh, as a biodiversity net gain, uh, area, but with, with these sort of things not happen in any event.

00:15:30:06 - 00:15:44:21

Psychologist for the applicant. It's my understanding that. That it would not come forward because there's no funding mechanism available to Peabody to deliver this strategy at present. So they're unable to advance this, uh, scheme of enhancement work at Tennessee Golf Course.

00:15:46:29 - 00:16:24:26

Thank you, Mr. Fox. Oh, so I just saw your microphone, as I think. Um, so do I know Mr.. Um, Mr. Joyce, you mentioned that actually they haven't got any sort of particular proposals, but that does the potential funding coming through the the planning obligation that you're putting forward for the application, does that form part of a, uh, a strategy that Peabody have for for the site? Um, and if not sort of which is which is coming first, that they're sort of desire for the site or this application giving an opportunity to provide some, uh, some, some changes there.

00:16:25:27 - 00:16:43:22

It's all just for the applicant because the applicant, they believe the desire comes first. There is an aspiration to, um, to enhance the site, um, which they, they can't bring forward. And then our funding mechanism through the enhancement scheme we're working with them on within allow them to achieve that.

00:16:44:24 - 00:16:54:07

And so from your understanding that so that they haven't got a strategy, that it's an opportunity that this scheme is bringing forward is that if I understood that correctly.

00:16:54:18 - 00:17:22:05

Uh, they have a strategy, uh, with uh, which is called the pathway to the Thames, which, uh, they, which it contains aspirations to improve site such as, uh, under their ownership, such as the Thames Golf Course. Um, but those, uh, there are no mechanisms for that to be achieved or there is no mechanism for this site to be enhanced at present. And our work and our funding is going to enable that instead.

00:17:22:14 - 00:17:30:12

So just so I got that right. It's called pathway to the Thames. That's there, but that's sort of a broad strategy that's not specific to Tim's mini golf course.

00:17:31:03 - 00:17:34:28

Um, it's a bold choice for the applicant. Yeah. Yes. That's correct.

00:17:36:11 - 00:17:58:03

So I just wanted to bring in, um, but also just to also just emphasize that last point, which is that we we've deliberately been using the word aspiration. There's no planning requirement or otherwise for them to deliver on the golf course or that strategy. Generally, what we're what we're doing is helping part of it happen, but I think it's very reasonable.

00:17:59:28 - 00:18:45:09

Thank you. Yes. Mr. Barry, on behalf of the applicant, um, hopefully some sort of broader, broader context to help clarify. Um, sir. So Peabody, as Mr. Fox has recognized, operates a number of um, housing um estates provision in the Thames Mead area, including to the west of the Thames Speed Golf Course and also South um itself May and surrounding a recreational area called South Lakes. Now, across their estates in this area, they have an overarching, um, strategy called living in the landscape, which addresses, as the name suggests, different elements of the of the landscape across their estate.

00:18:45:11 - 00:19:16:00

So addresses sort of the housing and the and the terrestrial and marine environments. Specifically, they have a strategy called pathways to the Thames, which is all about trying to link the access from South Main Lake to the, which is to the south, on, on the graphic in front of you. So you'll see the orange that we've outlined as tends to be a golf course. Then immediately south of that is an area of green and the main road kind of cuts through it. South mirror is kind of just south of off of the, uh, off of the graphic there.

00:19:16:08 - 00:19:49:16

And pathways to the Thames is about trying to make a connection between that area and the River Thames at the moment. It's quite it's quite dissected by public highway and other elements. So works to the Thames. Mead Golf Course is the key route to enable that to happen. They have some aspirations about making that happen. They have some high level plans for it. But what that, um, doesn't include is the level of detail of landscape proposals that we have been working with them and their landscape advisers.

00:19:49:18 - 00:20:26:11

They had started looking at it. They'd started looking at, um, the opportunities at the ER and what might be done. Um, and then we've spoken to them about, um, what we would like to do. And as Mr. Doctor Joyce has been explaining, we've had some quite detailed discussions with them about the offsite provision of our B and D requirements and how that would fit within their, their wider strategy. So they're an early level, early stage delivery a sort of choice is recognised. I don't have funding for it. Um, so what we're proposing would bring ecological enhancement to the area that would enable their access and community aspirations to be met.



00:20:27:21 - 00:20:37:20

Thank you. Um, and if I can just, just, just again, understand, um, in terms of, um, the, the, the wider approach, um.

00:20:39:26 - 00:21:16:06

I've seen it uh, is perhaps just understanding how it is actually being, being put forward. I realise it's being put forward as biodiversity net gain, but I've also seen it referred to in the lab as compensation. Um, can you help me just understand, um, what the approach is in this? I understand that your your proposal, um, will result in the, the development and structures on land which is currently identified as a local nature reserve. You've got some proposals to, uh, uh, increase the size of a local nature reserve in the vicinity.

00:21:16:10 - 00:21:33:28

But you also have these proposals that Timmons made to golf course. Can you help me understand how this actually does fit in? Is it this, uh, effectively net net gain? Is it compensation for loss of land? Is it both. Is it can you just help explain the the sort of the approach.

00:21:34:21 - 00:22:04:25

That Paul Joyce, on behalf of the applicant, I can, uh, explain that, um, it is both compensation and biodiversity net gain, uh, under the trading rules of the different metric, which would be used to calculate biodiversity net gain scores, we must, uh, comply with trade. We must comply with the trading rules. Um, under those trading rules, we are in deficit on site because of the land take of the, uh, of the scheme for two types of habitat.

00:22:04:27 - 00:22:37:29

One of those is open mosaic habitat, and the second is greenbelt habitat. We we are creating a small amount of repair habitat on site. But we do need to create some habitat off site. Um, as compensation, um, we're unable because we would change the character of Norman Road field, um, to create open mosaic habitat to replace the loss within our site. So we're going to we propose to undertake that compensation at Tim's Mead Golf Course.

00:22:38:18 - 00:22:59:17

Um, remainder of our proposals are biodiversity net gain because they will deliver biodiversity units to take us beyond the, the what uh, essentially over the line and towards and and meet that 10% uh biodiversity unit requirement requirement. Essentially we're achieving additionality with those. But.

00:23:01:18 - 00:23:03:10

I just spoke about that.

00:23:03:14 - 00:23:30:18

And I think I also wanted to um, I think, uh, let Doctor Joyce explain the relationship of this with one of the to shadow. I think a question you're going to have around the interaction with Riverside Tea. And the lots of relevant reps have, um, raised questions about the interaction, what we're doing with what was proposed to Riverside team. And this this discussion goes to that point. So I think if I, if I can if I can ask Doctor Joyce's to explain that as well, that would help.

00:23:30:20 - 00:24:00:19

Yes. I'm conscious. I've sort of already started the trend by sort of going into item five, I think, or already, but uh, uh, please, I think, I think, uh, you know, the issues I want to cover. So let's, let's deal with them as they, uh, as they arise. So, uh, yeah. Well, I think I think on that the question was effectively, um, both I know they were considered under different regimes, but Riverside one and Riverside two is understanding what the, uh, you know, what, what requirements.

00:24:00:21 - 00:24:38:25

And I'm using that in the loose word. I know that Riverside two had formal requirements with a capital R, but, uh, Riverside one might have had implications, conditions, requirements. Um, I'm less familiar with the consenting regime for that. Um, you know what? What they were, what this proposal might do to those proposals, will it actually develop on land that was going to be used for, uh, for for planting or compensation? Um, how does your scheme make sure that it not only ensures that consenting schemes, uh, have the necessary, uh, mitigation and compensation provided for, uh, but your scheme does, does, does the same.

00:24:38:27 - 00:24:59:04

But also there's it's something, as you mentioned, raised by, uh, relevant representations. Is there some sort of double counting here in that would, would one piece of, uh, that's of the sort of mitigation proposed by your scheme effectively just replicate that which would have been required in any event from a, from a previous scheme? So yeah, that that is something I'd like to like to explore.

00:25:00:28 - 00:25:24:07

Um, so Paul Joyce, on behalf of the applicant, um, we can explain that. And uh, the, the specific habitat would focus on these open mosaic habitat time,, um, which is represented, um, uh, some of the larger land parcels along Norman Road, which are currently, um, uh, being occupied by Riverside, too. Um, it would be useful if somebody could shift on it so that when.

00:25:24:09 - 00:25:29:24

You say occupied by I said, is this as in development compounds that are actually occupying some time. So. Yeah. Thank you.

