



STATEMENT OF COMMON GROUND - BUGLIFE: 8.1.28

DECARBONISATION

Cory Decarbonisation Project

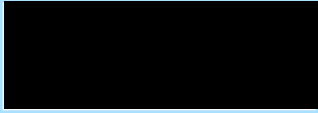

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Date	12/12/2024	12/12/2024

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1. INTRODUCTION

1.1. PURPOSE OF THE STATEMENT OF COMMON GROUND

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

- Temporary Construction Compounds; and
- Utilities Connections and Site Access Works.

1.2. INTRODUCTION TO BUGLIFE

- 1.2.1. This SoCG has been prepared between Buglife (The Invertebrate Conservation Trust) and the Applicant (jointly referred to as the Parties) in relation to the DCO Application.
- 1.2.2. Buglife is a charity that works to protect invertebrates within the UK and around the world. Advice and consultation responses are typically provided as part of non-statutory consultation and engagement, in response to as part of statutory consultation including on the Preliminary Environmental Information Report (PEIR)² and participation in the Examination process.

1.3. STATEMENT OF COMMON GROUND STRUCTURE

- 1.3.1. Section 2 summarises all engagement to date of relevance to this SoCG and Section 3 details whether matters are Agreed, Not Agreed, or Under Discussion between the Parties.
- 1.3.2. In respect of matters relevant to the Proposed Scheme, but not referred to in this SoCG, Buglife has no further comments to make at this point.
- 1.3.3. This SoCG is a document that is expected to evolve during the Examination, concluding with a version that confirms the Parties' positions on relevant matters before the close of the Examination.

2. RECORD OF ENGAGEMENT

2.1.1. A summary of the correspondence that has taken place between the Applicant and Buglife in relation to the Proposed Scheme is outlined in the Table below.

Table 2-1 Schedule of Correspondence

Date	Form of Engagement	Summary of Matters Dealt with in Correspondence/ Meeting
28 th November 2023	Section 42 Response Letter	Buglife’s Section 42 Response made comments on the following topics of the PEIR ² : <ul style="list-style-type: none"> • Impacts on nationally important invertebrate assemblages in the Thames Estuary South Important Invertebrate Area; • Loss of a Site of Importance for Nature Conservation and associated Priority Habitats; and • Land use conflicts and mitigation. The Applicant responded to the points raised in the Section 42 Letter within Table 7-3 of Chapter 7: Terrestrial Biodiversity of the Environmental Statement (Volume 1) (APP-056) .
30 th May 2024	Letter	Buglife submitted its Relevant Representation (RR) (RR-029) raising the following topics: <ul style="list-style-type: none"> • Thames Estuary South Important Invertebrate Area (IIA); • Invertebrate species and assemblages within the Site, including threatened species; • Impacts on sites designated for nature conservation (Crossness LNR, Erith Marshes Metropolitan Site of Importance to Nature Conservation (MSINC), Belvedere Dykes MSINC and River Thames and Tidal Tributaries MSINC); and • The use of Norman Road Field for mitigation.

Date	Form of Engagement	Summary of Matters Dealt with in Correspondence/ Meeting
		The Applicant responded to the points raised in the RR (RR-029) within the Response to Relevant Representation Report (AS-043) .
16 October 2024	Email	SoCG sent to Buglife by the Applicant.
18 October 2024	Email	Buglife provided comments on the SoCG to the Applicant.
18 October 2024	Email	Revised SoCG sent to Buglife by the Applicant.
21 October 2024	Email	Buglife provided acceptance of the revised SoCG and noted that the shrill carder bee <i>bombus sylvarum</i> has been previously recorded within the Crossness LNR ³ .
26 th November 2024	Meeting	<p>A meeting was held to discuss Buglife’s concerns in relation to the Proposed Scheme. Key discussion points covered baseline habitat data and mitigation, BNG, onsite mitigation, site uses (section 106 agreement) and invertebrate surveys.</p> <p>Buglife’s concerns included the following points, further detail is provided regarding these points within Table 3-2 below:</p> <ul style="list-style-type: none"> • Whether consideration has been given to invertebrates as part of the proposed habitat enhancements; • If the offsite habitat creation at Thamesmead Golf Course has been confirmed; and • Concerns over changing an existing section 106 agreement and whether all these agreements will be upheld.

