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All Interested Parties and Statutory Parties

Your Ref:

Our Ref: EN010128

Date: 28 January 2025

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Dear Sir/ Madam

## **The Infrastructure Planning (Examination Procedure) Rules 2010 – Rule 9**

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

#### **Notice of procedural decision in respect of Change Request 2**

The Examining Authority (ExA) is writing under Rule 9 of the Infrastructure Planning (Examination Procedure) Rules 2010 (as amended) in response to the submission of a formal request by Cory Environmental Holdings Limited (CEHL) to make changes to the application in their letter of 17 January 2025 [[AS-066](#)].

The Applicants' formal request to change the application reconfirms the proposed changes set out in the Applicants' notification of intent to make changes to the application letter of 22 November 2024 [[AS-063](#)], along with an additional change, number 5) in the list below.

#### **Proposed changes**

##### *Changes to proposed Works and Design Parameters*

- 1) Inclusion of electrically driven fans to the cooling system for the proposed Carbon Capture Facility in Work No 1A in Schedule 1 of the draft Development Consent Order (dDCO).
- 2) Provision for reconfiguration of the Stack(s) from the top of the Absorber Column(s) to potentially be connected to, but forming a separate stack, or totally separate from, and directly adjacent, to the Absorber Column(s) in Work No 1B in Schedule 1 of the dDCO.
- 3) Provision to increase the maximum height of the 'Regenerator' from 50m to 60m (53m AOD to 63m AOD) in the Design Parameters in Schedule 16 of the dDCO.

##### *Reduction in Order limits*

- 4) Exclude the Great Breach Pumping Station (removal of plot 1-122).
- 5) A reduction to the Order limits within the River Thames (reduction of plot 2-006) at the request of the Port of London Authority.

*Clarification in design specified in Works*

- 6) Inclusion of the word 'system' in Work No 1A(i) in Schedule 1 of the dDCO.
- 7) Inclusion of the word 'system' in Work No 1A(v) in Schedule 1 of the dDCO.
- 8) Addition of the phrase 'and deoxidation' added after liquefaction unit(s) in Work No 1C(iii) in Schedule 1 of the dDCO.
- 9) Addition of the phrase 'chemical storage and distribution handling facilities' in Work No 1C in Schedule 1 of the dDCO.

In considering the requested changes the ExA has referred to paragraph 18 of the DCLG Guidance ['Planning Act 2008: Examination of Applications for Development Consent'](#) and the Planning Inspectorate's advice ['Nationally Significant Infrastructure Projects: Changes to an application after it has been accepted for examination'](#) (the Advice).

The ExA notes that the Applicant has addressed the points and provided the information as set out in the ExA's letter of 29 November 2024 [\[PD-008\]](#).

The ExA notes the applicant's targeted approach to the identification of those affected by the proposed change to the Order limits within the River Thames (change 5), including the timing of The Port of London Authority's request. The Port of London Authority requested changes in light of both their ownership of the affected plot and responsibilities in respect of vessel movements and licensing within the Thames, and are the only identified Affected Person in respect of ownership and occupation of Plot 2-006 identified in the Book of Reference. Consequently, in these particular circumstances and bearing in mind the Advice, the ExA considers that there is unlikely to be any prejudice to any parties that this change was not identified in the Applicant's notification of intent to make changes to the application letter and did not form part of the consultation exercise for the other changes.

The ExA considers that the proposed changes would amount to a reduction in land take required and that this would not be likely to raise any materially new or different issues to those already before the Examination. Furthermore, the ExA accepts that the proposed changes would not lead to the Proposed Development being different in nature or substance to that which was originally applied for and that there is sufficient time within the Examination for the proposed changes to be properly and fairly examined. The ExA has therefore made a Procedural Decision to **accept** Change Request 2 into the Examination.

Now that the ExA has decided to accept the change application, the examination will proceed by considering the 'changed application'. The changed application is the original application as it has been changed by the accepted change application.

The ExA reminds the Applicant and Interested Parties that in accepting the change request, the ExA is not accepting, at this stage, that the planning merits of the Proposed Development, or that the case for Compulsory Acquisition and Temporary Possession has been made. The ExA will, following the close of the Examination, make a recommendation on both based on the evidence that is before the ExA.

Interested Parties can comment on the accepted change to the application at **Deadline 4** on **Tuesday 25 February 2025**.

Yours faithfully

*Geoff Underwood*

### **Examining Authority**

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