00:25:30:03 - 00:26:04:27

Um, could you go back one. Sorry. Uh, and let's go back to borax. Sorry. Apologies. Um, the um, so on the slide that you can see, you can see two fields identified which are currently laid down areas of Riverside, two, um, they were prior to lay down being, uh, being used to lay down Riverside to open mosaic habitat and uh, riverside two through its DCO offset, uh, the loss of those, uh, that open open mosaic habitat with off site compensation of its own, which is independent of our scheme.

00:26:05:15 - 00:26:20:24

Uh, we therefore not sought sort to, um, uh, to compensate for that habitat because it is already being compensated for off site. And those fields are under a lay down area. Um, but we have another one, if you could.

00:26:21:05 - 00:26:38:15

So, so so just point clarification, uh, and correct, those two fields are known as borax North and south. Is that is that correct? Correct. Yes. Uh, and the the off site compensation. Just just so I know where abouts would that be or is, is that or is it.

00:26:38:27 - 00:26:39:12

Uh.

00:26:41:11 - 00:27:06:02

Standing on. Doctor Joyce. Um, uh, Miss Berry, on behalf of the applicant. So there are five sites in total which, uh, provide together provide all of the offsite mitigation required for Riverside two. They are four of them are wholly within Bexley, and one of them is within Bexley and shuttle slightly into, uh, Royal Borough of Greenwich. So they're all quite close by.

00:27:06:14 - 00:27:12:17

But they're they're distinct from this site and distinct from and clearly from what you said. They're distinct from terms of golf course from.

00:27:12:19 - 00:27:13:08

Absolutely, sir.

00:27:13:10 - 00:27:14:02

Yeah. Okay.

00:27:14:15 - 00:27:17:14

Okay. So so it's helpful to explain that. Thank you.

00:27:17:22 - 00:27:56:15

Thank you, Mr. Perry. Um, uh, so, uh, we also we do have, um, the the root of our open mosaic habitat compensation requirement comes from the Gannon parcel, which is at the bottom, uh, just below the land parcel we were talking about before lunch. Um, and that parcel is, uh, has been identified as open mosaic habitat. Um, and, uh, it, it is currently lay down for riverside to also however riverside to the riverside to scheme proposed to recreate that habitat on the Gannon land following its uh its completion or Riverside city scheme completion.

00:27:57:03 - 00:28:20:27

Um but obviously presents a problem because the Gannon land falls underneath the footprint of, uh, of our proposed scheme. So, uh, our scheme of mitigation, uh, sort of compensation that tends to be golf course involves rather than, uh, recreating the open mosaic habitat on the Gannon parcel will be recreated at ten Meade Golf Course instead.

00:28:22:02 - 00:28:25:15

Uh, understood. So. And and again.

00:28:27:03 - 00:28:28:00

But so, um.

00:28:29:20 - 00:28:53:21

Yeah, just so I'm clear on that. So the, uh, that that the, the the Riverside two, um, didn't anticipate the Borax North and Borax South going back to its former open mosaic nature, which is why he did offsite compensation. Um, but it did it did anticipate the Gannon land doing that. But your proposal would mean that that couldn't happen.

00:28:53:23 - 00:28:54:25

That's correct. Sir. Yes.

00:28:54:29 - 00:29:00:15

Thank you. That's that's helpful to understand that what Mr. Fox said. Do you want to add something?

00:29:00:17 - 00:29:13:16

Mr.. What? I'm on the app and I was just going to add we focus on Riverside two just just to cover off Riverside one. I can just confirm that nothing that we're doing relates to any, um, integration or conversation requirements in Riverside one.

00:29:14:12 - 00:29:25:26

Uh, briefly, what were the the the requirements for the Riverside. Sorry, requirements that any anything that Riverside one was the, uh, required to do I recommend that.

00:29:26:13 - 00:29:59:14

Uh, Miss Barry, on behalf of the applicant, um, I would need to double check, because I've been awhile since I've looked at that content, but, uh, principally, there was an area of sort of scrub to the west of Riverside, one which is now being occupied by Riverside two. That was the largest compensation area. Um, and that was that was all part of the compensation. We've just been talking about the off site, uh, compensation, uh, replaced place that habitat, the Riverside two has already partially substantially replaced Riverside one. Um, and then to the east of Riverside one, there is a small wetland habitat area.

00:29:59:24 - 00:30:23:16

um, which, uh, the eastern portion of which the indicative layout shows the liquid carbon pipes going over the top of. But the actual the wetland habitat wouldn't be affected. And the grassland which those which that pipeline oversell is, is a poor condition and can be, um, readily enhanced. But it's not it's not a direct impact on it.

00:30:24:11 - 00:30:38:07

Thank you. So so again, as I understand it, uh, anything that was necessary to, to do to make, make way for any, uh, habitats or landscape loss as part of Riverside one, uh, wouldn't be directly affected by the proposed scheme.

00:30:38:21 - 00:30:41:14

Miss Berry, on behalf of the applicant. That's correct, sir. Okay.

00:30:41:24 - 00:30:44:24

Thank you. That's, uh. That's helpful. It's a it's a box.

00:30:44:26 - 00:31:00:21

And I was just going to say I'm conscious that there is other questions about, um, the Thames Water position in the nature reserve and, um, Meridian Business Park, but I suggest we come back to that. I wanted to raise this now because it was a relevant to your questions about the role of the golf course, so we can come back to those other points.

00:31:01:01 - 00:31:41:01

Yeah, no, I realize we are we are live for about a bit, but actually that's, that's helpful to uh, to, to understand the, the, the position. Um, I think, I think in terms of, um, uh, the, my sort of initial questions about the, the golf course, um, I think I think you've answered most of my points there. Um, I'm conscious that you obviously did have something prepared, but so is there anything else that you'd like to draw to my attention about the, uh, the proposals that the golf course and or the mechanisms for actually delivering that and, and or how you've decided on the, the level of intervention that you're proposing at the golf course.

00:31:41:24 - 00:32:02:24

And Mr. Fox and part of the applicant. So I had I had we had prepared a short not really a presentation, but to my explanation that I was going to do to explain how the legal mechanisms were going to work in terms of securing, um, which I can do, but I unless you may also have questions about that too. Um, so, um, I can do that now, or we can wait till your other questions cover.

00:32:03:06 - 00:32:27:28

I think if it's going to pick up, um, issues such as, uh, mechanisms and the interrelationship between mechanisms from, from, uh, other things that might be best to, to wait for them. I realize I've sort of, uh, uh, you know, I cut you off at the past to start with by saying, let's, let's not have a presentation and go straight to, uh, uh, to, to my questions. But I think as long as, as long as you have the opportunity to explain that to me. Uh, definitely helpful, Mr. Fox.

00:32:28:08 - 00:33:20:06

I think if for now, I'll just focus on the the big opportunity area and then we can we can come back to the the other aspects specifically for the being opportunity area. Um, so that is because it's off site. It's delivery of it is secured via the proposed section 106. Um, so we had the, the head to turn to, which was submitted with the application, which is app uh, one, two, one, um, and what, what this is doing. Um. So the postman is also working alongside requirement 13, which would be do the, um, sign off of our detailed the buds um, in which the requirement requires us to explain how we're going to deliver 10%, um, being, um, but one thing we are we are conscious of is as, um, Doctor Joyce and Miss Barry has explained, is that we've been working closely with, um, Peabody.

00:33:20:08 - 00:33:57:21

We wanted to deliver it in the local area in line with being guidance, but we also are recognising, um, that there is the possibility that, um, our work with Peabody doesn't essentially proceed fast enough for the development, the scheme development, um, timeline. Um, so that's why the, the 106, um, and the, the buds, um, allow for a kind of mechanisms for, for alternative provision. So the just explained so the, the um, the 106 will, you know, suggests that we will use all reasonable endeavours to use that site, because we all recognize that that is the preferred site.

00:33:58:10 - 00:34:47:18

Um, uh, and that, um, if it's to be used, the principle is that we would give Peabody a contribution to deliver the works, um, and that Peabody committed to delivering it because we're conscious that it's their land and it's given the wider aspirations. Um, it would be good for them to do the work, although that doesn't stop them, of course, asking us to do it on their behalf. Um, the, um, 106 is then proposed to work that we would notify, um, the Baron Bexley of, um, when we intend our date, a final commissioning to be which, um, nine months before that, um, and then creates a mechanism by which if after we've given that notice, um, Peabody have still not essentially got on with delivering the bill being opportunity area not, not completed it.

00:34:48:04 - 00:35:23:15

Um, then, um, the idea was that people would then stop the works, return the, the, um, contribution that we have given to them to back to us. And then we are then required to come up with alternative proposals to make sure that the 10% being delivered. Um, uh, and we must do that, um, prior to the scheme opening and deliver it before the scheme opens. Um, in hope, obviously we don't want that. We're all proceeding on the basis that won't happen. Um, and the, um, 106 provides for, um, essentially the statute, the requirements around 30 years.

