



# STATEMENT OF COMMON GROUND – LONDON BOROUGH OF BEXLEY: 8.1.1

**DECARBONISATION**

## **Cory Decarbonisation Project**

PINS Reference: EN010128

**January 2025**

**Revision C**

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## 1. INTRODUCTION

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### 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 Ministry of Housing, Communities and Local Government (MHCLG) (formerly Levelling Up, Housing and Communities) guidance entitled ‘Planning Act 2008: Examination stage for Nationally Significant Infrastructure Projects’<sup>1</sup> (hereafter referred to as MHCLG Guidance) 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 examination focusses 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 Guidance. 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 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:

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<sup>1</sup> <https://www.gov.uk/guidance/planning-act-2008-examination-stage-for-nationally-significant-infrastructure-projects>

- 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 LONDON BOROUGH OF BEXLEY**

- 1.2.1. The Proposed Scheme falls within the administrative area of the London Borough of Bexley, which is consequently the relevant planning authority for the DCO Application. It is a relevant party with which to prepare a SoCG.
- 1.2.2. This SoCG addresses topics of interest to London Borough of Bexley and has been prepared between London Borough of Bexley and the Applicant (jointly referred to as the Parties) in relation to the DCO Application.

## **1.3. STATEMENT OF COMMON GROUND STRUCTURE**

- 1.3.1. Following this introduction, Section 2 summarises all engagement to date of relevance to this SoCG and Section 3 details whether matters are Agreed, Under Discussion, or Not Agreed between the Parties.
- 1.3.2. 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 meetings and correspondence that has taken place between the Applicant (Cory) and the London Borough of Bexley (LBB) in relation to the Proposed Scheme is outlined in Error! Reference source not found. below. There has been email correspondence between the Parties to discuss the sharing of information, arrangement of meetings and to share comment on draft documentation, not all of which has been reported. Table 2-1 focusses on the key meetings and emails of note that have taken place between the Parties.

**Table 2-1 Schedule of Meetings and Correspondence**

Date	Form of Engagement	Summary of Matters Dealt with in Correspondence/ Meeting
31/01/2023	Email correspondence	<p><b>Key Topic</b></p> <p>Townscape and Visual impact assessment viewpoint locations.</p> <p><b>Key Outcome</b></p> <p>N/A there is no response confirming the agreed list of viewpoints.</p>
13/02/2023 – 28/02/2023	Email correspondence	<p><b>Key Topic</b></p> <p>Enquiry related to contaminated land.</p> <p><b>Key Outcome</b></p> <p>LBB confirmed typical ground conditions in the area but could not provide answers to the other queries without a location plan. The Applicant issued the location plan on 28/02/2024.</p>
19/04/2024	Email correspondence	<p><b>Key Topic</b></p> <p>Scoping Report</p>

Date	Form of Engagement	Summary of Matters Dealt with in Correspondence/ Meeting
		<p><b>Key Outcome</b></p> <p>Cory informed LBB that the Scoping Report has been issued on PINS and that the consultation letters will be issued later on that day (19/04/2024).</p>
<p><b>09/05/2023</b></p>	<p>Introductory Meeting with London Borough of Bexley Officers</p>	<p><b>Key Topic</b></p> <p>Project introduction to LBB.</p> <p><b>Key Outcome</b></p> <p>Discussion of red line boundary. Cory confirmed many of the parcels were previously developed land and or/or benefitted from current/future development proposals and noted the sensitivity of the CNR and MOL designation. Cory outlined the engineering drivers that prioritise placing the carbon capture plant as close to the existing EfW facilities as possible. Cory confirmed discussion with Thames Water had commenced.</p> <p>Discussion of size, particularly height of plant. Cory confirmed design being progressed, with a view to developing design parameters to underpin the project.</p> <p>LBB advised that whilst the authority would like to see any BNG provided within the Borough, it was not able to provide any land (as it had done for REP).</p> <p>Discussion of air emissions. Cory to set up an air quality focused call to discuss nitrogen oxide emissions</p>
<p><b>12/05/2023</b></p>	<p>Meeting with the Emergency Planning team from London Borough of Bexley</p>	<p><b>Key Topic</b></p> <p>Introduce the project to the team, using the same presentation as meeting on 09/05/2023.</p>