Date	Form of Engagement	Summary of Matters Dealt with in Correspondence/ Meeting
6 th December 2024	Email	The Applicant issued the meeting minutes as discussed during the meeting on 26 th November 2024.

2.1.2. It is agreed **Table 2-1** is an accurate record of the engagement between the Applicant and Buglife in relation to the issues addressed in this SoCG as at the date of this SoCG.

3. ISSUES

3.1. TERMINOLOGY

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

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

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

3.2. MATTERS AGREED

3.2.1. **Table 3-1** below details the matters Agreed between the Buglife and the Applicant (Cory).

Table 3-1 Matters Agreed

Date	Form of Engagement	Details of Matters Agreed
28 th November 2023	Section 42 Response Letter	<p>The Applicant and Buglife are in agreement that:</p> <ul style="list-style-type: none"> • The Proposed Scheme will impact Crossness LNR, which falls within the Thames Estuary South IIA. • A range of important invertebrate species can be found within the Site, including the brown-banded carder bee <i>Bombus humilis</i>. • The Erith Marshes MSINC, Belvedere Dykes MSINC and River Thames and Tidal Tributaries MSINC, also fall within the Site. • Norman Road Field comprises of Coastal and Floodplain Grazing Marsh (Habitat of Principal Importance (HPI)) and is identified as an area by the Applicant to be used for enhancement measures as part of the Proposed Scheme.
30 th May 2024	Letter	<p>In addition to the bullets above, the Applicant and Buglife are also in agreement that:</p> <ul style="list-style-type: none"> • The Vulnerable lesser spangled diving beetle <i>Graphoderus cinereus</i> has been recorded at the Site. • The Proposed Scheme will result in the loss of 540m of the ditch network. The Proposed Scheme intends to mitigate impacts through enhancement of Norman Road Field, amongst other measures, as described in the Outline Landscape Biodiversity Access and Recreation Delivery Strategy (APP-129) and Appendix 7-1: Biodiversity Net Gain Report of the Environmental

Date	Form of Engagement	Details of Matters Agreed
		<p>Statement (Volume 3) (APP-088). Buglife welcomes measures to mitigate for loss of the ditch network.</p>
<p>26th November 2024</p>	<p>Meeting</p>	<p>Following the meeting held on 26th November the Applicant and Buglife are in agreement on the following:</p> <ul style="list-style-type: none"> • Importance of habitat variation in supporting invertebrates. • The Biodiversity Net Gain Opportunity Area (at Thamesmead Golf Course) and it's onward management will be beneficial for invertebrates and will form part of a separate legal agreement, as acknowledged in the DCO application. • Baseline invertebrate surveys will be carried out at the Biodiversity Net Gain Opportunity Area, in order to inform the development of the full LaBARDS during the detailed design phase of the Proposed Scheme. • Buglife are happy to work with the Applicant to provide a beneficial outcome for invertebrates and maintain an open dialogue.

3.3. MATTERS UNDER DISCUSSION

3.3.1. Table 3-2 below details the matters Under Discussion with Buglife.

Table 3-2 Matters Under Discussion

Date	Form of Engagement	Details of Matters Under Discussion
30 th May 2024	Letter	<p>The following matters are under discussion:</p> <ul style="list-style-type: none"> • The effects on terrestrial invertebrates and the Thames Estuary South IIA and the suitability of mitigation measures within the Site, including within the Norman Road Field, for mitigating the effects. Both mitigation and enhancement measures, including within the Norman Road Field, are described in the Outline Landscape Biodiversity Access and Recreation Delivery Strategy (LaBARDS) (APP-129) and Appendix 7-1: Biodiversity Net Gain Report of the Environmental Statement (Volume 3) (APP-088). Norman Road Field forms part of the Mitigation and Enhancement Area, Work No. 7 as shown in the Work Plans AS-007) and so maintaining the future use of this land for this function forms part of the Draft DCO (AS-014). • Buglife considers that direct loss of habitat from Crossness LNR is inappropriate. Crossness LNR was secured by a Section 106 agreement for a period of 99 years from 1994 as compensation for the “Sludge Powered Generator planning permission”. The Applicant has considered and provided appropriate measures within the Draft DCO (AS-046) to deal with the impacts of crossover with the Section 106 agreement and previous planning permissions and through the Outline LaBARDS (APP-129) will ensure that the remainder of the LNR is managed. The Applicant has proposed a meeting with Buglife to discuss the workings of this with Buglife. • Buglife considers that Norman Road Field is not an appropriate location for the delivery of some of the mitigation and enhancement measures of the Proposed