00:35:23:17 - 00:35:35:20

So we would give people a, a management contribution for them to manage it in accordance with, um, the details of, um, the big opportunity area, which pursuant to requirement 13 would have been signed off by vaccine.

00:35:36:20 - 00:35:57:28

So just just on that. Mr.. Mr.. Fox so if uh, I mean, I think there was reference to possibly some, you know, purchase of credits or something as an alternative. Um, what I mean, obviously I've only seen the heads of terms so far, the section 106, I haven't seen any any detail, but what can you say a bit more about what the what the fallback would be? Um.

00:35:58:09 - 00:36:30:03

Well, at this stage than we've, um, given, um, you know, the kind of evolving nature of the PNG regime generally, um, not just in TKA world, but more generally across London and the UK. We've not described what it would be. So I think we would we it's just described and we must find that alternative mechanism which could include credits. Um could include habitat banks could include, you know, the very last resort, such a credit regime. Um, I would add that on, um, Riverside t we were required to use habitat banks.

00:36:30:06 - 00:37:11:02

Um, and that was done not for being purposes, but for offsite, um, uh, purposes. And we were talking earlier, which has been able to be achieved. Um, so I think the key point is that, um, what we brought forward with the, the big opportunity area is a real realistic proposal that the relevant stakeholder and landowner. It wants to do. Um, and we feel confident, confident that, um, it will be able to be delivered. But as both ourselves and your and yourselves and London Borough of Bexley will want to know that there is security, that alternative mechanism will be, um, developed if it's necessary and the want and the requirement ensures that's the case.

00:37:13:28 - 00:37:48:24

And I mean for what again just going to that uh, that that I've called it a fallback option for, for the sake of a better, uh, a better phrase at the moment. Um, you know, is there any guarantee that, um, you know, that would have the same, uh, sort of effects in terms of sort of the community benefits? Not necessarily sort of a direct sort of, uh, calculation of uh, uh, replacement habitats, just given the location of the Thamesmead Golf course in relation to the site. Um, Whereas, um, you know, there might be different spatial implications for an alternative revision.

00:37:49:19 - 00:38:22:26

So, um, the applicant know there isn't a guarantee. And I would say that our, the applicant's case, um, is not predicated on what you just said, the kind of the RNG proposals fitting into the wider access proposals. Um, we referenced that because it helps explain why it's a good place for them to be, but we don't our planning doesn't rely on the fact that a kind of, uh, implicit or indirect benefit of our being in the opportunity, being in that location is that it might facilitate those access improvements.

00:38:23:06 - 00:38:41:11

I would add that we have through the section 106 sets of terms in the suggested making, um, uh, access improvement contributions to Bexley to improve linkages between our sites and the order limits and, and the golf course. Um, but I think, you know, I think I think I said that the position.

00:38:42:14 - 00:39:04:13

Okay. Thank you, Mr. Fox. Yeah. I was going to say, I think in terms of things specific to the ten speed golf course, I've probably asked the questions I want to. I gave the the applicant opportunities. Anything to fill me fill me in on that. And I think they've done that. So I. Well are there any points anybody else would like to to make.

00:39:07:04 - 00:39:49:10

Lauren Spence, your old safe cross nest nature reserve. Thank you sir. Um, as we're talking about section 106 is, I feel I have to say that Cross Ness Nature Reserve was created in 1994 to compensate the community for the construction of Thames Water sludge incinerator. It's a 99 year section 106 agreement, and, uh, Cross Ness Nature Reserve is very well managed by Thames Water. The Newman Road field, which is the other site earmarked for mitigation, was also the subject of a section 106 when Viridian Park was built 20 years ago at the site.

00:39:49:12 - 00:40:20:03

At the time, substantial works were undertaken to improve the biodiversity of the site with the creation of wader scrapes, improvements to the ditches and the grassland. The site is very rich ecologically. Now coming back to the golf course, the site which we are really talking about now. This is a site that is very rich in biodiversity. It already has raised beds. Grasslands, tree cover, shrub cover. Um.

00:40:20:25 - 00:41:03:15

Over the years, Peabody have consulted the community and have made all kinds of of promises through very glossy brochures that Thamesmead green infrastructure strategy. Uh, people are a property Which developer, if they don't have the funds to manage a site like Norman Road Field or the

golf course, I would imagine there is a serious problem there. Um, mitigation on the golf course would just change the habitat, it wouldn't improve it, and it may not be appropriate to have a mosaic habitat on a site which is mainly improved grassland, reed beds and water bodies.

00:41:03:17 - 00:41:18:03

It would just change the habitat to mitigate on those sites, whether it's Norman Road or the golf course, it would not be an improvement. These sites already exist and are rich ecologically as they are.

00:41:19:04 - 00:41:43:11

Thank you. Thank you. If I can ask you just to sort of bear in mind questions about Norman Road Field on the site, but I would like the applicant to respond to that. So I think particularly the point about, uh, uh, the quality and nature of, um, uh, habitats that exist that it tends to be golf course. And uh, the suggestion actually the proposal might just change them rather than necessarily actually provide an improvement.

00:41:44:03 - 00:41:44:21

And, uh.

00:41:45:02 - 00:42:24:13

Mr.. I will bring it. I'll bring in Doctor Joyce. I just wanted to make the point. Yes. We'll come back to normal road. Field. Um, the point that were raised there about, um, promises and what's deliverable. I mean, I would just reemphasize the point that what we are doing here is through the 106 making a funding contribution to ensure that something actually happens on, on this land. And then Doctor Joyce will be able to explain that in order to share again. Um, we have to go through the BNG process and what set out in the um, bag reports, which is at 088, and that was informed by engagement with um, Peabody's on understanding what the baseline position is and surveys undertaken which Doctor Joyce can explain.

00:42:26:02 - 00:43:16:05

Um, Paul Joyce called just on the behalf of the applicant. Um, I'd just like to start off by using the description that was just used in relation to the grass which is improved grassland, which, um, the site could be classified as improved grassland at the moment. And the improvement means improvement for human purposes, not improvement for um, for the purposes of, uh, uh, biodiversity. Um, it's in that state because it was a golf course and it was seeded for the purposes of ornamentation and has been allowed to, um, change from that state into, um, um, I want to use the term feral state, um, that some people might like to say that it's going a bit more wild, but that doesn't that relaxation of management doesn't isn't synonymous with increase in its biodiversity value.

00:43:16:14 - 00:43:51:16

Um, actually, the graphic that's on the screen right now shows the proposals that we have put forward with Peabody, which include a much greater diversity of habitat on site, um, including high desert, high value grassland, removing improved grassland and those those kind of habitat, adding new water features and new river to the site. Um, and and new scrubland site. Um, I um under uh, no, uh, I'm convinced that these are improvements to the site.

00:43:51:25 - 00:44:31:02



Um, but, uh, that is just my opinion. Um, our survey work has been undertaken by several different consultancies, including my team. Um, has shown that these sites are the habitats on site are, uh, in poor condition in terms of being. And that's a result of the fact that they were, at one point, a golf course. Um, we've used the condition assessment methodology that is prescribed by a different metric to come to that conclusion. And that's, uh, written in the results that are shown in our bag audit report, as Matt has drawn us to, um, uh, on the point about open mosaic habitat.

00:44:31:04 - 00:45:02:18

Whether open mosaic habitat is appropriate in a site like this. If the yellow strip is at the top of the map you're seeing there is along the Thames bar is what we're proposing the majority of open mosaic habitat to occur. And that's in a very modified part of the site. It's next to the existing tennis path and golf course, and open mosaic habitat is a type of habitat that is synonymous with human beings. Also, it works best in disturbed environment and we do have a disturbed environment there.

00:45:03:04 - 00:45:10:23

Um, uh, the and we put it there very specifically, deliberately. So it will, um, be sustainable in the long term.

00:45:13:04 - 00:45:13:27

Okay. Thank you.

00:45:15:26 - 00:45:20:01

Yes. Um, can we get a roving microphone, please?

00:45:28:08 - 00:46:03:29

James Stewart. No affiliation. I wanted to what extent if Peabody wanted to if he gets credits, but he's not doing it. So why does it need, um, Cary to do that? Um, the other one, perhaps more important is that as a benefit from not going ahead with this, um, process. So the, the, um, the carbon capture facility, I'm pretty sure that a lot of people would be so delighted that they'd volunteer their time and efforts to actually do everything that Cary is hoping to do with less loss or gain, depending on how they calculate it.

00:46:05:14 - 00:46:05:29

Thank you.