Date	Form of Engagement	Summary of Matters Dealt with in Correspondence/ Meeting
		<p><b>Key Outcome</b></p> <p>Cory to arrange meeting with the London Fire Brigade (Jim Morford)</p> <p>Cory to organise site visit for the London Borough of Bexley Officers.</p>
<p><b>22/05/2023 – 11/03/2023</b></p>	<p>Email correspondence</p>	<p><b>Key Topic</b></p> <p>Traffic survey scoping requirements</p> <p><b>Key Outcome</b></p> <p>The contract information has been passed on for the officer at Transport for London.</p>
<p><b>25/05/2023</b></p>	<p>Email correspondence.</p>	<p><b>Key Topic</b></p> <p>Consultation Strategy</p> <p><b>Key Outcome</b></p> <p>First round of informal consultation confirmed from 05/06 to 15/07, with 2 pop up events: 16/06 and 17/06 2023.</p>
<p><b>23/05/2023</b></p>	<p>Air Quality Presentation – Microsoft Teams</p>	<p><b>Key Topic</b></p> <p>A discussion of the air quality impacts during both the construction and operation phases, the new pollutants introduced by carbon capture and any additional project scope.</p>

Date	Form of Engagement	Summary of Matters Dealt with in Correspondence/ Meeting
		<p><b>Key Outcome</b></p> <p>It was confirmed that for the construction air quality impacts that it will be the air quality standards in line with the Air Quality Strategy and not those produced by the Greater London Authority that should be considered.</p> <p>For the operational air quality impacts, it was confirmed that all of the emissions will be assumed to be cumulative for the annual mean impacts and won't be combining worst case scenarios.</p> <p>There will be new pollutants introduced by carbon capture as amines are used as the solvent, however in the concentrations that will be released there will not be any significant health effects. There is not a standard of regulation for the amines, however the Environment Agency have defined assessment levels which will be used to assess the impacts.</p>
<p><b>19/06/2023-10/07/2023</b></p>	<p>Email correspondence</p>	<p><b>Key Topic</b></p> <p>Request for any usage records for PRowslong distance walking routes as well as green spaces.</p> <p><b>Key Outcome</b></p> <p>LBB confirmed it did not hold records on usage and the condition of the PRow. Advised the Applicant to undertake surveys.</p>
<p><b>19/07/2023</b></p>	<p>Email correspondence</p>	<p>PEIR update.</p> <p>Offer of an updated presentation and a site tour to LBB Members and Officers if this would be useful.</p>



Date	Form of Engagement	Summary of Matters Dealt with in Correspondence/ Meeting
14/09/2023	LBB Officers site visit and project update meeting	Site visit and discussion of wide range of topics such as navigation, traffic, ecological impacts, BNG, and the relationship with the wider CCS chain.
28/09/2023	LLFA Meeting	<p><b>Key Topics</b></p> <p>Items discussed: evolving design, including incorporating land level raise (by 1.5 to 2m) to 2.8m AOD; ditches to remove, the reasons and mitigation design; ditches to retain, easement and maintenance requirements; clarification of rivers condition assessment intended to understand physical flow, condition of banks and flow conveyance capacity, not an ecological survey; and drainage principles.</p> <p><b>Key Outcomes</b></p> <p>General agreement on approach to ditches (removals and retentions); standard easement of 8m alongside ditches, can be reduced with discussion; LBB generally content with outline drainage strategy, 40% climate change allowance to be used in modelling; FEH2013 agreed to be acceptable; no requirement to submit LBB SuDS proforma.</p>
28/09/2023 – 03/10/2023	Email Correspondence	<p><b>Key Topic</b></p> <p>PEIR and SoCC</p> <p><b>Key Outcome</b></p> <p>Confirmation that the SoCC has been accepted by LBB and that using the brochure as the non technical statement to the PEIR is acceptable.</p>
17/10/2023	LBB Members site visit and project update meeting	General overview of the Proposed Scheme followed by Q and A.

