

PLANNING ACT 2008
THE INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE) RULES 2010

Planning Inspectorate ref: EN010128 Cory Decarbonisation Project

**Written representations from the Greater London Authority (GLA) on behalf of the Mayor
of London.**

Contents

1. Introduction.....	3
2. Alignment on Net zero.....	3
3. Alignment with the London Plan.....	3
4. Impacts on air quality	4
5. Biodiversity Net Gain	5

1. Introduction

The Mayor has a strategic role in ensuring that London is a better place for people to live, work and visit. The Mayor has a number of policies and statutory duties relating to Housing and Land, London's green infrastructure and management of waste, as set out in the London Plan and the London Environment Strategy (LES). Additionally, the Mayor has set an ambitious target for London to reach net zero by 2030. As such, the Mayor has an interest in the Development Consent Order for a carbon capture and storage facility in the London Borough of Bexley.

The GLA provided a response to the statutory consultation and received a response from Cory. However, whilst Cory have provided more detail on the reasons for their site selection, the current proposal is still not in alignment with the Mayors policies in the London Plan or LES. These issues are detailed below, and we believe the Planning Inspectorate should consider these factors carefully whilst assessing the proposed development. Due to the inconsistency with Mayoral policy, we do not support the proposal in its current format.

2. Alignment on Net zero

The Mayor believes industry has an important part to play in London's decarbonisation and welcomes efforts from the EfW sector to reduce their emissions. However, decarbonisation should be considered alongside responsibilities to minimise impacts on the environment and human health. As such, plans to develop the site in Bexley should take full consideration of both the climate and ecological emergencies. The plans should seek to comply with relevant policies set out in the London Plan and LES, in addition to national targets on net zero and biodiversity.

The Mayor has been clear that London does not require increased incineration capacity and opposed the development of the Riverside 2 Energy from Waste Facility. The Mayor maintains this position, and as set out in the LES, is determined that where capacity does exist it manages only truly non-recyclable waste. It is also essential that Energy from Waste facilities make the most of capturing the offtake from energy production through combined heat and power and connecting this for use by, for example, housing. These factors should remain priorities for Cory in the development and management of the Riverside facilities regardless of plans for carbon capture and storage. The Mayor would like to see faster progress by Cory and its partners in connecting to a local heat network as a contribution to net zero.

3. Alignment with the London Plan

Part of the land to be taken by the proposed development and the two potential Mitigation Areas are designated Metropolitan Open Land (MOL). London Plan Policy G3 clearly states that MOL is afforded the same status and level of protection as Green Belt and that it should be protected from inappropriate development in accordance with national planning policy Green Belt tests.

The proposed development includes taking land that currently forms part of the Crossness Nature Reserve, and Erith Marshes Site of Importance to Nature Conservation (SINC, Metropolitan Grade, i.e., the highest priority for protection). As well as noting direct, permanent, and significant adverse effects on these sites, the Environmental statement additionally notes significant adverse effects on Belvedere Dykes SINC and the River Thames and Tidal Tributaries SINC (Metropolitan Grade). London Plan Policy G6 states that SINCs should be protected.

The Terrestrial Sites Alternative Report (TSAR) sets out alternative development proposals that are not considered feasible and provides increased detail on how they have been assessed against the optioneering principles. Whilst this was requested and welcomed, we do not believe that the information provided presents a clear justification for why the preferred site was chosen or why alternatives were rejected. It is not clear that the optioneering principles have been implemented appropriately and with adequate recognition of the ecological emergency. For instance, the East zone site option appears to perform more favourably in regard to Principle 1 (Seek to avoid or minimise adverse impact to locally important biodiversity sites) and other issues identified do not appear significantly greater than those associated with the chosen site. There also does not appear to have been full exploration of the factors that would influence the feasibility of the West zone. The information provided does not allow assessment of how these factors have been weighed against each other, including what is considered to be excessive costs.

Notes in the TSAR reference protecting biodiversity important sites and species, but necessarily the associated habitats. It is not entirely clear how or whether the variables impacting Biodiversity Net Gain (BNG) have been considered within the site selection i.e., habitat distinctiveness etc. (See more on BNG below)

4. Impacts on air quality

The GLA requested that the applicant provide an Air Quality Neutral (AQN) Assessment as part of the Environmental Statement, referring to the London Plan Guidance 'Air Quality Neutral'; notably footnote 9, which refers to the use of benchmarks when the use class/ land use type is not listed or specified. In addition, the development will introduce other new emissions' sources through new vehicle movements and generators on-site.

Cory have subsequently undertaken an AQN assessment, however, no building emissions are included. The emissions associated with the energy used by any new office space or other building space needs to be calculated and compared with the benchmark, even if it's generated on site and from an Energy from Waste process. The point made that the CO2 capture would make up for these emissions is not considered valid as CO2 is not considered an ambient air pollutant and is not captured in the Air Quality Neutral policy which aims to address the key pollutants PM2.5 and NO2.

Results from the ES highlight a potential significant negative impact of nitrogen oxides from the proposed development on ecological receptors (namely Ingrebourne Marshes and the

Inner Thames Marshes SSSIs, and Crossness and Rainham Marshes Local Nature Reserves). However, the report does not clearly set out proposed mitigation approaches.

5. **Biodiversity Net Gain**

The Biodiversity Net Gain (BNG) assessment seems generally sound, but the following comments are made:

- The results state that the net gain in habitat units is +10.01% including both onsite and offsite locations. It would be more transparent to note that the onsite score by itself is +1.31%. (4.4.1)
- The jetty location has not yet been determined, the BNG assessment will need to be updated once that happens.
- Temporary construction compounds, utilities connections and site access works are included within the assessment. However, it is unclear how/whether the habitats within these areas have been treated differently to permanently impacted habitats. For example, have they been treated as lost and re-instated due to their temporary nature? (1.1.2)
- The methodology for assigning Strategic Significance (SS) scores is outlined in Table 2-1. There is no mention of the Preliminary Ecological Appraisal being used to help assign scores or whether habitats are 'ecologically desirable' to species within the footprint and surrounding area. (2.1.2)
- A 'delay' in habitat creation of 2 years has been applied in the Metric, because habitats proposed within the scheme footprint will be installed following the completion of the construction phase. Note that if the delay will be more than 2 years, this will need to be amended and will impact the BNG score. (2.1.3)
- 3.3 outlines variables that influence the metric score for onsite biodiversity. It is noted that an area for the piers is not given, only that they are assumed to be 1m in diameter. It is unclear what area of 'developed land' has been entered into the metric on this basis, or a statement that the total area of piers is under threshold.
- 4.1.5 sets out the habitat creation and enhancement measures within the Mitigation and Enhancement Area. It is queried why 'Poor' condition is targeted for the new woodland creation.
- It should be added as a note that any changes to the assumed habitat creation and enhancements that have been entered into the Metric, will result in a change in the BNG score. So that any contractor delivering the scheme is aware that changes to specification will have an impact. (4.2.1)
- Linear habitats appear to be missing on the figures. (7.1.1)
- It would be useful to have an explanation of the trading rules for each distinctiveness type. There is presence of high distinctiveness habitats that should be replaced like-for-like. Although the report states that trading rules are satisfied, it would be useful to provide a narrative around how trading rules influenced the mitigation provided.