00:46:06:01 - 00:46:16:10

I think the second point was a was a comment. I think the the first question was, I think that had been touched on by the applicant, but I think would be helpful if the applicant could just expand on, uh, on that.

00:46:17:09 - 00:46:28:11

That Mr. Fox and part of the, um, applicant. I didn't quite follow the question. I didn't I'm not sure if you meant credit in terms of credits with the community or whether you meant biodiversity. Credits.

00:46:30:11 - 00:46:35:25

James Stewart. Independent. Um. Biodiversity. Credits. Um. Habitat banking, this sort of thing.

00:46:37:26 - 00:46:54:04

I think if I understood this here, it was again, sort of, um. Why? Um. What why doesn't why don't those sort of activities happen in any event, uh, without the, uh, the intervention of this, uh, this proposal. Have I got that correctly?

00:46:54:06 - 00:46:54:28

Yes.

00:46:55:21 - 00:47:05:12

That was about that. And I think I can only ask the points made earlier, which is there's no obligation to do so. Um. It's aspiration. What we're doing helps things happen on that site.

00:47:06:12 - 00:47:38:27

But I think also, I think Mr. Joyce mentioned something about the resources that Peabody, um, might, may or may not have have available. Um, it's just understanding, um, because I think that was something I was keen to, to probe as well as to, uh, Peabody, clearly from the number of different sort of strategies and approaches that that have been mentioned, have got some aspirations for improving that land is just understanding the, uh, you know, the, the impediment to them doing so and what, what the application proposal does.

00:47:39:03 - 00:47:40:09

Uh, that would change that.

00:47:40:23 - 00:47:41:08

It's the first.

00:47:41:10 - 00:48:01:09

Part. The applicant, I think we're getting into the realms of where we would be speaking to people. So I think we can only say that, um, has been said. They've developed a number of strategies, but there hasn't actually been delivery. Um, and what we're talking about here is enabling that delivery to happen with a funding contribution to go through the ASX.

00:48:03:04 - 00:48:26:18

Yeah, I and I understand your point there. It's the focus on perhaps pushing you too far to speak on that. But I think it's just that understanding, if I understand the concerns of, uh, that have been raised, is, is again, that issue is that if, if something may, may happen through other other means, it's understanding actually. Therefore, what are the implications for fit for your scheme?

00:48:27:08 - 00:48:28:05

I think I think the first.

00:48:28:07 - 00:49:01:19

Point is that we are we're not only, um, securing that something will happen whilst in securing that it stays there. You know, the 30 year commitment delivered by BMG. Whereas um, and again, I don't want to be able to hear but their aspiration right now might be to deliver that. But given the, the sake

of argument, given the pressures on housing, they might need to decide that actually they want to build on that, um, on that land. But at least now we will be delivering ecology. And, you know, the ability of that to happen will be more difficult because we've now created habitat.

00:49:01:21 - 00:49:17:11

So again, I think I think we're we're kind of casting that kind of future thoughts of what Peabody may or may not have. But crucially, what we're ensuring, we're showing that this happens and that it's delivered and then it's managed, um, for at least 30 years.

00:49:18:29 - 00:49:38:25

Okay. Thank you, Mr. Fox. Are there any other comments? Uh, around the. And I will come back to the to to the point about, uh, Norman Road field and the cross ness, uh, nature reserve, uh, shortly. Um, I just wanted to see if there's any other comments specifically around, uh, Timmons Mead, uh, golf course and the proposals there.

00:49:43:03 - 00:49:53:18

Uh, well, if if you have a first, can you just wait for the microphone? Uh, but if you can, if you can introduce yourself, I'm willing to let you say what you'd like to say.

00:49:53:20 - 00:50:34:26

It's like. Thank you. Uh, and I'm, uh, an independent person, lover of nature, etc.. Um, I, I've just got a question about your intentions and your abilities with this mitigation. You mentioned to the examiner about Riverside One what you were doing with mitigation, but then you weren't very clear about what you were doing with Riverside two and your obligations and what you're doing. I would be interested to know what those are, just so that it can be even seen that it could follow through with some of these plans for, um, if the case gets through.

00:50:35:19 - 00:50:38:10

So if the applicant can, uh, can address that, please.

00:50:39:05 - 00:51:02:00

Miss Berry, on behalf of the applicant, if I could leave Doctor Joyce to deal with the ecology details. But just, uh, to give you an overview in terms of, um, riverside to the, uh, landscape and mitigation proposals were both, um, on site, which will be, um, delivered when we get to that point of landscaping on site. Currently, we're building things rather than laying out the landscaping.

00:51:02:04 - 00:51:22:03

And so so when you say on site, you mean sort of effectively within the Riverside campus. Yes. So, so not within the, the, the land that would either be proposed for, uh, an extended nature reserve nor nor land that would be occupied by the, uh, the carbon capture facility. If I got that correct or Miss.

00:51:22:05 - 00:51:57:21

Berry on behalf, let me go back. Go back a step further. Riverside two is a VFW facility located, uh, to the west of the existing Riverside one. So within within that Riverside campus at the northern end of Norman Road, the Riverside Energy Park DCO two, its full title also included a long um, electrical connection route going out to the little Brook substation, uh, in Dartford. So in terms of, uh,

ecological mitigation, we had to consider the impacts on the Riverside campus, but also from laying that electrical connection route.

00:51:58:09 - 00:52:04:05

So that was dealt with through a combination of landscape proposals on the Riverside campus.

00:52:05:20 - 00:52:13:23

Um, um, considering the effects of the electric connection route and then also looking at Warwick's north or south Gannon.

00:52:15:09 - 00:52:49:03

The landscape proposals within the Riverside campus aren't affected. The electrical connection route has been largely laid, and actually the, um, environmental statement and the biodiversity mitigation strategy that was submitted and approved for the scheme, uh, assumed a conservative worst case approach in regard to the electrical connection route and assumed that a number of trees and green areas would be affected in laying that connection route. Actually, most of it's been laid and been laid in the public highway, so none of those trees or green areas have been affected.

00:52:49:05 - 00:53:26:14

So we're in a better position in terms of the electrical connection route. Borax North and South have been compensated for. Apologies that I've used the wrong technical term there, but there the off site mitigation. They're the five separate conservation sites that fall within Bexley one Bexley and then straddled into Um, Greenwich. So they're not affected by this scheme. And then there's the Gannon land, which is the ome, which, as Doctor Joyce explained, we're proposing to relocate to the golf course.

00:53:27:16 - 00:53:57:11

Um, so that's that's mitigation required for Riverside two. Um, and, um, I just wrap up that I just wanted to briefly pick up on your point about Thames Mead and about, um, golf course and fallback of using credit. That's really not the project's aspirations. As we've demonstrated the Riverside to really likes to deliver its mitigation proposals locally. Um, and that's really what we're trying to drive out with the mini golf course proposals as well.

00:53:58:27 - 00:53:59:12

Thank you.

00:53:59:26 - 00:54:06:08

Um, it's, uh, I apologize on behalf of the applicant. I fear Miss Berry has said everything that I would say on the subject.

00:54:07:00 - 00:54:07:21

Okay. Thank you.

00:54:09:13 - 00:54:11:10

Mr.. Oh, the microphone has gone, but.

00:54:12:06 - 00:54:12:21

Okay.

00:54:14:20 - 00:54:15:05

Thank you.

00:54:18:03 - 00:54:49:09

I think this is now a good opportunity to look at the, uh, uh, the application that the application site and obviously the application site includes a large area of, uh, of land to, um, uh, which includes parts of the, uh, the Cross Ness Nature Reserve. Um, uh, again, I think, um, rather than perhaps having the sort of, um, uh, the, the, the overview, there was a number of specific questions I wanted to, uh, to, to, to ask on, on that.

00:54:49:19 - 00:55:26:08

Um, uh, and actually, again, it just, just bring you back to the, uh, the belvedere of Howard Station, uh, jetty, because, um, the lab identifies that as a as a bird nesting feature, but obviously the flexibility of the works proposed in the, in the DCO, uh, I think, uh, sort of cater for that being removed. My understanding is that the application has been, um, uh, prepared on a sort of worst case scenario. So presumably both in terms of habitat and, uh, uh, built environment conservation terms, it assumes that that would be removed.

00:55:26:14 - 00:56:00:15

Um, can you, can you say a bit more about what the implications of that are? Because if it's been identified as a, as a bird nesting feature, yet the proposal assumes it's, uh, it's removal, uh, as a worst case scenario. And I appreciate that, that the way that you've, uh, indicated sort of set out the proposal as it stands, that might not be the case. But if you could just say a bit more about that. And, you know, particularly if actually the leopards and any, uh, nature conservation proposals rely on that being retained, what the implications of that would be if it is if it's removed.