Date	Form of Engagement	Summary of Matters Dealt with in Correspondence/ Meeting
24/11/2023	LBB Officers' Project Update	<p><b>Key Topic</b></p> <p>Updates and Q &amp; A were provided on the following topics:</p> <ul style="list-style-type: none"> <li>• Consultation</li> <li>• National Policy</li> <li>• Enviromental Statement</li> <li>• Improved Connections</li> <li>• Ecological Impacts, Mitigation and Enhancments</li> <li>• Ecological Compenstaton and Mitigation</li> <li>• Metropolitan Open Land</li> <li>• Project and Design Principles</li> </ul>
05/01/2024	Email correspondence	<p><b>Key Topic</b></p> <p>Introduction of the project to the Urban Design Officer.</p> <p><b>Key Outcome</b></p> <p>It would be useful for LBB to have a future discussion with the Applicant's ecologist.</p>
06/03/2024	Landscape Strategy meeting	<p><b>Key Topic</b></p> <p>The Draft Design Approach Document was shared, the layout and design of the proposed development were then queried.</p> <p><b>Key Outcome</b></p>

Date	Form of Engagement	Summary of Matters Dealt with in Correspondence/ Meeting
		<p>Confirmation that Hydroen has been removed from the Proposed Development, with the focus now solely carbon capture.</p> <p>The choice of materials has not yet been confirmed and this will be influenced by final design.</p> <p>Pipework will run from the Riverside 1 and 2 developments to transport gas emissions, this has been discussed with the Friends of the Crossness Nature Reserve.</p> <p>Flood risk has not been increased by the compact layout, but the compact layout does allow for land at the southern end of Norman Road to be used for attenuation ponds.</p> <p>It is Cory's intention to keep BNG and mitigation as close as possible with the majority being on site.</p>
<p><b>19/09/2024</b></p>	<p>Update following Relevant Representations meeting</p>	<p><b>Key Topic</b>            General update on Cory's response to LBB Relevant Representations and to identify the key topics to discuss in future meetings.</p> <p><b>Key Outcome</b>            Both Parties agreed to progress further discussions seeking to agree as much as possible for the Examination. Likely topics for discussion (thought not limited to these) are land use and alternative sites; terrestrial biodiversity; and design.</p>
<p><b>26/11/2024</b></p>	<p>Telephone conversations</p>	<p>Discussion of how to represent the current mitigation management requirements at Norman Road Field and former Thamesmead Golf Course. Agreed position as set out in the submitted SoCG, Rev A (REP1-014).</p>

Date	Form of Engagement	Summary of Matters Dealt with in Correspondence/ Meeting
09/12/2024	LBB Officer's meeting (Environmental)	<p><b>Key Topic</b></p> <p>Discussion of topics: Land Use and Consideration of Alternatives (including jobs at Munster Joinery UK Ltd; MOL; TVIA; Terrestrial and Marine Biodiversity)</p> <p><b>Key Outcome</b></p> <p>Matters agreed or remain under discussion as set out in this SoCG</p>
10/12/2024	LBB Officer's meeting (Legal)	<p><b>Key Topic</b></p> <p>Discussion of draft Deeds of Obligation and LBB comments on the draft DCO at Deadline 1</p> <p><b>Key Outcome</b></p> <p>The parties agreed to continue discussing the draft Deeds of Obligation.</p> <p>The parties agreed 4 out of the 5 proposed amendments to the draft DCO – these are set out in the SoCG.</p>
20/01/2025	LBB Officer's meeting (Planning & Environmental)	<p><b>Key Topic</b></p> <p>Discussion of methodology used for terrestrial site assessment process and update on disapplication of Land Drainage Act as set out under article 7 of the DCO and policy DP12.</p> <p><b>Key Outcome</b></p> <p>Matters agreed or remain under discussion as set out in this SoCG</p>

### 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 on-going 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.

#### 3.2. MATTERS AGREED

3.2.1. **Table 3-1** below details the matters Agreed between the London Borough of Bexley (LBB) and the Applicant (Cory).