Date	Form of Engagement	Details of Matters Under Discussion
		<p>Scheme. This is due to Norman Road Field having already been used as mitigation. The Applicant’s view is that it has recognised the existing value of the Norman Road Field as well as the limitations in the condition of habitats it supports, and that there is an opportunity for improvement. Discussion with Peabody Trust/Tilfen Land Ltd confirmed that this area was used to provide mitigation for habitat loss in the past, some 20 years has passed since the works were undertaken and limited management of the area has been implemented over that time. The enhancements proposed to this area and commitment to management in the long term by the Applicant will lead to an improvement for biodiversity in comparison to the existing baseline scenario. The Applicant has proposed a meeting with Buglife to discuss the additive value of its proposals with Buglife.</p>
<p>18th October 2024</p>	<p>Email</p>	<p>Buglife does not consider that the enhancement measures proposed will lead to a genuine uplift in the biodiversity of the area, including invertebrates. Its view is that further assessment of the current ecological value of the Site to invertebrates would be needed for any targeted management to be undertaken that could have a meaningful impact on invertebrate populations. The Applicant considers that its proposals will provide an uplift based on the survey work it has undertaken, and will discuss the detail of this with Buglife.</p>
<p>26th November 2024</p>	<p>Meeting</p>	<p>Buglife have concerns over the location of Norman Road Field as a location for mitigation and enhancement measures. This is because Norman Road Field has previously been used for mitigation for the Veridian Park Development and it already provides a good habitat resource for invertebrates. Buglife have also expressed concerns over changing the previous Section 106 agreement and whether these agreements will be upheld. A 30 year management plan will protect these enhancements, as described in the Outline LaBARDS (REP1-012), which is</p>

Date	Form of Engagement	Details of Matters Under Discussion
		<p>secured as part of a requirement in the Draft DCO (REP1-002). Transferring the Open Mosaic Habitat to the offsite Biodiversity Net Gain Opportunity Area (at Thamesmead Golf Course) rather than restoring onsite will secure this habitat. The Proposed Scheme would enhance the habitat across Norman Road Field and put in place new 30-year management provision, following compliance with the Environment Act, on habitat compensation and enhancement measures, through provisions of the Outline LaBARDS (REP1-012) as secured through a requirement in the Draft DCO (REP1-002). Buglife have concerns that the habitat enhancements proposed for Norman Road Field will not necessarily translate into meaningful benefits for invertebrates. Buglife would like to review the detailed design proposals (when available) for Norman Road Field and provide recommendations if required. Buglife agreed to review the proposals put forwards for the Biodiversity Net Gain Opportunity Area (at Thamesmead Golf Course) and it's onward management.</p>

3.4. MATTERS NOT AGREED

3.4.1. No matters are currently Not Agreed between Buglife and the Applicant.

- ¹ UK Government. 2008. 'Planning Act 2008: Examination stage for Nationally Significant Infrastructure Projects'. Available at: <https://www.gov.uk/guidance/planning-act-2008-examination-stage-for-nationally-significant-infrastructure-projects>
- ² Cory Environmental Holdings Limited. (2023). 'Preliminary Environmental Information Report: Cory Decarbonisation Project'. Available at: <https://corydecarbonisation.co.uk/document-library/>
- ³ Thames Water. Thames Water Site Management Plan 2016-2020: Crossness Nature Reserve & Crossness Southern Marsh.



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