00:56:03:00 - 00:56:38:05

I apologize apologies to the applicant. Um, it We. I don't disagree that it's a bird nesting feature. And survey work has shown that the oystercatcher nest on that, uh, the power station jetty we have taken in the is a worst case approach, uh, assuming removal of the jetty. And that's been incorporated into the impact assessment, um, uh, in, uh, in the same way as we've treated other nesting bird habitat within the site. Uh, so, um, and we provide mitigation for nesting birds through, uh, to.

00:56:38:07 - 00:57:09:17

Yes. And it's, uh, it's measures. Um, the other side of this is, is biodiversity net game, uh, where the structure is, um, the structure is actually not considered within biodiversity. The net gain the body doesn't gain report as, um, uh, as a habitat of value because it is a built structure. Um, the two schemes work slightly differently in the fact that we, um, uh, for biodiversity game purposes, we assess habitats on, uh, by classifying them.

00:57:10:02 - 00:57:24:16

Um, and built structures do not score um, uh, biodiversity units. Uh, so, um, to put it, uh, quite simply, that's, that's the way that it's been taken in our assessment work thus far. So, so, so.

00:57:25:01 - 00:57:37:20

I'm just moving away from the sort of the, the metrics and the classification of biodiversity net gain. So what what what are the proposals to, uh, uh, to, to mitigate, uh, for any loss of, uh, uh, of nesting habitat.

00:57:39:03 - 00:57:51:01

For Joyce and Bob, for the applicant, it would be, uh, demolition of the jetty, uh, if it was to be demolished outside of the bird nesting season to avoid, um, direct impacts on those oystercatchers and other birds.

00:57:53:21 - 00:58:01:16

So, so the mitigation would be avoiding damaging nests rather than providing an alternative. Um, uh, habitat, is that correct?

00:58:02:04 - 00:58:04:02

That's correct sir. Yes. Thank you.

00:58:25:15 - 00:58:46:21

Thank you. That's that's been helpful on that particular, uh, particular point. Um, again, because I'm sort of, um. Uh, asked the applicant to, uh, to respond to particular questions. Uh, are there anything under item 3.2, in terms of the overall approach to the, uh, the site, in terms of mitigation compensation you'd like to like to draw to my attention?

00:58:48:15 - 00:58:53:27

Uh, no, t in fact, obviously, I've got some more detailed points about management and things like that. So I think.

00:58:53:29 - 00:59:07:08

I think we'll wait till point four because I think that more better work and better respond to the points raised by the Friends of Nature Reserve in terms of how it interacts with them, previous consents and mitigations. So we'll do that in section four.

00:59:07:20 - 00:59:08:27

Thank you so much. Um.

00:59:09:18 - 00:59:10:07

Yes.

00:59:12:00 - 00:59:48:24

Thank you sir. Lauren spent your old stay across nice nature reserve. Just a point about nesting birds. Many of the birds using crow's nest. Whether it's the reed beds or the other structures around our migrant birds. Some travel thousands of miles from places like East Africa specifically to build, to breed on the nature reserve. And, um, as we face a biodiversity crisis alongside the climate crisis. I think it's fair to say that by destroying these habitats, we are contributing directly to species loss.

00:59:49:14 - 00:59:50:09

Thank you.

00:59:51:13 - 00:59:55:27

Thank you. Is there anything the applicant would like to respond to that?

00:59:56:02 - 01:00:28:21

Uh, Paul, just, uh, just about the applicant. Um, just to say that, um, I don't argue, uh, no argument with, uh, migratory birds being present on the reserve. I'm a bird. And myself, um, and, uh, and run a small volunteer site where I monitor migratory birds so well aware of the the value of migratory birds in and around the Thames Estuary area. And for that reason, um, we have evaluated the breeding bird community of the site as of county value. Um, and it's, uh, it's a being considered as, uh, an important ecological feature within our impact assessment.

01:00:30:15 - 01:00:31:00

Thank you.

01:00:32:20 - 01:00:56:24

The next point at, uh, 3.3 was, um, again, a rather specific point. Now I'm conscious. I did ask some questions. Oh. Um, sorry. I just wanted to ask this some questions on online. Uh, now, I noticed that, uh, both Mr. Wilson and Mr. Pennington have got their hands up. I'm afraid I didn't have my on the screen to see who is first. So, um, uh, I'll invite Mr. Wilson because he's at the top of the screen.

01:01:00:02 - 01:01:30:06

Thank you very much. David Wilson of Thames Water. I was just going to add in relation to the mitigation strategy. It's misleading to refer to a larger cross nest nature reserve, because both the Cross Ness Nature Reserve and the Norman Road field already have section 106 is requiring them to be managed for wildlife habitat. And we will also be losing part of the cross less nature reserve. So overall there's no net increase in wildlife habitat. There's a net decrease.

01:01:33:09 - 01:01:36:07

And can I ask the applicants to respond to that point.

01:01:37:01 - 01:02:12:15

So I can I can, but I think that would as a whole sorry. I can answer that in response to the kind of the wider discussion that I wanted to talk through in terms of how all of our proposals work. So I can I can answer that now, or we can wait to come up with the answer to your questions. But I think, in short, our point would be. We would disagree. We consider that we are expanding the nature reserve, not least because the Open Nature Reserve is a designation. Um, and that's not been applied to the Northern Road field. Um, and that we therefore argue that there is most definitely a net, um, gain.

01:02:13:00 - 01:02:22:12

Um, not in terms of the metric that kind of the size of the nature reserve. Um, I can go on to explain how we think that works with the existing indexes, but do we need to wait for that?

01:02:22:23 - 01:02:38:08

Uh, I mean, Mr. Wilson, I mean, Mr. Fox is correct that actually there are some sort of supplementary issues will come onto. Would you mind sort of bearing that, uh, bearing that in mind? By all means, come back in. If, uh, that hasn't addressed your questions. Does that sound acceptable, Mr. Wilson?

01:02:39:12 - 01:02:40:29

Yes. That's acceptable. That's fine.

01:02:41:19 - 01:02:44:04

Thank you. Uh, Mr. Pennington.

01:02:46:16 - 01:02:48:06

Sorry, sir. I've noticed that the.

01:02:48:08 - 01:02:51:17

Point I was going to raise was in relation to 4.1. So I'll go on to that later.

01:02:52:21 - 01:02:53:16

Okay. Thank you.

01:02:54:15 - 01:02:55:00

Um.

01:02:55:29 - 01:03:43:00

So. Yes. So apologies for missing your hands up there. Um, yeah. So the next point was, uh, 3.3, and now I'm conscious. This morning we did, uh, talk about, uh, gas, gas supply ductwork. And, uh, there was some information provided about the implications of, uh, of that. Um, I think the, um, uh, the, the main, uh, steer of what, what I wanted to, uh, to to ask about that. Uh, it is again, I think going to the, uh, going to the configuration I think some, some, uh, sort of questions were probably answered this morning, but, um, you've obviously identified an area of land to the, uh, to to the west and to the south of Riverside, uh, Riverside to where the ductwork would go.

01:03:43:02 - 01:04:43:10

And obviously that land has a current, uh, you know, that that is, uh, has, uh, a particular status in terms of its sort of nature conservation, uh, uh, status now, uh, I know. Uh, people from the, uh, from from the applicant's team explain some of the implications of, uh, of the duct work in terms of its likely configuration being raised and also temperatures that, uh, were generated. Um, I was just trying to understand whether, you know, the, the routing of duct work, which and again, please correct me if I'm my assumption is from what the applicants, uh, said already that it would be in a raised configuration, uh, around there, what the implications would be for any, uh, any habitat that was effectively set on the land, uh, whether any could coexist, uh, whether there's actually a requirement to treat the land underneath, uh, the duct work in a particular way for, for maintenance and management and whatsoever that might not be compatible with, uh, with, with particular forms of management for nature conservation.

01:04:43:21 - 01:05:01:28



Um, so, so that was a bit of a waffling question there, but, uh, does that. If I conveyed what what what I'm after, that is really just how that how the land underneath any flu would be treated and what the implications would be for your sort of broader strategy for nature conservation on the site.

01:05:02:07 - 01:05:32:15

So I believe I can provide an answer. Paul Joyce, uh, the ecologist for the applicant. Um, uh, I'll speak to this in the way that we have approached this issue in the environmental statement, um, which is that we've assumed, um, taking the precautionary approach and undertaking a shading study that shown that there will be significant shading impacts to habitats, but in a very small area around work, um, with I believe that the shading study, uh, show the effects will be within 10 to 20m.