**Table 3-1 Matters Agreed**

Topic	Details of Matters Agreed
<b>Mitigation and Management – Norman Road Field</b>	Veridion Park Phase 1 required associated mitigation, some of which was to be located at Norman Road Field (Area 5). Phase 1 of the Veridion Park development has been implemented as have the permissions granted for the mitigation measures in Norman Road Field. Further, these mitigation measures have been managed for the requisite period of 10 years. Consequently, there remains no mitigation commitments at Norman Road Field.
<b>Mitigation and Management – former Thamesmead Golf Course</b>	There are no mitigation commitments at the former Thamesmead Golf Course.
<b>Air Quality</b>	Matters still under discussion are set out in Table 3-2.

Topic	Details of Matters Agreed
	<p>The Statutory Nuisance Statement is agreed.</p> <p>The Outline CoCP is agreed.</p>
<b>Noise and Vibration</b>	<p>The Statutory Nuisance Statement is agreed.</p> <p>The Outline CoCP is agreed.</p> <p>The controls set out within the draft DCO, both articles and requirements, in relation to noise and vibration, are agreed.</p> <p>It is agreed that the construction hours as set out at requirement 8 of the draft DCO are acceptable.</p>
<b>Terrestrial Biodiversity</b>	<p>Matters still under discussion are set out Table 3-2.</p> <p>It is agreed that the Carbon Capture Facility would result in the loss of 2.5ha of habitat within the East and Stable Paddocks. It is agreed that habitat can be created under the Flue Gas Ductwork and that this is addressed within the Outline LaBARDS.</p> <p>It is agreed that the proposals set out in the Outline LaBARDS for the Norman Road Field and Crossness LNR are additional. The uncertainty regarding the baseline for Norman Road Field expressed in LBB’s LIR is because this was written before agreement on this matter was reached in the SoCG Rev A.</p> <p>It is agreed that Norman Road Field is located within the Erith Marshes SINC.</p> <p>The controls set out within the draft DCO, both articles and requirements, in relation to the Outline LaBARDS, are agreed. The parties continue to discuss the draft Deed of Obligations.</p>
<b>Riparian and Marine Biodiversity</b>	<p>Matters still under discussion are set out at Table 3-2.</p> <p>The controls set out within the draft DCO, both articles and requirements, in relation to marine biodiversity, are agreed.</p>

Topic	Details of Matters Agreed
<b>Historic Environment</b>	<p>The potential for significant impact on Lesnes Abbey is considered in Table 3 of Appendix 9-1: Historic Environment Desk Based Assessment of the Environmental Statement (Volume 3) (APP-100). The Crossness Pumping Station group of assets are assessed in Appendix 9-1: Historic Environment Desk Based Assessment of the Environmental Statement (Volume 3) (APP-100)) which includes an assessment of harm in accordance with NPS EN-1 and the NPPF. There is no requirement to do any further work in terms of Historic Environment for either Lesnes Abbey or the Crossness Pumping Station group of assets.</p> <p>The controls set out within the draft DCO, both articles and requirements, in relation to historic environment, are agreed.</p>
<b>Townscape and Visual (including Arboriculture)</b>	<p>Matters still under discussion are set out at Table 3-2.</p> <p>It is agreed that the design principle of grouping the tallest buildings of the CCF at the north of the site (grouping the tall buildings together and drawing scale down as you go south down Norman Road) is good planning as project mitigation.</p> <p>The Design Principles and Design Code is agreed.</p> <p>The Applicant confirms that no trees are proposed to be felled for the Proposed Scheme. Some lopping may be undertaken as part of the establishment measures to deliver the LaBARDS, this would be confirmed in the full LaBARDS approved by LBB, as would any proposals for new planting.</p> <p>The Outline LaBARDS is agreed.</p> <p>The controls set out within the draft DCO, both articles and requirements, in relation to Townscape and Visual (including Arboriculture) including good design, are agreed.</p>
<b>Water Environment and Flood Risk</b>	<p>The Applicant has confirmed that whilst a 50 year lifetime has been assumed for the Carbon Capture Facility, the Outline Drainage Strategy and relevant assessment includes the 40% climate change allowance as advised by the LLFA at meeting of 28 September 2023.</p>

