

National Infrastructure Planning
Temple Quay House,
2 The Square
Bristol
BS1 6PN

17 January 2025

By Email: CoryDP@planninginspectorate.gov.uk

Dear Sirs

Application by Cory Environmental Holdings Limited (CEHL) for an Order Granting Development Consent for the Cory Decarbonisation Project

Name: Peabody Trust and Tilfen Land Limited

Registration ID No. 20049000

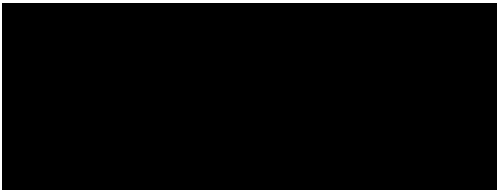
Peabody is the freeholder owner of the following plots of land within the DCO Application's red-line boundary, as are listed in the Book of Reference (AS-016) and identified on the Land Plans (AS-006): 1-001, 1-002 and 1-003 (Peabody Land Limited), and 1-004, 1-006, 1-013, 1-015, 1-018, 1-029, and 1-031 (Tilfen Land Limited).

The Examining Authority has in its first round of Written Questions addressed one of the questions directly to Peabody which is set out below. Further we have added comments on a number of other questions which address matters of interest to Peabody.

Ref:	Question	Peabody Response
Q.1.16.0.3	Are the parties satisfied that the Deeds of Obligations have been drafted in a legally satisfactory manner and meet the tests for such obligations?	Peabody has received a copy of the draft Deed of Obligations and this has been provided to its lawyers for review in order to respond fully to the ExA's question. The lawyers have requested an undertaking to cover the costs associated with this review which has held up the ability to provide a full response. Peabody will look to update the ExA at the next deadline by which time it would anticipate being in a position to respond with its comments on the legal suitability of the Deed of Obligations.
Q.1.3.1.14	Can the applicant confirm the total area of the BNG Opportunity Area?	Peabody is able to confirm that there are areas within the Former Thamesmead Golf Course that are not being made available for use as a BNG Opportunity Area. The overall masterplan is being developed to

		accommodate both the ambitions Peabody has for the site and the BNG offset required by the Applicant.
Q.1.3.1.15	Would any additional permissions be required, such as planning permission, for the works and creation of the BNG Opportunity Area?	Peabody is working with the Applicant to remove concerns that planning permission may be required to deliver parts of the masterplan being promoted by Peabody and not included in the BNG Opportunity Area which is understood would not require planning consent.
Q.1.3.1.16	Further to the evidence of Dr Joyce at Issue Specific Hearing 1 and the LaBARDS [REP1-012] which states that the former Thamesmead Golf Course has been subject to ecology surveys, but these do not appear to have been provided with the DCO application. Can the Applicant confirm whether it intends to submit these surveys to the Examination, and if not why this is not considered necessary, as it is not clear how any positive weight could be attributed to the potential BNG if the baseline is not known?	Peabody acknowledge that the baseline study used to inform the masterplan design was taken as a point in time. Over time there has and will be a graduation of change to the habitats. In order to stop further change and protect the Applicants approach we would seek funding to manage the sites so that the baseline does not change too much by the time the proposed works starts on the ground, which we believe could be some years away.
Q.1.3.1.17	<p>The LaBARDS [REP1-012] states that the exact future habitat creation at the BNG Opportunity Area has not been designed yet. Outline area measurements are listed in Section 11.1 and Appendix 1 of the outline LaBARDS. Further to the evidence of Dr Joyce at Issue Specific Hearing 1 and bearing in mind representations received regarding the proposed BNG Opportunity potential to support a range of wildlife at present, how has the Applicant considered this in the BNG calculations. Can the Applicant confirm:</p> <ul style="list-style-type: none"> • When the design of the BNG Opportunity Area will be determined?; • How this is considered to represent BNG in an area that may already be subject to a diverse ecological baseline?, and • How any positive weight can be attributed to the BNG when it is not known whether the proposed habitats are feasible (eg whether the BNG Opportunity Area is located in an area of potential flood risk)? 	<p>Peabody has environmental consultants advising on the masterplan design for the Former Thamesmead Golf Course. They have been working with the Applicant to prepare a scheme that in principle will deliver both the ambitions Peabody has for the site and the BNG offset required by the Applicant.</p> <p>Of concern to Peabody is the likely length of time between now and the possible commencement of establishment of the landscape mitigation works. Whilst it would be preferable to have certainty of timing, as an interim position it is suggested that the Applicant could provide funding so that Peabody could manage the sites to ensure they remain available to deliver the BNG offset required.</p>

Yours sincerely



Stephen Walker
Executive Director