01:05:32:26 - 01:06:08:20

Um, the ductwork which and what we have, uh, what we have done is then, um, assumed that, uh, habitats, uh, would be the existing habitats would be lost underneath that ductwork Work,, with the exception of the water in ditches. So the habitats that would be lost would be, uh, would be grassland. Um, and refit that form around the ditches and primarily the riverbed there, which also um, linking back to Tim's View golf course is one of the reasons we have such a high need, uh, for riverbed creation.

01:06:09:03 - 01:06:40:03

Um, uh, it's to account for the shading of the, of the ductwork. But we do believe that the open water in the ditches can coexist with the ductwork, um, albeit in a rather denuded fashion. Um, and, uh, the other point to raise about this is there will be grass, uh, underneath the ductwork. The assumption we've made, uh, it's not just going to be bare ground. Um, it is possible to have a planted, modified grassland, uh, underneath the ductwork.

01:06:40:08 - 01:07:00:11

Um, going forward. So to sum up, there will be an impact of the work through shading. We've incorporated that into the environmental statement. It's also been incorporated and allowed for in our biodiversity net game work. Um, but we will be left with something afterwards, which will be a grassed ditch. Wet ditch.

01:07:01:18 - 01:07:24:23

Okay. So if I understand correctly, you're the. And I'm conscious that there's a, there's further, uh, further development to be done. But your approach wouldn't necessarily be to say. I know, but hardstanding or gravel or something underneath it. Up to it. Um, you've you've accounted for its loss. You're saying in the, in the. Yes. But you would also allow for some form of natural environment underneath. Is that correct?

01:07:25:03 - 01:07:26:05

That's correct sir. Yes.

01:07:26:19 - 01:07:37:18

Uh, just just on that and also, uh, again, this is, uh, uh, I can't think of where I've, where I'm ready to put, uh, would that be fenced in with some sort of security fencing?

01:07:39:11 - 01:07:46:16

I believe so, but I might ask Miss Barry. who, uh, may know more on this than I do. Apologies. I'm sorry.

01:07:49:16 - 01:08:01:10

Uh, sir. Thank you. Mr. Perry, on behalf of the applicant. Um, I believe that's that's sort of a detail we'll be looking at in the, uh, detailed design phase. Yeah. Um, so it's it's a sort of a level of detail, a bit beyond this at the minute. Okay.

01:08:01:12 - 01:08:15:10

I'm just trying to, I guess, get a picture of actually, um, you know, you are proposing to, uh, take a fair strip of land around the edge. I'm just trying to get a picture as to, uh, what that might look like. Although you've popped one up there. Um.

01:08:17:29 - 01:08:47:21

Yes, you'll you'll recall me referring to this one. Uh, when I was talking to you this morning. Uh, Miss Perry, on behalf of the applicant. Um, so it's taken from the design approach document. Figure 512. Um, and it's, uh, it shows our sort of early thinking to date in terms of how that ductwork might work alongside, uh, habitat on the northern and north eastern boundaries of the Cross Ness Nature Reserve. Um, noting that we are at an early stage of of design.

01:08:49:01 - 01:08:50:03

Okay. Thank you. Thank you,

01:08:51:24 - 01:08:52:17

Mrs. Pinault.

01:08:54:02 - 01:09:28:09

Thank you sir. Laurent spent your old safe across this nature reserve. It should be noted that many of the species present on site. And I'm referring to bats, reptiles, invertebrates, water voles, which is, um, Britain's fastest declining mammal, are very sensitive to disturbances, whether it's through light, vibration, shading and those sorts of activities. So it is untrue that this piping work would have no effect on local, uh, wildlife.

01:09:28:29 - 01:09:44:03

To be fair, I don't think the applicant was claiming it wouldn't have had an effect. I think from what Mr. Joyce was explaining, um, was that they were assuming that it would, but, um, um, I'll let the applicant come back on that. In case I've misrepresented that.

01:09:44:19 - 01:09:57:20

Um, on behalf of the applicant. I just respond by saying lighting, noise and shading effects have been included in our impact assessment as effects of the development should be mitigated. Thank you.

01:09:59:04 - 01:10:35:00

I think in terms of, uh, questions on that particular, um, uh, point, I'm just apologies because I have been jumping around my, my, my agenda there. Um, I think in terms of questions, uh, that relate

specifically to that, I think that probably concludes that the questions I've got on item uh, on on item three. Um, and I'm conscious that, uh, Mr. Wilson wants to come back on something which is covered under item four. Um, but can I just ask to see if there's anything else that anybody needs to to raise on? Uh, on item three before we move on to item four.

01:10:38:15 - 01:10:47:19

And also whether there's any points that the applicant would like to make now that won't be picked up in the next in the next section. Okay. Thank you.

01:10:49:09 - 01:10:50:08

Thank you. Um,

01:10:52:02 - 01:11:23:04

there was a there was some overlap. And obviously that's, uh, showed itself in how I've asked some questions about both items three and four. Um, the, the thrust of the information I was trying to, uh, to, to, to look into on, on item four, um, is around uh, particularly issues that have been raised by relevant representations about the potential for, for overlap of either existing, uh, arrangements, be they management arrangements or existing legal obligations.

01:11:23:10 - 01:11:59:06

Uh, and their effect on the uh, uh, on, on on the site. Um, I'm conscious, uh, that there is the, uh, there's a the crossing's local nature reserve was as a result of a planning application for the the the scheme within the Thames Water at Thames Water site, and that the proposal seeks one of the. The provisions of the DCO would be to abrogate, uh Thames Water's uh, sort of obligation in that, uh, uh, in that, that extent and I've got a number of detailed questions about that.

01:11:59:15 - 01:12:30:10

Um, but and I think also there is the question of, uh, other, other obligations and this may be something where, uh, the council may want to, uh, want to make a contribution as well, um, including the, the business park in relation to the Norman Road field. Um, and I think what I'm just trying to do is to get, get, get a picture. Um, and actually, it may well be, uh, helpful if this this could perhaps be represented graphically. And if it's not already covered in the, in the, in the documentation that's been provided.

01:12:30:15 - 01:13:06:24

Um, as to to what? To what sort of, uh, uh, arrangements there are already there. Um, but before I get on to that, I think you've, uh, it's already been explained in terms of management plans or regimes or obligations in, in respect of the, uh, of the terms of the golf course, um, in terms of the local nature reserve, I understand that, uh, Thames Water already have a management plan for that. And I think that provided part of your documentation. Um, there's been reference, uh, to the Norman Road, uh, field and also to Peabody, who I think, uh, own that.

01:13:06:26 - 01:13:31:27

And, uh, what what, um, uh, schemes, they may or may not have in place. So, uh, particularly, I think, in respect to Norman Road. Field. What what is the, uh, requirement in terms of any relationship to, to

planning obligations and also what are any existing management arrangements and, uh, how the, uh, how they're sort of, um, implemented. And if I can start with the applicant on on.

01:13:32:05 - 01:14:03:21

Behalf of the applicant, say, I think we've only just become aware, I would say, of the, the, the planning position in respect of, um, the Viridian Road, um, pavilion business park, uh section 1106. Um, but what I would say, sir, is, is that our approach to that will be the same as what we have for Thames Water. We will be updating the DCO and the bars to account for it. And I think therefore, it would help if I can just explain what our general approach is from a practical and legal point of view.

01:14:04:00 - 01:14:36:22

So, so I think the starting point is that our proposals, from an ecological point of view, are reflective of what the baseline, the ecological baseline position is. Um, and um, whilst it is recognised that both the um Local Nature Reserve as it currently stands and the Norman road field, uh were created and are um subject to um, various obligations. Um, we've got to deal with the reality of what's there on the ground in terms of the ecological, um, position.

01:14:36:24 - 01:15:23:11

And so what we what we have in, in the labs builds on, um, what was, um, built on, as the Bard says, because it annexes the existing management plan. Um, builds on what, what's required there. But, um, is reflective of, um, what actually the position is and goes a lot further. We say, um, than what's currently required, um, pursuant to that management plan. And you can see that so yourself from looking at annex A in the context of Alaba's proposals and in terms of the Norman Road, um, field, um, you would have seen that the um, say cross have submitted their, um, their version of the CAC, which sought to summarise when we now understand the protocols to be.

01:15:23:13 - 01:16:00:13

And you will see that that talks about managing Aging ditches, sluices at facilitating grazing, facilitating bird habitats, um, and providing fencing, all of which we're proposing. But um, in a essentially in a, in a way that haven't done and unaccompanied science fiction. So you will see, um, what the baseline position is and, and our proposals are to take them forward, um, and build them essentially bigger and better than, than what's already been provided. So that that is the kind of space, the practical, technical, ecological, um, reality that we're trying to create.