Topic	Details of Matters Agreed
	<p>The Outline Drainage Strategy is agreed.</p> <p>The controls set out within the draft DCO, both articles and requirements, in relation to water and flood risk, are agreed.</p>
<p><b>Climate Resilience and Greenhouse Gases</b></p>	<p>It is agreed that the removal of 1.3Mtpa carbon dioxide from the atmosphere would be a positive outcome.</p>
<p><b>Heat</b></p>	<p>It is agreed that Bexley Local Plan Policies DP31 and SP14(c) and London Plan Policy SI3 are relevant to both this topic and the Land Use and Consideration of Alternatives. It is agreed that the Proposed Scheme appropriately makes provision for heat transfer within the Order limits.</p> <p>Bexley Local Plan Policy DP31 Energy Infrastructure requires:</p> <ol style="list-style-type: none"> <li><i>1. Developments within heat network priority areas should be designed to facilitate cost-effective connections to the existing or proposed network in accordance with the London Plan.</i></li> <li><i>2. In designated heat network priority areas, proposals for the development of decentralised energy network infrastructure and related apparatus, including the use of low carbon technology, will be supported.</i></li> <li><i>3. Proposals for major developments that produce heat and/or energy should consider how they can contribute to the supply heat in a designated heat network priority area or demonstrate that this is not technically feasible or economically viable.</i></li> </ol> <p>Bexley Local Plan Policy SP14(c) states:</p> <p><i>The Council will actively pursue the delivery of sustainable development by:... investigating opportunities for the funding and development of decentralised energy networks in the borough; and,</i></p>



Topic	Details of Matters Agreed
	<p><i>supporting the provision of infrastructure, including safeguarding routes and land for such use, where necessary;</i></p> <p>In light of these policies as well as Policy SI3 of the London Plan, LBB supports the inclusion of infrastructure to facilitate the export of heat.</p>
<p><b>Socio-Economics</b></p>	<p>It is agreed that jobs at Munster Joinery (UK) Ltd on Norman Road are limited to distribution, office and showroom; they are no different in skill level to those available at Iron Mountain, Lidl and ASDA. It is agreed that the Proposed Scheme will not lead to a downgrading in skills level.</p> <p>The Outline Skills and Employment Plan is agreed.</p> <p>As detailed in Section ID 3.10.5 of Appendix 4-2: Scoping Opinion Responses of the Environmental Statement (APP-076), a separate tourism economy assessment has not been included in Chapter 15: Socio-economics of the Environmental Statement (Volume 1) (APP-064) as those businesses affected are not tourism related businesses due to the industrial location of the Proposed Scheme. It is agreed that the impact on tourist sectors is likely to be negligible and a separate assessment is not required.</p> <p>The controls set out within the draft DCO, both articles and requirements, in relation to skills and employment, are agreed, including the Applicant's proposed amendment to requirement 15.</p>
<p><b>Ground Conditions and Soil</b></p>	<p>The controls set out within the draft DCO, both articles and requirements, in relation to ground conditions and soil, are agreed.</p>
<p><b>Landside Transport</b></p>	<p>The Framework CTMP is agreed.</p> <p>The controls set out within the draft DCO, both articles and requirements, in relation to the control of construction traffic, are agreed.</p> <p>No cycling improvements required as part of the Proposed Scheme.</p>

Topic	Details of Matters Agreed
	<p>The controls set out within the draft DCO, both articles and requirements, in relation to footpaths, are agreed as set out in the draft DCO.</p>
<p><b>Land Use and Alternatives</b></p>	<p>It is agreed that there is no prescribed method for site assessment.</p> <p>It is agreed that it is appropriate to undertake a site assessment process on a proportionate basis, focussing on policy matters that can differentiate between options and the ability for the options considered to meet project objectives.</p> <p>It is agreed that the method used for the site assessment undertaken for the Proposed Scheme is appropriate.</p> <p>It is agreed that Veridion Park is not a reasonable alternative.</p> <p>It is agreed that development of the Carbon Capture Facility on the Strategic Industrial Location (SIL) allocation (some 70% of the site) is policy compliant in land use terms.</p> <p>It is agreed that harm to the MOL, MSINC and Crossness LNR is limited to the loss of the East and Stable Paddocks (some 30% of the built development area of the CCF) and impact from the Flue Gas Ductwork.</p>
<p><b>Metropolitan Open Land</b></p>	<p>Metropolitan Open Land designations within the London Borough of Bexley Plan (2023) and the London Plan (2021) are recognised to be slightly different.</p> <p>Parties agree to use the MOL designation as set out in the Bexley Local Plan (2023).</p> <p>It is agreed that you have to be in MOL to affect the designation; consequently, it is only that part of the CCF within the MOL that does not comply with relevant development plan policy.</p>
<p><b>Marine Navigation</b></p>	<p>LBB has no control over marine navigation in the River Thames and has no objection.</p>

Topic	Details of Matters Agreed
<b>Population and Health</b>	The controls set out within the draft DCO, both articles and requirements, in relation to ground conditions and soil, are agreed.
<b>Materials and Waste</b>	The controls set out within the draft DCO, both articles and requirements, in relation to ground conditions and soil, are agreed.
<b>Major Accidents</b>	The controls set out within the draft DCO, both articles and requirements, in relation to ground conditions and soil, are agreed.
<b>Draft DCO</b>	<p>Article 15(3) of the draft DCO is agreed. The parties agree that LBB will gain the relevant controls through its approval of the full LaBARDS and that the amendments sought in its LIR are not necessary.</p> <p>Requirement 8 of the draft DCO is agreed. The parties agree that the efficient construction of this critical national priority infrastructure, in a location relatively distant from residential property, can be appropriately undertaken within the hours as set out.</p> <p>Requirement 15 of the draft DCO as submitted at Deadline 2 is agreed.</p> <p>Requirement 25 of the draft DCO as submitted at Deadline 2 is agreed.</p>

### 3.3. MATTERS UNDER DISCUSSION

3.3.1. **Table 3-2** below details the matters Under Discussion between the London Borough of Bexley (LBB) and the Applicant (Cory).

**Table 2-2 Matters Under Discussion**

Topic	Detail of Matters Under Discussion	
	LBB Written Representation	Applicant's Response
<b>Air Quality</b>	<p><b>Negative Impacts</b></p> <p>Location of short term generators not provided; should be at least 25 metres from Crossness LNR</p> <p>No response to RR in relation to potential emissions of chemicals used to capture CO2.</p>	<p><b>The Applicant's response is given in its Deadline 2 submission, in summary that:</b></p> <p>The Design Code includes provision for backup generators to be located a minimum of 25m from the Crossness LNR where practicable.</p> <p>Detailed dispersion modelling assessment, including sensitivity analysis, has been undertaken and reported in Section 5.8 of Chapter 5 Air Quality (Volume 1) (APP-054). The assessment has considered the impacts of potential degradation products of relevant chemicals. Further work to investigate the mitigation of ammonia emissions to ecological receptors via a reduced emission limit value has been completed and incorporated at 1.12 of the Mitigation Schedule (REP1-010).</p>

Topic	Detail of Matters Under Discussion	
	LBB Written Representation	Applicant's Response
	<p><b>Neutral Impact</b></p> <p>It is demonstrated that the EA's nitrosamine guidance has been followed and that the scheme represents an acceptable risk. However the evaluation of model results in Table 5-36 and Figure 5-12 are not consistent with the EA guidance.</p> <p>Additional measures for dust should be included to minimise dust nuisance and human health impacts from construction activities.</p>	<p>There is a typographical error in Table 5-36 of Chapter 5: Air Quality of the Environmental Statement (Volume 1) (APP-054), whereby the column labels indicate the data is in <math>\mu\text{g}/\text{m}^3</math>, however the nitrosamines are presented as <math>\text{ng}/\text{m}^3</math>.</p> <p>The mitigation measures provided in Section 5.7 and 5.9 of Chapter 5: Air Quality of the Environmental Statement (Volume 1) (APP-054) and the Outline CoCP (as updated alongside this submission) are intended to reduce all impacts of dust, including dust nuisance and human health effects, and reflect best practice measures as developed by the Institute of Air Quality Management.</p> <p>Further submissions are made in the Applicant's Response to the Examining Authority's First Written Questions (see Table 2-1) (Doc. Ref: 9.18) (Deadline 3).</p>
<b>Terrestrial Biodiversity</b>	<b>Negative Impact</b>	<b>The Applicant's response is given in its Deadline 2 submission, in summary that:</b>