01:16:00:25 - 01:16:39:29

Um, and in terms of the, the legal position, the idea is that through um, the requirement 13 um, and through the um, DCO drafting, um, and through the 106 and say we will be updated into account for building business park to essentially achieve the same thing, which I'm about to say, which is to to wipe the slate clean and to say essentially, for all intents and purposes, from a legal position that they no longer exist, and what exists is a consolidated delivery strategy delivery management strategy for all of the the green areas adjacent to the Riverside campus pursuant to the the buds.

01:16:40:09 - 01:17:22:14

Um, so, um, that's what article 48 does that kind of blunt instrument job of, of, of doing that, abrogating the 106 provision, um, doing away with the existing nature reserve, um designation and creating the new one for the um, expanded, um, nature reserve. Um, the idea is with the with the head,

the terms of the 106. Um, um, is that, um, we want to create a position that we understand that, um, part of what is now the current nature reserve, um, is behind Thames Water's operational fence and known as the the members area.

01:17:22:16 - 01:18:02:04

So the idea of the bards and the what we want to happen within one is next is that that would be included in this overarching management regime. So the idea is that Thames Water would be a party to the 106 to um, alongside ourselves, agree that they would manage, um, the land, uh, that they're part of the members area behind the operation fence along, you know, as part alongside us as part of an overarching expanded local nature reserve. Um, and the heads turn, um, essentially seek to say that quarry would cover the cost to Thames Water of any kind of additional cost of that being the case.

01:18:02:12 - 01:18:38:12

Um, and also, um, Thames Water currently employ the um nature reserve manager. So the money provides for that to continue in relevant um, uh, cost to be covered for any additional work by quarry. Now, what I would say is the, um, the benefits that we say exist, um, by through the proposals and on the boards aren't reliant on that being the case. We appreciate the Thames Water will take their own view on this. And it may be that they say, notwithstanding the fact that we would seek to ensure that we're covering their costs, they don't want to do that.

01:18:38:14 - 01:19:14:00

If that's the case, um, we, you know, would we would we would, um, amend the, the baths, um, and develop the 106 and slightly different way, um, to not include the party and essentially say that we, um, would, you know, seek to build a bath would become more aspirational in terms of our management with, with the Thames Water. But we still we would still say that, ah, even if it didn't include that member's area, the improvements that we're making to the normal road build and helping it be managed alongside, um, the current area of the nature reserve, um, will be an improvement to the baseline position.

01:19:14:17 - 01:19:57:11

Um, and finally, um, in relation to the fact that the, uh, sludge incinerator 106 um, requires the management to be for 99, um, years from the time that was entered into. Which takes you to 2093. Um, uh, heads of service. 106 um, ah, on the basis that, um, at the point in time that our scheme becomes decommissioned, if there is any gap between that point and 20, 93, um, we would pay an endowment sum to Bexley, um, to, um, be able to cover the costs of, of managing it for that, um, extended period.

01:19:57:25 - 01:20:28:23

Um, so that's essentially in some our proposals recognise that these things are happening currently pursuant to, um, at the Planning Commission and 1 to 6 is seeks to build on them and make them better. From a practical point of view and from a legal point of view, um, Creates a brand new regime pursuant to the DCA, um, and ensures that there's no loss in terms of if you were going to call it as such in planning terms. Um, from what Thames Water were committed to do back in 1994.

01:20:31:02 - 01:21:04:08

Thank you, Mr. Fox. Um, before I I've got some I've got some detailed questions about the, the implications of that, that approach. But, um, I'm wondering whether I could ask the council specifically, um, if they're in a position to do so just just so that I understand the, the position that, um, that the, the application side is as it sounds, it's so I understand the, the section one, two, six relating to the sludge treatment. That's the sludge power station. Um, but also with the with with with the business park.

01:21:04:24 - 01:21:21:14

It is is that your understanding of section 106 or other obligations which relate to the site? Or again, it was mentioned by the applicant that they only became aware of the the one relating to Norman road fields relatively recently either. Are there any others that are you aware of?

01:21:25:16 - 01:21:43:21

I missed the chat for, uh, the council. Um, we similarly were only made aware of the, um, um, um, um, uh, of the section one search that Mr. Fox referenced. Um, we're not aware of any other, uh, section 106 is, um, that apply here?

01:21:44:20 - 01:22:16:26

And what I mean, what is, uh, what what is what is the council's, uh, view? If you if you have one, obviously there's there's, uh, you know, a couple of developments which obviously required some, uh, required some in the want of a better phrase, mitigation. Mitigation, which would kind of be delivered through a, uh, a section 106, uh, obligation. Is there anything that you want to say about, um, uh, the, the approach to the applicant has in terms of, uh, uh, to paraphrase, I think what Mr.

01:22:16:28 - 01:22:39:23

Fox would say that they're they're taking what they see as they found it, and that's what they base their approach on. I think I've captured that, uh, that correctly. Does the council have anything they want to to, to say about that, particularly in terms of we've got a couple of developments that required some sort of mitigation. There's arrangements in place to, to, to do it. Um, in light of the implications of this proposal, uh.

01:22:40:07 - 01:22:59:03

Mr. Chow for the council, um, yes, I've, I've listened to what Mr. Fox has just said, and, um, there's nothing there that strikes me as making me uncomfortable in terms of their approach, but obviously we we would be, um, um, we wouldn't have to look at the detail first of all. But, uh, there's nothing that makes me uncomfortable.

01:23:02:01 - 01:23:32:04

Okay. Because I think the question which is also, I think, been raised by a number of relevant, uh, representations, was effectively, um, the potential for use. I'll use the phrase sort of double counting, which probably doesn't completely accurately cover it, but that, um, uh, for example, the business park was approved subject to a section 106 obligation that required some some improvement works at uh, Norman Road Field. Uh, the applicant is also proposing some improvement works at Norman Norman Road field.

01:23:32:06 - 01:23:59:06

It is is is there, I suppose one which is I'll ask the question to the applicant in a minute. What's what's the is there any added added value and what they're proposing. Or is it just replicating an existing uh requirement. But also is there also a risk that an existing development which required mitigation effectively no longer has that mitigation in place because it's doing doing something for a different development? Um.

01:24:00:26 - 01:24:01:11

Um.

01:24:02:16 - 01:24:08:16

So sorry, I was just asking for council first. Mr. Fox, please, you can come back after the council of, uh, of responded.

01:24:10:13 - 01:24:38:00

Mr. chairman of the Council. No, uh, you're entirely correct to to set out, uh, those particular concerns and risks. Um, they do, uh, exist. And, uh, at the moment, I'm afraid I don't think the council are in a position to, um, make any meaningful comment on that. Um, again, it would it would be dependent on, on on what it is, uh, proposed in the section one to say it's the detailing, I'm afraid.

01:24:40:12 - 01:24:54:06

So. Okay, I can understand that the council are perhaps in a position to, to respond to that. But if if I understand yours is you want to understand a bit more about the implications of it before you're going to comment. If I got that correct, that is correct.

01:24:54:08 - 01:24:54:23

Yes.

01:24:56:01 - 01:25:05:21

Um, this is a penalty. So if you just hold on, uh, I'd like Mr. Fox to respond to that point first before I, uh, let you have a say.

01:25:06:09 - 01:25:46:03

Mr. Fox walked up and I'll ask Doctor Joyce to speak to why we consider that what we're doing is an improvement. Um, I think I suppose they're interrelated, that that question about what does this mean, that we are putting it at risk, that those other developments are no longer mitigating the impact of their, their scheme? Um, and I think the answer to that question is no, because a, uh, as I said, the baseline is what the baseline is, but B, because that's the baseline to the extent that that mitigation has been delivered and we are improving on it, it can only be better than what they were already required to do.

01:25:46:18 - 01:25:58:03

So the our our position is there's nothing that we are suggesting. And you can see that through the references to the, um, the management plan appended to the um,

01:25:59:23 - 01:26:11:04

uh, the boards that what we're doing here is, is a betterment from a starting point of assuming that those those impacts have already been mitigated. Um, but I'll let you speak to that.

01:26:12:19 - 01:26:44:02

Um, second, just to the applicant. Um, uh, what? Matt, that just just said is true that the terms of water management plan. Um, it actually wasn't our starting point for, uh, for designing our improvement works. We surveyed the site, um, and, and identified that the floodplain grazing marsh that comprises the majority of what comprises in the wide field, um, is in poor condition, and that's following the default metric condition assessment methodology, which we used to assess.

01:26:44:12 - 01:27:16:09

And again, um, it was quite interesting to then read the terms water management plan independently of that which I did afterwards. And uh, and uh, and saw that, um, the, the reason why I've been grazing marsh is uh, is in poor condition is, is low water table and it's very well discussed in the Thames Water Management Plan. The two independent assessments have come to the same conclusion that the habitat at Norman Road Field is, is in poor condition and has something that is in need.