Topic	Detail of Matters Under Discussion	
	LBB Written Representation	Applicant's Response
	<p>Permanence – Biodiversity measures are proposed for 30 years, temporary and limited to the medium term.</p> <p>Impacts on Strategic Green Wildlife Corridor and Southeast London Green Chain.</p>	<p>Loss of habitat within Erith Marshes MSINC that would result from the construction and operation of the Proposed Scheme is acknowledged in Chapter 7: Terrestrial Biodiversity of the Environmental Statement (Volume 1) (APP-056). Compensation for Coastal Floodplain Grazing Marsh (CFGM) loss within the SINC will be undertaken within the Mitigation and Enhancement Area through enhancement of remaining CFGM, and reedbed within the SINC through a combination of reedbed creation within the Mitigation and Enhancement Area and BNG Opportunity Area, as reported in Section 7.11 of the chapter, and are demonstrated to outweigh the impacts on biodiversity.</p> <p>The proposed enhancement of habitats within the Mitigation and Enhancement Area would maintain the integrity of the Strategic Green Wildlife Corridor.</p> <p>Notwithstanding the loss of habitat in Crossness LNR acknowledged by Chapter 7: Terrestrial Biodiversity of the Environmental Statement (Volume 1) (APP-056), within the East Paddock which is not accessible and will be compensated for, the Proposed Scheme will not lead to a</p>

Topic	Detail of Matters Under Discussion	
	LBB Written Representation	Applicant's Response
	<p>Completed BNG metric not been provided.</p> <p><b>Neutral Impact</b></p> <p>Impacts are dependent on the successful implementation of the measures set out in the Outline LaBARDS.</p>	<p>reduction in the amount of available open space accessible by the public within the Southeast London Green Chain.</p> <p>Appendix 7-1: Biodiversity Net Gain Report of the Environmental Statement (Volume 3) (APP-088) provides PDF copies of each metric spreadsheet as well as a discussion of in its wider text of the calculations within Annex C. The Applicant has provided spreadsheet copies of the metric calculation tool to LBB for their consideration</p> <p>Further submissions are made in the Applicant's Response to the Examining Authority's First Written Questions (see Table 4-1) (Doc. Ref: 9.18) (Deadline 3).</p> <p>Compliance with the full LaBARDS is a Requirement of the DCO. Compliance with the DCO is enforceable by LBB and breach of the DCO is a criminal offence. There can be confidence therefore that the commitments made for the Proposed Scheme will be met and a beneficial outcome achieved.</p>

Topic	Detail of Matters Under Discussion	
	LBB Written Representation	Applicant's Response
<b>Riparian and Marine Biodiversity</b>	<p><b>Negative Impact</b></p> <p>Baseline conditions and future baselines for marine biodiversity are limited and further expansion of baselines to include addition information is required</p>	<p><b>The Applicant's response is given in its Deadline 2 submission, in summary that:</b></p> <p>The Applicant considers the baseline and future baseline for marine biodiversity has been suitably considered within Chapter 8: Marine Biodiversity of the Environmental Statement (Volume 1) (APP-057). The Environmental Statement has considered the main potential changes to future baseline from predicted impacts from climate change, other developments and sea level rises. The Applicant is not clear what other information LBB is seeking.</p> <p>Further submissions are made in the Applicant's Response to the Examining Authority's First Written Questions (see Table 4-1) (Doc. Ref: 9.18) (Deadline 3).</p>
<b>Townscape and Visual</b>	<p><b>Negative Impact</b></p> <p>Policy DP12 and the height of the absorber columns.</p>	<p>At the meeting held on 9 December it was agreed that the Applicant would look to enhance the TVIA assessment narrative in regard policy DP12 to add greater granularity of description in relation to tall buildings in recognition of absorber column height exceeding D12 policy limits etc – acknowledging that policy also refers to context being a</p>



Topic	Detail of Matters Under Discussion	
	LBB Written Representation	Applicant's Response
	<p>Loss of landscape character experienced by users of Norman Road, of the PROW across the Crossness LNR and of the Crossness LNR itself.</p>	<p>consideration and there are no absolute limits. LBB confirmed that they were not asking for additional viewpoints but additional comment in assessment of development in existing views.</p> <p>The Applicant's response is given in its Deadline 2 submission, in summary that: Chapter 10 considers the effects on these users, alongside embedded mitigation. It is noted that there are no visual links between Norman Road and the River Thames. The integrated strategy proposed for the LNR would provide multifunctional benefits to the quality of the future nature reserve, delivering a robust, well managed and cohesive natural environment.</p> <p>Further submissions are made in the Applicant's Response to the Examining Authority's First Written Questions (see Table 19-1) (Doc. Ref: 9.18) (Deadline 3).</p>
<p><b>Land Use, Alternatives and Metropolitan Open Land</b></p>	<p><b>Negative Impact</b></p> <p>Inappropriate development of MOL.</p> <p>Loss of part of Erith Marshes SINC, including part of Crossness LNR.</p>	<p>At the meeting held on 9 December the parties discussed the site assessment undertaken, including that the land currently occupied by Iron Mountain is not big enough. The parties will continue to discuss these matters, seeking to identify the key areas of agreement and</p>

Topic	Detail of Matters Under Discussion	
	LBB Written Representation	Applicant's Response
	<p>Lack of scrutiny of alternative sites.</p> <p>The mitigation hierarchy has not been applied.</p>	<p>disagreement. LBB committed to provide clarity on its position in regard to the very special circumstances put forward by the Applicant.</p> <p>The Applicant's response is given in its Deadline 2 submission, in summary that:</p> <p>The Applicant's approach to the mitigation hierarchy is presented throughout the Application documents, not least the Planning Statement (APP-040) at section 4.7 and the Applicant's Response to Relevant Representations (AS-043), particularly paragraphs 2.5.8 to 2.5.10. The mitigation hierarchy has been appropriately applied at all stages and throughout site optioneering, design evolution, and the identification of appropriate mitigation and compensation measures.</p>
<b>Draft DCO</b>	<p><b>Protective Provisions</b></p> <p>LBB is considering the terms of the Protective Provisions contained within the draft DCO.</p>	<p>The Applicant is content to discuss these further with LBB at the appropriate time.</p>
<b>Draft Deeds of Obligation</b>	<p>The draft Deeds were discussed between the parties at meeting on 10 December 2024 to good effect. The parties will continue to discuss these documents and seek to reach agreement on them.</p>	

### 3.4. MATTERS NOT AGREED

3.4.1. Table 3-3 below details the matters Not Agreed between the London Borough of Bexley (LBB) and the Applicant (Cory).

**Table 3-3 Matters Not Agreed**

Topic	Detail of Matters Not Agreed		
	LBB Written Representation	Applicant's Response	
Draft DCO	<p><b>Written Representation and Appendix (REP1-032 and 033)</b></p> <p>Article 18(1)(a) should be amended as set out.</p> <p>The Council considers that as a public highway, it remains liable for the ongoing safety and maintenance of Norman Road and consequently should approve the form and layout of any new access.</p>	<p><b>Applicant's Response to Interested Parties' Deadline 1 Submission (REP2-019)</b></p> <p>The Applicant's approach is that works to create accesses off of Norman Road north of the junction with the Lidl/Asda/Iron Mountain Access Road only have an impact on Cory operations, as it is only Cory operations which use that stretch of Norman Road. It is also in Cory's interest that that part of Norman Road, and accesses off of it, are in a fit state to support those operations, including HGV usage, and so will ensure that such works are undertaken to a sufficient standard.</p> <p>There is therefore no need for local highways authority oversight of such works.</p>	

## 4. SIGNATORIES

	London Borough of Bexley	Cory Environmental Holdings Ltd (the Applicant)
Signed		
Printed Name		
Title		
On behalf of	London Borough of Bexley	Cory Environmental Holdings Ltd
Date		



## DECARBONISATION

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