01:27:16:19 - 01:27:37:22

Um, of I don't I don't use the word repair. It's not the best word to use, but it's a factor that needs to be addressed to allow that habitat to be, um, to attain, attain value. And it's, uh, is a factor in limiting the value of that at the moment. And that's what we seek to primarily to change about Norman Rayfield.

01:27:38:21 - 01:28:16:09

Uh, so I'm still trying to understand on that that there was a planning obligation that required some something of which I'm not entirely sure to happen at Norman Road Field. Um, uh, I'm unclear whether that has, has happened. Um, so is it a case that actually and I'm not suggesting there's any sort of criticism of any particular party or body is in the case that something should have happened today, and it hasn't in terms of how no one road field would have improved. Is it a case that actually it has happened, but it was at a lower a lower grade than perhaps the the applicant are suggesting.

01:28:16:17 - 01:28:46:21

Um, and then also actually trying to understand that, that the difference between those both in terms of the, the difference in uh, actually what the, uh, you know, the habitat quality, for want of a better, better phrase would, would be as a result, but also, um, and again, acknowledging that the point that Mr. Fox has made a couple of times about you were dealing with what your, uh, what you're faced with but should, should. Yeah. So should the, should the condition of Norma Field be different, uh, than it is.

01:28:46:23 - 01:28:49:19

And then if, say, what's the difference between that and what you're proposing.

01:28:50:02 - 01:28:50:17

To.

01:28:51:07 - 01:29:27:19



Do to the applicant in answer to the question, should the condition, not Norman Redfield, be different? I believe so it's, uh, if it is to be a valuable floodplain grazing marsh habitat, it should be marshy and for a large part of the year the water table is very low in field. Um, so it has features, uh, it has conditions which are not amenable to cooling, that are holding its value back, that we seek to rectify. Um, just in reference to the mitigation that Meridian Park, uh, the Meridian Park development advance, those were physical changes to the habitat.

01:29:27:21 - 01:29:48:07

Just digging, uh, digging a large water feature, um, creating a scrape and improving and seeding for grassland enhancement, which were point, um, interventions. Um, but we're not necessarily looking in the same way, changing the condition in the long term as we're seeking to.

01:29:49:12 - 01:30:21:20

So, I mean, so is it a case that the interventions that would have put in place, which I think you're saying perhaps haven't Um, are you saying they haven't worked as they were intended to? Um, are there externals, external issues, like, as you mentioned, that the water levels haven't provided the habitats that you're expecting on that site? Um, so is it a case that actually it was a, uh, for want of a better phrase? Uh, a well intentioned intervention that just hasn't worked? Or is it something that, um, has failed to work through a lack of management or maintenance or something like that?

01:30:22:26 - 01:30:56:22

Apologies to the applicant. In a way. I want to say that that we're comparing apples and oranges in some respects because, um, the interventions that the Viridian Park development, um, put onto the site were digging a water body that is still there. Um, and, uh, but then also creating a scrape which is now, um, doesn't really function as a scrape. So there's a mixed bag there because of the lack of long term management of those, um, of those interventions. Um, what, uh, what we're seeking to do is very different.

01:30:56:24 - 01:31:28:15

We're seeking to, um, to create change the condition of floodplain grazing, marsh habitat rather than dig up on dugs. And what we are proposing to take some ditches, but we are, uh, we are proposing to change the condition of the habitat as a whole, um, rather than simply provide some features, um, uh, in addition to the site, to diversify the site structure. Hopefully that doesn't seem too bamboozling. Um, but those those features were not managed, uh, in the long term. And the way that we're proposing to manage the floodplain grazing marsh.

01:31:29:28 - 01:31:43:24

And do you have the information available to know that actually, you mentioned they weren't managed. Was that because there wasn't a regime in place to manage them or there wasn't? It hasn't happened, or you're not in a position to to comment on that.

01:31:44:05 - 01:31:54:25

Um, which I was unaware of, ongoing management and. All right. Field um, that uh, through um, the, the owners of Tiffin and the Tilton man.

01:31:57:16 - 01:32:01:04

Which is not my main field. Sorry, that is the Norman Redfield. Sorry. Yes.

01:32:03:01 - 01:32:03:16

Thank you.

01:32:03:23 - 01:32:09:28

Yes, sorry. It's pinnacle. I apologize if I'm not. Pronounce your name correctly.

01:32:11:23 - 01:32:39:06

Thank you very much, sir Laurence Pinturault for safe cross ness nature reserve. I think it may be helpful to provide a very short history in complete history of what happened with that site. It was the subject of a section 106 over 20 years ago, when Veridian Park was built in, um, uh, planning documents. Can I give you a reference to the planning documents in Bexley, or do you have them?

01:32:39:08 - 01:32:43:03

Well, is it something that's been submitted? Do you know if it's part of our examination library?

01:32:43:05 - 01:32:52:03

Or we can certainly submit that in our next round of submission. But in the, uh, The Planning Commission.

01:32:52:16 - 01:33:09:16

Sorry to interrupt. I mean, the applicant did say that in respect of the normal road field, but I think they were going to provide some more information around that. So it may well be that that that gets picked up if I've, if I've understood you referring to a planning document relating to, to the Virgin Business Park. Yeah.

01:33:09:18 - 01:33:43:10

There seems to be a kind of corporate amnesia, uh, in relation to that site. It belonged to Tiffin Land at the time. It was called area five. The reference is O to forward slash 03373. Forward slash o u t e a. And in this document, there's references to all kinds of mitigations on Viridian Park itself, on adjacent sites, but also an area five which belonged to telephone at the time.

01:33:43:12 - 01:34:18:01

Then historically, uh, telephone land was handed over to Peabody, um, when Norman Whitefield was improved. Um, Mr. Joyce is quite right. A number of capital works were carried out where the scrapes were created, the grassland was improved, the ditches were improved. All for biodiversity. An ecological management plan was produced. It was very clear that it was to improve biodiversity. And then a number of detailed management plan were due to be produced.

01:34:18:04 - 01:34:50:06

I'm not aware that these were ever produced or enforced or implemented. If that is the case, it is a failure from the landowner and the local authority in relation to enforcing a planning obligations and planning duties. And as we've talked about the baseline for that site, if there is a failure of enforcement or planning duties in relation to biodiversity, then it is wrong to look at this as the baseline.

01:34:50:08 - 01:35:21:09

The site should be a lot richer than it is. It is very rich ecologically, but it could be a lot richer if it had been managed properly. The principle of using the same site over and over again to mitigate for nearby developments is completely wrong, and we're clearly running out of land, and this is something that has to stop and it cannot continue. This is not an extension to the nature reserve. It already exists.

01:35:21:11 - 01:35:48:15

And wildlife see no boundaries. They use this site now and improving it as is suggested, would just change the habitat, not improve it. What it needs is management management in line with what was agreed in those planning conditions. And it is Peabody's duty to manage the site in line with biodiversity requirements.

01:35:50:20 - 01:35:51:05

Thank you.

01:35:52:24 - 01:35:54:02

Is there anything else?

01:35:54:09 - 01:36:25:05

Um. Yeah, I think, um, the the position is we are committing the TCA is going to require us to manage the land and the improvements that we make to it. Now, um, you know, you could argue what the various parties have or haven't done there, but the reason I keep on referring to the baseline is because we are mitigating the impact of our scheme on the baseline that exists. And it may be that Peabody, um, should have done at certain things.

01:36:25:11 - 01:36:57:10

Um, but if they haven't, that's that's reflected in the reality of the land as it sits. So we are our position is that we're improving the ecological baseline. Um, and um, I think the, our proposal is that what we're wanting to do here is essentially say that is the reality of what the baseline is. We we acknowledge that those previous commitments may have existed, but we're saying that essentially they are replaced by the regime we're creating.

01:36:58:08 - 01:36:59:11

Okay. Thank you, Mr. Fox.

01:37:00:15 - 01:37:31:11

I've got a few more questions I want to explore here, but I think this is a good opportunity to have a short, uh, comfort and, uh, refreshment break and like, it's almost half past, uh, uh, three. Um, I'm hoping that, uh, the ten, just over ten minutes will be, uh, will be enough. So I'm going to adjourn the hearing and we'll reconvene at, uh, uh, 340. That's, uh, that's that's 22, 20 to 4. Um, although, just to give you a bit of comfort, I, I've only got a few more questions that I wanted to ask.

01:37:31:13 - 01:37:35:05

So we'll adjourn now and I'll see you at, uh, uh, 340. Thank you.

